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August 25, 2023

Cynthia M. Draper, Assistant Planner
Inyo County Planning Department
168 N. Edwards Street
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Delivered via email to: cdraper@inyocounty.us

RE: Renewable Energy Permit – Barker-Trona 4 (SCH 2022110323) and
Renewable Energy Permit – Barker-Trona 7 (SCH 2022110344)

Dear Ms. Draper:

Thank you for the opportunity to provide comments in response to the Recirculated Draft Mitigated Negative Declaration of Environmental Impact and Initial Studies (DMND) for the proposed Barker-Trona 4 Solar and Barker-Trona 7 Solar Farms (collectively, the "Projects"). Defenders of Wildlife (Defenders) is dedicated to protecting all wild animals and plants in their natural communities and has nearly 2.1 million members and supporters in the United States, with more than 316,000 residing in California. We strongly support renewable energy development that will help meet California's emission reduction goals and avoids destruction of important wildlife habitat and the loss of at-risk species. Achieving a low-carbon energy future is critical for protecting California's internationally treasured wildlife, landscapes and diverse habitats.

The proposed Projects are solar photovoltaic PV electricity generating facilities and associated infrastructure: Barker-Trona 4 would generate 3.0 MW of renewable energy on a 15-acre parcel and Barker-Trona 7 would generate 1.2 MW on an adjacent 5-acre parcel, located in Inyo County west of Trona Wildrose Road, between the Trona Airport and the border of San Bernardino County. The Projects were submitted under separate applications due to their separate interconnections to the existing Southern California Edison 33kV transmission line that passes through the area. The Project site is zoned as rural residential, and the area of both Projects is described as graded and "highly disturbed," with "no natural vegetation, habitat, water features, or structures." Portions of the Barker-Trona 4 site were previously used as "a private dirt track and a junk yard." Additionally, the Projects are located within a designated Inyo County Solar Energy Development Area,[1] and are not located within Natural Landscape Blocks,[2]

[1] See https://databasin.org/maps/new/#datasets=d035971f69f84ba9b3fdba2ed551a442
[2] See https://databasin.org/maps/new/#datasets=e1bb8c9a9631413f97b28cc72a5efe93

Essential Connectivity Areas,[3] mapped critical habitat,[4] or state or global Important Bird Areas.[5] While the site lies partially in areas designated as modeled predicted occupied habitat for the desert tortoise,[6] Defenders concurs with the Projects' Biological Resource Evaluation, which concluded that neither tortoises nor suitable habitat are present on the site.

As we transition toward a clean energy future, it is imperative that we consider the near-term impact of solar development on our biodiversity, fish and wildlife habitat, and natural landscapes while addressing the long-term impacts of climate change. Therefore, renewable energy projects must be planned, sited, developed and operated to avoid, minimize and mitigate adverse impacts on wildlife and lands with known high-resource values. Defenders finds the Projects are fully consistent with these criteria through being sited on previously distributed lands and applying appropriate mitigation measures to reduce the impact on special-status species in the region, including desert kit fox and birds protected by the Migratory Bird Treaty Act, as outlined on page 6-18 of the Biological Resource Evaluation. These measures include conducting pre-activity surveys and equipment inspections, avoidance buffers, worker training, speed limits, covering of holes and trenches, and proper waste management processes. We encourage the County to continue siting renewable energy projects in low-conflict areas in order to avoid or minimize impacts on sensitive species.

Thank you once again for the opportunity to provide comments on the DMND for the Barker-Trona 4 and 7 projects and for considering our comments. We look forward to reviewing the Final Environmental Documents for the Projects and request to be notified when they are available. Please feel free to contact us with any questions.

Respectfully submitted,

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[3] See https://databasin.org/maps/new/#datasets=c57212b3aa1243d28216a1b7db18a1ca
[4] Per Figure 4-1, Trona 4 and 7 Solar Project Biological Resource Evaluation, at https://ceqanet.opr.ca.gov/2022110323/2
[5] See https://databasin.org/maps/new/#datasets=1180b50bafee4871a019245da1c8b6b2
[6] See https://databasin.org/maps/new/#datasets=a1f5e25b9b944f9fa6aa3be8f54f8a2e

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August 25, 2023

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Re: Recirculated MNDs for Renewable Energy Permit 2022-01/Barker and Renewable Energy Permit 2022-02/Barker

Dear Ms. Draper:

On behalf of our client, John Mays, this letter provides comments regarding the two recirculated mitigated negative declarations ("RMND") for Renewable Energy Permit ("REP") 2022-01/Barker and REP 2022-02/Barker (collectively, the "Project").

We previously submitted comments identifying numerous procedural and substantive violations of the California Environmental Quality Act ("CEQA") associated with the two mitigated negative declarations ("MND") previously prepared and circulated for the Project. We understand that the County has prepared the RMNDs that purport to correct some of the previously-identified deficiencies in the MNDs. For example, the RMND includes an appendix containing some "representative photographs" of existing conditions, a biological resources assessment and an air quality ("AQ")/greenhouse gas emission report. Even with this new information, serious informational deficiencies persist. As described below, the RMNDs violate CEQA and cannot provide adequate environmental review for the Project.

A. The RMNDs Fail to Include Mitigation Monitoring and Reporting Plans

Although clearly identifying each document as an "Mitigated Negative Declaration," and checking the box plainly stating, "A Mitigated Negative Declaration will be prepared," and further repeatedly checking the Initial Study boxes finding Project impacts to be "Less Than Significant With Mitigation Incorporation," the County fails to prepare Mitigation Monitoring and Reporting Program(s) ("MMRP"(s)). This violates

CEQA (CEQA Guidelines, § 15097) and also the Inyo County Code. (County Code, Ch. 15.44.) To wit:

> 15.44.005 General.
> The county shall establish monitoring or reporting procedures for mitigation measures adopted as a condition of project approval to mitigate or avoid significant effects on the environment. Monitoring of such mitigation measures may extend through project permitting, construction and operations, as necessary. (Ord. 957 § 1 (part), 1995.)
>
> 15.44.010 Application.
> A mitigation monitoring program shall be prepared for any private or public, nonexempt, discretionary project approved by the county that is subject to either a negative declaration or an EIR and that includes mitigation measures. (Ord. 957 § 1 (part), 1995.)
>
> 15.44.020 Timing.
> ***Draft mitigation monitoring plans shall be included in proposed mitigated negative declarations and draft EIRs. The draft monitoring plan shall be subject to public review and comment.*** The mitigation monitoring program shall be adopted at the time the negative declaration is adopted or the CEQA findings are made on the EIR. (Ord. 957 § 1 (part), 1995.)
>
> 15.44.030 Contents.
> The monitoring plan shall contain, at a minimum, the following:
> A. A listing of every mitigation measure contained in the mitigated negative declaration or final EIR;
> B. Identification of the phase (or date) when each mitigation measure shall be initially implemented (e.g., prior to tentative map application, final map application, issuance of grading permit, issuance of building permit, certificate of occupancy);
> C. For mitigation measures that require detailed monitoring, such as wetlands replacement or landscaping, the frequency and duration of required monitoring and the performance criteria for determining the success of the mitigation measure, if appropriate, shall be identified;
> D. Identification of the person or entity responsible for monitoring and verification;
> E. The method of reporting monitoring results to the county. (Ord. 957 § 1 (part), 1995.)

> 15.44.040 Enforcement.
>
> Mitigation measure implementation shall be made a condition of project approval and shall be enforced under the county's police powers. Violation of a mitigation requirement, where a mitigation measure is to be implemented during construction, may result in the issuance of a stop-work order by the appropriate county permit-issuing authority until the matter is resolved by the planning commission. (Ord. 957 § 1 (part), 1995.)

Setting aside the RMND's practice of not identifying mitigation measures required to reduce Project impacts, the RMND's expressly identify mitigation measures in Sections IV(a), XIII(a) and XXI(a). Thus, the RMND's require a draft MMRP that is circulated for public comment. The RMND's are therefore procedurally invalid. A new RMND or EIR must be recirculated for public review along with the required MMRP.

B. Project Piecemealing

CEQA's conception of the term "project" is broad to maximize protection of the environment. (*Friends of the Sierra Railroad v. Tuolumne Park & Recreation Dist.* (2007) 147 Cal.App.4th 643, 653; *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App.4th 713, 730. "This big picture approach to the definition of a project (i.e., including "the whole of an action") prevents a proponent or a public agency from avoiding CEQA requirements by dividing a project into smaller components which, when considered separately, may not have a significant environmental effect." (*Nelson v. County of Kern* (2010) 190 Cal.App.4th 252, 270-271.)

The County is dividing a project into smaller components. The Project consists of two REPs for photovoltaic solar power generation on adjacent parcels owned by the same person, Robbie Barker. The RMNDs explain, "This Initial Study studies the impacts of both applications as one Project because both facilities have a common applicant, are in proximity to each other, and would have similar impacts." (RMND, p. 3.) Notwithstanding this, the County has prepared two separate RMNDs for the Project. These RMNDs include:

- "RECIRCULATED INITIAL STUDY with MITIGATED NEGATIVE DECLARATION / ENVIRONMENTAL CHECKLIST FORM / Renewable Energy Permit 2022-01/Barker- Trona 7" (See Exhibit 1.)

- "RECIRCULATED INITIAL STUDY with MITIGATED NEGATIVE DECLARATION / ENVIRONMENTAL CHECKLIST FORM / Renewable Energy Permit 2022-02/Barker- Trona 4" (See Exhibit 2.)

Dividing a single project into two CEQA documents violates CEQA. The relevant test is whether the activities have "substantial independent utility." (*Del Mar Terrace Conservancy, Inc. v. City Council* (1992) 10 Cal.App.4th 712, 736.) It is difficult to see how exactly the same commercial activities on adjacent properties by the same operator have independent utility from each other. The County violates CEQA by preparing two separate RMNDs for what it concedes is a single project under CEQA. A reviewing court would exercise its independent judgment on this issue with no deference to the agency. (*Communities for a Better Environment v. City of Richmond* (2010) 184 Cal.App.4th 70, 98 ["question of which acts constitute the 'whole of an action' for purposes of CEQA is one of law, which we review de novo based on the undisputed facts in the record"].)

We previously commented on this issue, and the RMNDs provided make the case for piecemealed review even stronger. Both RMND's technical reports analyze the two REPs as a single project. The air quality report explains, "Valley Wide Engineering & Construction Services (the "Applicant") is proposing to develop the PV solar facilities on two separate parcels of land, specifically a 15-acre property referred to as the Trona 4 site, and a 5-acre property referred to as the Trona 7 site (collectively referred to herein as the 'Project')." Similarly, the biological resources report states, "Biological Resource Evaluation – Trona 4 and 7 Solar Project." The RMNDs themselves explain, "This Initial Study studies the impacts of both applications as one Project because both facilities have a common applicant, are in proximity to each other, and would have similar impacts." (RMND, p. 3.)

It appears that the County now recognizes the two REPs constitute a single CEQA project. If so, the County must prepare a single CEQA document for that single project. The County's continued reliance on two separate CEQA documents for a single CEQA project violates CEQA.

C. Failure to Adequately Analyze Cumulative Impacts

A lead agency must assess "whether a cumulative effect" of the project will result in a significant environmental impact, and thus require an environmental impact report (" EIR"). (CEQA Guidelines, § 15064, subd. (h)(1).) CEQA requires analysis of "[t]he cumulative impact from several projects" which "can result from individually minor but collectively significant projects taking place over a period of time." (CEQA Guidelines, §§ 15355, 15130.) "Proper cumulative impact analysis is vital 'because the full environmental impact of a proposed project cannot be gauged in a vacuum. One of the most important environmental lessons that has been learned is that environmental damage often occurs incrementally from a variety of small sources. These sources appear

insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact.' [Citations.]" (*Bakersfield Citizens for Local Control v. City of Bakersfield* (2004) 124 Cal.App.4th 1184, 1214.)

Despite this mandate, the two RMNDs' cumulative impacts analyses continue to be impermissibly cursory. Each RMND's cumulative impact analysis provide in full:

> No. The proposed Project does not have impacts that are individually limited, but cumulatively considerable. The only existing and potentially future projects of note ***in the vicinity are PV solar projects within the Trona SEDA***, but the overall number and size of these projects are ***likely to be less than analyzed in the PEIR***. The Project is the second PV solar project in the SEDA as stated in the Project Description. Future solar projects in the Trona SEDA beyond those existing, proposed or planned, appear to be unlikely without significant improvements to offsite SCE transmission infrastructure.

(RMND, § XXI(b), emphasis added.)

This is impermissibly cursory and inadequate. The first step in a cumulative impact analysis is identifying cumulative projects. (CEQA Guidelines, § 15130, subd. (b)(1).) Here, the RMNDs appear to limit the scope of cumulative projects to those "within the Trona SEDA." The RMNDs fail to explain this limitation, which violates CEQA. (CEQA Guidelines, § 15130, subd. (b)(3) ["Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used"].) The EIR for the Inyo County Renewable General Plan Amendment ("REGPA") provided a reasonably expansive list of cumulative projects. (REGPA EIR, Table 5-1.) The County could have relied on that list of projects so long as it complied with CEQA's requirements for tiering/incorporation by refence as well as updating a cumulative project list, but the County did not follow that procedure. (CEQA Guidelines, § 15130, subd. (b)(1); § 15150, subd. (c); § 15152.)

Similarly, the RMNDs appear to limit the scope of cumulative projects by stating that PV solar projects are the only projects "of note." The RMNDs fails to explain what is meant by limiting cumulative projects to only those "of note." CEQA includes no such limitation, and instead requires a CEQA document to set forth "[a] list of past, present, and probably future projects producing related or cumulative impacts." (CEQA Guidelines, § 15130, subd. (b)(1)(A).) For example, the Project will unquestionably

result in dust generation. Projects other than PV solar projects may also generate dust and therefore must be identified as cumulative projects.

D. The RMNDs Failed to Adequately Analyze and Mitigate Project Impacts

The RMNDs failed to include relevant information and fully disclose Project impacts as required by CEQA. In particular, several potentially significant impacts are associated with the Project, necessitating preparation and circulation of an EIR prior to any further proceedings by the County regarding the Project. Under CEQA, an EIR is required whenever substantial evidence supports a "fair argument" that a proposed project may have a significant effect on the environment, even when other evidence supports a contrary conclusion. (See, e.g., *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 74 (*No Oil I*).) This "fair argument" standard creates a "low threshold" for requiring the preparation of an EIR. (*Citizens Action to Serve All Students v. Thornley* (1990) 222 Cal.App.3d 748, 754.) Thus, a project need not have an "important or momentous effect of semi-permanent duration" to require an EIR. (*No Oil I, supra*, 13 Cal.3d at 87.) Rather, an agency must prepare an EIR "whenever it perceives some substantial evidence that a project may have a significant effect environmentally." (*Id*. at p. 85.) An EIR is required even if a different conclusion may also be supported by evidence.

In order to lawfully carry out a project based on an MND, a CEQA lead agency must approve mitigation measures sufficient to reduce potentially significant impacts "to a point where clearly no significant effects would occur." (CEQA Guidelines, § 15070, subd. (b)(1) (emphasis added).) This is assured by incorporation into an MMRP. (Pub. Resources Code, § 21081.6, subd (a)(1).) "The purpose of these requirements is to ensure that feasible mitigation measures will actually be implemented as a condition of development, and not merely adopted and then neglected or disregarded." (*Federation of Hillside & Canyon v. City of Los Angeles* (2000) 83 Cal.App.4th 1252, 1261 (*Federation*).) An MND is appropriate only when all potentially significant impacts of a project are mitigated to less than significant levels. (CEQA Guidelines, § 15070, subd. (d); Pub. Resources Code, § 21064.5.) An MND is not appropriate when the success of mitigation is uncertain, as that creates a fair argument that an impact will not be mitigated to less-than-significant levels. (See *San Bernardino Valley Audubon Society v. Metropolitan Water District* (1999) 71 Cal.App.4th 382, 392.)

Furthermore, an agency will not be allowed to hide behind its own failure to gather relevant data. Specifically, "deficiencies in the record [such as a deficient initial study] may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences." (*Sundstrom v. County of Mendocino* (1988) 202

Cal.App.3d 296, 311 (*Sundstrom*).) For example, in *Sundstrom* the court held that the absence of information explaining why no alternative sludge disposal site is available "permits the reasonable inference that sludge disposal presents a material environmental impact." (*Ibid*.) Potentially significant impacts overlooked by the MND include, but are not limited to, impacts associated with aesthetics, air quality (including impacts to human health), biological resources, cultural resources, and noise. Moreover, the "mitigation measures" included are not legally adequate and do not sufficiently address the potential impacts. Therefore, an EIR is necessary in order to adequately analyze, disclose and mitigate the Project's potentially significant environmental impacts.

1. *The RMNDs impermissibly conflate analysis of impacts and mitigation.*

For every resource area, the RMNDs violate CEQA by failing to analyze whether the Project may significantly impact the environment and then perform a separate analysis of whether feasible mitigation exists to ameliorate the impact. (*Lotus v. Department of Transportation* (2014) 223 Cal.App.4th 645, 658 (*Lotus*) ["The failure of the EIR to separately identify and analyze the significance of the impacts to the root zones of old growth redwood trees before proposing mitigation measures . . . precludes both identification of potential environmental consequences arising from the project and also thoughtful analysis of the sufficiency of measures to mitigate those consequences"]; *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645, 663 ["A mitigation measure cannot be used as a device to avoid disclosing project impacts"].) Substituting mitigation for an impact analysis violates CEQA.

For example, with respect to whether the Project would "conflict with or obstruct implementation of the applicable air quality plan," the RMNDs assert, "No . . . The predominant air quality concern is windblown dust. The applicant will control dust during construction by standard techniques that include use of a water truck to wet down disturbed areas, the use of limestone to stabilize the ground surface, and application of dust suppressants including EarthGlue, which will ensure there are no significant impacts." (RMND, § III(a).) CEQA requires the RMNDs to disclose the significance of the impact without regard for mitigation, separately identify all feasible mitigation measures and assess their effectiveness at reducing the impact. (*Lotus*, *supra*, 223 Cal.App.4th at 655-656 ["Caltrans compounds this omission by incorporating the proposed mitigation measures into its description of the project and then concluding that any potential impacts from the project will be less than significant. . . . By compressing the analysis of impacts and mitigation measures into a single issue, the EIR disregards the requirements of CEQA"].) The RMNDs follow this structure for all resource areas including with particularity aesthetic impacts, air quality, biological resources, cultural

resources, hazards/hazardous materials, hydrology/water quality, noise, and transportation.

2. *Mitigation Measures are not adequately defined, effective or enforceable.*

CEQA imposes substantive requirements regarding the formulation of mitigation measures. (CEQA Guidelines, § 15126.4.) First, the mitigation measure must be demonstrably effective. (See *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1168 [no evidence that recommendations for reducing greenhouse gas emissions would be enforceable or effective]; *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099, 1116 [impacts to adjoining groundwater users not avoided].) To be effective, mitigation measures must not be remote and speculative. (*Federation*, *supra*, 83 Cal.App.4th at 1260.) A court may find mitigation measures legally inadequate if they are so undefined that it is impossible to gauge their effectiveness. (*Preserve Wild Santee v. City of Santee* (2012) 210 Cal.App.4th 260, 281.) An agency may not defer the formulation of mitigation measures to a future time, but mitigation measures may specify performance standards that would mitigate the project's significant effects and may be accomplished in more than one specified way. *Sacramento Old City Association v. City Council of Sacramento* (1991) 229 Cal.App.3d 1011; CEQA Guidelines, § 15126.4(a)(1).) Examples of all of these deficiencies abound in the RMNDs. Just a few representative examples are provided.

The RMNDs claim that construction air quality will be less than significant because "[t]he applicant will control dust during construction by *standard techniques* that include use of a water truck to wet down disturbed areas, the use of limestone to stabilize the ground surface, and application of dust suppressants including EarthGlue, which will ensure there are no significant impacts." (RMND, § III(a).)." The RMNDs fail to adequately define these "standard techniques." Are the "standard techniques" limited to the three identified techniques? If so, why are the RMNDs excluding other techniques disclosed in mitigation measure AQ-2 of the REGPA EIR? Further, the RMNDs fail to adequately describe the mere three techniques mentioned that would allow an assessment of their effectiveness. For example, how frequently will water trucks be used? Is there a standard for when water trucks will be required during construction? How is limestone used effectively to reduce dust? How are dust suppressants used? Are there other possible dust suppressants other than EarthGlue? If so, are any of these other dust suppressants more effective than EarthGlue? What are the tests or triggers for application of limestone or dust suppressants?

Addressing some or all of these questions is necessary for the RMNDs to adequately inform the public and decision-makers that mitigation is effective to reduce the impact to less than significant on sensitive receptors such as the adjacent residential properties. An MND cannot rely on a mitigation measure that does not actually avoid or substantially reduce a significant impact as a basis for finding the impact is reduced to less-than-significant. (*King & Gardiner Farms*, *supra*, 45 Cal.App.5th at 875.) When mitigation effectiveness is not apparent, the MND must include facts and analysis supporting the claim that the measure "will have a quantifiable 'substantial' impact on reducing the adverse effects." (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, 511.) The RMNDs have failed to provide evidence that its vague mitigation will be effective. Further, the RMNDs also failed to address substantial evidence from neighbors establishing that these same or similar measures have been ineffective to mitigate dust resulting from the applicant's REP 2018-01 that was issued in 2018.

The RMNDs also improperly assume, without adequate project-specific analysis, that regulatory compliance will mitigate impacts. Regarding whether the Project would "violate any air quality standard or contribute substantially to an existing or projected air quality violation," the RMNDs assert, "No . . . The applicant will be conditioned to obtain any required permits, and follow best management practices required by the GBUAPCD." (RMND, § III(a).) This is inadequate under CEQA because a determination that regulatory compliance is adequate must be based on project-specific analysis. (*Californians for Alternatives to Toxics v. Dept. of Food and Agriculture* (2005) 136 Cal.App.4th 1.) Here, the RMNDs do not even identify what is required by the Great Basin Unified Air Pollution Control District ("GBUAPCD"), much less provide a project-specific analysis of how those requirements would be effective here. While the County may be inclined to point to an Air Quality Memorandum as supplying that missing analysis, this effort fails for two reasons. First, the analysis does not provide the missing information, explaining only, "Project contractors and operators would be required to comply with regional air quality rules promulgated by the GBUAPCD, and participate in reducing air pollution emissions, including those required under their new source review requirements." (AQ Memorandum, p. 7.) Thus discussion fails to describe applicable requirements, much less how those requirements applied here would effectively mitigate impacts. Second, even if the Air Quality Memorandum did provide some additional information, CEQA caselaw explains that such information cannot be buried in an appendix. (*Vineyard Area Citizens*, *supra*, 40 Cal.4th at 442. [information "buried in an appendix is not a substitute for good faith reasoned analysis"].)

The RMNDs then attempts to cite to the REGPA programmatic EIR ("PEIR") and its MMRP in an attempt to dismiss significance of these impacts. (RMND, §III(a).) The plain language of the PEIR refutes this effort:

> The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. However, since the air basin is within the Owens Valley PM10 Planning Area, ***fugitive dust emissions from construction must be mitigated***.

(PEIR, p. 4.3-10, emphasis added.) Here, however, there is no such mitigation. For example, the AQ-2 includes such measures as "sweep streets daily (with water sweepers)," "cover all trucks hauling soil, sand and other loose materials," and "limit the speed of on-site vehicles to 15 mph." The RMNDs conspicuously fail to mention these additional mitigation measures, much less identify them as such in an enforceable MMRP for the Project.

Finally, the RMNDs claim that PEIR mitigation measures AQ-1 through -3 "applied to utility-scale projects of greater than 20 MW and did not apply to smaller, commercial-scale projects unless determined to be needed on a case-by-case basis by a qualified County planner." This is inexcusably false. The plain language of AQ-1 though -3 as revised and approved does not include such limitations. (Exhibit 3, March 2015 MMRP.)

PEIR AQ-1 states, "AQ-2 and AQ-3, as defined below, will be incorporated into the site-specific technical report." The RMNDs violate this mandate because the Air Quality report does not incorporate the specific requirements of AQ-2 and AQ-3. It merely states, "[T]he Project would comply with applicable goals and policies outlined in the REGPA that are meant to reduce air emissions during construction and operation." PEIR mitigation measures AQ-1, -2 and -3 are not "goals and policies" of the REGPA; they are mitigation measures under CEQA. The Air Quality report does not even identify these mitigation measures, much less "incorporate" them into its "site-specific technical report." At best, the Air Quality Memo states:

> [F]ugitive dust due to ground disturbing activities and vehicles/equipment travelling on unpaved roadways were a1so quantified. Water trucks will be utilized as needed throughout the Project construction phase to control dust, and crushed limestone and/or non-toxic clay polymer compounds will be applied to exposed surfaces during construct ion and operations to further ensure fugitive dust is sufficiently controlled. Stabilized entrance and exits will be installed and maintained at driveways to reduce sediment trackout onto the adjacent public roadway. As stated above, the control of fugitive dust is critical to solar operations, as panels coated by dust do not function at full capacity. Therefore, dust controls will remain in place throughout

> the life of the Project, which will in turn ensure impacts remain less than significant.

(Air Quality Memo, p. 12.0.)

While this provides a general discussion of some mitigation measures that could be used to address dust emissions, this discussion fails to comply with CEQA. This discussion fails to correlate the identified measures to the requirements of the GBUAPCD or the PEIR. Are these measures the only ones that will be used to satisfy the requirements of the PEIR and GBUAPCD? If so, why does this discussion omit any reference to "sweep streets daily (with water sweepers)," "cover all trucks hauling soil, sand and other loose materials," and "limit the speed of on-site vehicles to 15 mph" as set forth in AQ-2. Further, this discussion in the Air Quality Memo does not explain how this discussion is enforceable against the project. This is precisely the function of mitigation measures and an MMRP.

Finally, regulatory compliance is only permissible when it is reasonable to assume that they will actually be complied with. "[C]ompliance with regulations is a common and reasonable mitigation measure, and may be proper ***where it is reasonable to expect compliance***." (*Oakland Heritage Alliance v. City of Oakland* (2011) 195 Cal.App.4th 884, 906.) Here, the project applicant has repeatedly violated County and air district rules and permits with respect to this Project and earlier projects. These repeated violations have been documented by County staff and establish that it is not reasonable to simply assume that the project applicant will comply with such permit terms in the future.

In short, the RMNDs improperly rely on mitigation to avoid analysis of project impacts and fail to provide adequate information in order to determine whether mitigation is effective and enforceable. Without this necessary information, the RMND's significance determinations are not supported by substantial evidence.

3. *The RMNDs inconsistently apply the PEIR's mitigation measures.*

Our prior comment letter explains that the original MNDs appeared to have ignored literally dozens of mitigation measures adopted pursuant to the PEIR. The RMNDs now appear to incorporate the PEIR's mitigation measures but have done so inconsistently and in violation of CEQA. For example, sections IV(a) (Biological Resources) and XIII(a) (Noise) appear to incorporate mitigation measures set forth in the PEIR in order to address the Project's potentially significant impacts in those resource areas. Setting aside the procedural deficiency of not circulating an MMRP including these mitigation measures, the RMNDs fail to explain why the same procedure was not

followed in other resource areas[1] where the PEIR requires mitigation in order to support a less-than-significant determination. The leading CEQA treatise explains, "As activities within the program are approved, the agency must incorporate, if feasible, the mitigation measures and alternatives developed in the program EIR in its action approving the activity." (1 Kostka and Zischke, Practice Under the Cal. Environmental Quality Act (2nd ed. 2023) § 10.16, p. 10-20.)

E. The County Does not Explain Why Visual Simulations Have Not Been Prepared

The RMNDs acknowledge that the Project is subject to the mitigation measures set forth in the PEIR. AES-1 requires "site-specific visual studies . . . to assess potential visual impacts." "Visual simulations shall be prepared to conceptually depict-post development views from the identified key observation points." No such studies were prepared. Instead, Appendix A consists solely of low-quality "representative photographs" of apparently existing conditions.

The RMND states, "Here, the Project involves a small, commercial-scale facilities that, due to its size and location, have been determined by a qualified planner to not have a potential to impact visual resources, including a scenic vista." The RMNDs conspicuously fails to provide any substantial evidence supporting this conclusion. The RMNDs fail to set forth any analysis, much less written report, supporting this conclusion. The RMNDs fail to identify the County planner purportedly making this determination, the date of the determination, the criteria followed by the County planner or any specific facts supporting this determination. There is no evidence, much less substantial evidence, supporting the MND's conclusory assertion that an unspecified "qualified County planner" determined that the Project would not have the potential to impact visual resources.

F. The RMNDs Fail to Include a Traffic Control Plan

PEIR mitigation measure TRA-1 provides:

> Site-specific traffic control plans shall be prepared for all proposed solar energy projects within the individual SEDAs and the OVSA to ensure safe and efficient traffic flow in the area of the solar energy project and within the project site during construction activities. The traffic control plan shall,

[1] Examples include air quality, agricultural impacts, transportation, water quality and visual resources.

> at minimum, contain project-specific measures to be implemented during construction including measures that address: (1) noticing; (2) signage; (3) temporary road or lane closures; (4) oversized deliveries; (5) construction times; and (6) emergency vehicle access.

The RMNDs do not include the required traffic control plan, nor even mention mitigation measure TRA-1. While the RMNDs state that the Project "will add no more than a few vehicles per day to Trona Wildrose Road during the construction phase," there is no attempt to explain why these "few" construction vehicles do not require a traffic control plan to avoid conflicts with adjacent and nearby residents.

G. The MNDs Fail to Address Impacts Associated with Noxious Weeds

Mitigation measure AG-3provides, "To prevent the introduction and spread of noxious weeds, a project-specific integrated weed management plan shall be developed." In violation of this mitigation measure, no weed-abatement plan appears to have been prepared, and the RMNDs make no reference to such a plan.

* * *

The RMNDs continue to suffer from procedural and substantive violations of the County Code and CEQA that require recirculation. We thank you for the opportunity to comment.

Very truly yours,

SOLURI MESERVE
A Law Corporation

By: 
Patrick M. Soluri

cc: John Mays (johnmmays1@gmail.com)

Attachments:
Exhibit 1 Recirculated Initial Study with Mitigated Negative Declaration / Environmental Checklist Form / Renewable Energy Permit 2022-01/Barker- Trona 7

Exhibit 2	Recirculated Initial Study with Mitigated Negative Declaration / Environmental Checklist Form / Renewable Energy Permit 2022-02/Barker- Trona 4
Exhibit 3	Mitigation Monitoring and Reporting Program for the Inyo County Renewable Energy General Plan Amendment Program Environmental Impact Report (March 2015)

EXHIBIT 1

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX : (760) 872-2712
E-Mail : inyoplanning@inyocounty.us

RECIRCULATED

DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Renewable Energy Permit 2022-01/Barker- Trona 7

PROJECT LOCATION: The Project is located approximately 3 miles north of the unincorporated community of Trona, California. The Trona Airport sits roughly 1.3 miles to the northeast. The property is on private land owned by Robbie Barker, with an Assessor's Parcel Number of 038-330-46

PROJECT DESCRIPTION: The applicant is applying for a Renewable Energy Permit to construct a 1.2 Megawatt (MW) photovoltaic solar facility using approximately 2,300 single-axis tracker solar panels that will connect to the existing Southern California Edison (SCE) 33-kV transmission line passing through the area. The five-acre site is graded and highly disturbed, flat or gently sloped, and has no natural vegetation, habitat, water features or structures. The site is approximately 0.3 miles west of Trona Wildrose Road, which is not a designated scenic highway or scenic corridor.

FINDINGS:

A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.

B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic, and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 30-day public review period for this Draft Mitigated Negative Declaration will expire on August 25, 2023. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Cynthia Draper (760-878-0265) if you have any questions regarding this project.

Cathreen Richards
Director, Inyo County Planning Department

7/19/2023
Date

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. Project title: Renewable Energy Permit 2022-01/Barker-Trona 7

2. Lead agency name and address: Inyo County Planning Department, PO Drawer L, Independence, CA 93526

3. Contact person and phone number: Cynthia Draper: (760) 878-0265

4. Project location: The property is on private land owned by Robbie Barker, Assessor parcel number 038-330-46, in Trona California.

5. Project sponsor's name and address: Robbie Barker 82740 Trona Rd., Trona, CA 93562

6. General Plan designation: Residential Estate (RE), SEDA overlay

7. Zoning: Rural Residential (RR-5.0)

8. Description of project: The applicant proposes a photovoltaic (PV) solar facility on a five-acre parcel, consisting of approximately 2,300 single-axis tracker solar panels that will produce approximately 1.2 megawatts (MW) of electricity. The five-acre site is graded and highly disturbed, flat or gently sloped, and has no natural vegetation, habitat, water features or structures. The site is approximately 0.3 miles west of Trona Wildrose Road, which is not a designated scenic highway or scenic corridor.

9. Surrounding land uses and setting: The property is surrounded by undeveloped land, sparse residential dwellings, and commercial uses (such as equipment storage). Developed areas include the Trona Airport, scattered residences, and scrap yards. The surrounding parcels are highly disturbed, devoid of plants or native habitat. Weed abatement has been performed throughout the area.

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	Residential Estate (RE)	Rural Residential (RR-5.0-MH)
South	Vacant	Residential Estate (RE)	Rural Residential (RR-5.0-MH)
East	Vacant	Residential Estate (RE)	Rural Residential (RR-5.0-MH)
West	Single family residence	Residential Estate (RE)	Rural Residential (RR-5.0-MH)

10. Other public agencies whose approval is required: Inyo County Building and Safety, Inyo County Environmental Health, Inyo County Public Works

11. 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, has consultation begun?

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County were notified via certified letter about the project and the opportunity for consultation on this project. The tribes notified were as follows: The Cabazon Band of Mission Indians, the Torres Martinez Desert Cahuilla Indians, the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Fort Independence Paiute Tribe, the Lone Pine Paiute Tribe, and the Timbisha Shoshone Tribe.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidenthttps://library.qcode.us/lib/inyo_county_ca/pub/county_code/item/title_18-chapter_18_12?view=alliality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
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.

☐ Aesthetics Resources	☐ Agriculture & Forestry	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology /Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Cynthia Draper — July 19-2023

Cynthia Draper, Assistant Planner
Inyo County Planning Department

Date

RECIRCULATED INITIAL STUDY with MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL CHECKLIST FORM

Renewable Energy Permit 2022-01/Barker- Trona 7

REGULATORY BACKGROUND

The Inyo County General Plan provides a vision for Inyo County's long-range physical and economic development, including resource development and conservation. The General Plan contains implementing strategies, policies and programs enabling this vision to be accomplished. On March 24, 2015, the Board of Supervisors adopted an amendment to the General Plan known as the Renewable Energy General Plan Amendment ("REGPA"). The REGPA regulates the type, siting, and size of renewable energy solar development projects in the County through adoption of land use policies consistent with the broader goals in the General Plan.

The REGPA differentiates renewable energy solar facilities based on their size and output. It defines "utility-scale" facilities as those generating at least 20 megawatts (MW) for off-site use, consumption or sale. Facilities that generate less than 20 MW may include "commercial-scale" or "community-scale" facilities, depending on whether electricity is produced for off-site use or for use by a specific community. The REGPA states that the County "shall encourage the development of" commercial and community-scale facilities.

The REGPA also designated seven different areas of the County, known as Solar Energy Development Areas (SEDAs), where renewable energy solar facilities would be allowed. Policy LU-1.17 permits utility-scale and commercial-scale facilities to be considered in SEDAs, subject to any necessary environmental review. Renewable energy solar development within a SEDA is allowed in any zoning classification. The Trona SEDA covers an approximately 7.1-mile area in the Searles Valley, north of the unincorporated community of Trona. The REGPA allows 600 acres of renewable energy development in the Trona SEDA.

When the County adopted the REGPA in 2015, it certified a Programmatic Environmental Impact Report (PEIR). The PEIR analyzed the impacts of renewable energy solar development throughout the County. It identified less-than-significant environmental impacts to agriculture and forestry resources, air quality, geology, and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, socioeconomics, transportation and circulation, and utilities and service systems. The PEIR identified potentially significant and unavoidable impacts to aesthetics, biological resources, and cultural resources, and included mitigation measures to reduce these impacts to the extent feasible.

ENVIRONMENTAL SETTING

Inyo County covers approximately 10,200 square miles and is located on the east side of the Sierra Nevada Mountain range, within the east-central part of California. The County is primarily rural and undeveloped, characterized by open expanses, wide valleys and mountains ranging from low hills to jagged peaks. Elevations are from 282 feet below sea level within Death Valley National Park to 14,505 feet above sea level (amsl) in the Sierra Nevada

is arid to semi-arid, marked by low precipitation, abundant sunshine, frequent winds, moderate to low humidity, and high evapotranspiration.

The Project is located in the Searles Valley, at the southern edge of the County, north of the unincorporated Trona community, and in the Trona SEDA. As noted above, the SEDA covers approximately 7.1 square miles (4,550 acres). Most of the SEDA is undeveloped. Roughly 60 percent is managed by BLM, with the remainder under private ownership. Developed features include Trona Airport, scattered rural residences, and scrap yards. North of the airport lies Valley Wells, a state historical landmark, consisting of small buildings, abandoned recreational facilities, a desert golf course and well field. The Trona area is sparsely populated, containing less than 2,000 people.

Elevations within the Trona SEDA range from 2,100 feet to 1,650 feet amsl. The average January temperatures range from 32-58 degrees Fahrenheit, and in July from 73-105 degrees. Annual precipitation is low, averaging 3.98 inches. The habitat consists mainly of alkali desert scrub flats with ephemeral washes, with an open composition and canopy cover less than 50 percent.

Topography in the Trona SEDA, within the center of the northern Searles Valley, is generally level or gently sloped. Steeper terrain occurs to the west (the Argus Range), east, and north (the Slate Range). Surface exposures consist predominantly of late Quaternary alluvial/lake deposits, sandy to loamy topsoil with Mesozoic granitic intrusive rocks to the west, and areas to the east and north exhibiting an assemblage of Precambrian/Paleozoic metasediments, Mesozoic granitic intrusives, Mesozoic and Tertiary volcanics, and older Quaternary alluvial/sedimentary deposits. No mapped faults exist in the Searles Valley. The nearest mapped fault is the Panamint Fault, approximately 10 miles east.

The Trona SEDA is within the South Lahontan Basin, as designated in the 1995 (as amended) Lahontan RWQCB Water Quality Control Plan for the Lahontan Region (Basin Plan). The Trona SEDA is within the areal extent of the Searles Valley Groundwater Basin (Searles Basin), which includes an area of approximately 197,000 acres, and a water-bearing strata consisting of a thick (at least 750 feet) sequence of younger unconsolidated alluvial deposits and underlying (locally semi-consolidated) older alluvium.

Average reported municipal/irrigation well depths in the Searles Basin are approximately 300 feet (DWR 2003). Estimated groundwater storage capacity is 2.1 million acre-feet. Groundwater is characterized mainly as calcium-sodium-bicarbonate or sodium-calcium bicarbonate in nature, with groundwater near Searles Lake described as sodium-chloride in nature. The northwestern and southwestern portions of the Searles Basin exhibit generally good water quality (with locally elevated fluoride and nitrate levels), while areas near Searles Lake have poor water quality with TDS levels of between 12,000 and 420,000 mg/l (DWR 2003).

The Trona SEDA is within the Great Basin Valleys Air Basin (Air Basin). The Air Basin is named for its geological formation of valleys surrounded by mountains. Air rises and sinks due to the heat in the valleys and height of the mountains, which causes the air to settle in the valleys and low-lying areas. Areas in the Air Basin are under the jurisdiction of the Great Basin Unified Air Pollution Control District (GBUAPCD), which regulates air pollutant emissions for all stationary sources within the Air Basin.

In 1987, the Trona area was designated as a PM-10 nonattainment area by the United States EPA. The main source of PM-10 emissions in the region is the dry Owens Lake lakebed, which is located approximately 50 miles northwest of the Project. At the time, the Trona area was part of the Coso Junction Planning Area. In 2002, the US EPA redesignated the Searles Valley into three separate areas, and made a finding of attainment for Trona. (Federal Register, 2002a, 2002b.)

PROJECT DESCRIPTION

The applicant has applied for two renewable energy permits for two separate photovoltaic (PV) solar facilities on contiguous land ("Project"). The applicant submitted two separate applications because each facility would separately connect to the existing Southern California Edison (SCE) 33-kV transmission line passing through the area. This Initial Study studies the impacts of both applications as one Project because both facilities have a common applicant, are in proximity to each other, and would have similar impacts.

The first application (No. 2022-01), known to the applicant as "Trona 7," proposes a PV solar facility on a five-acre parcel, consisting of approximately 2,300 single-axis tracker solar panels that will produce approximately 1.2 megawatts (MW) of electricity. The five-acre site is graded and highly disturbed, flat or gently sloped, and has no natural vegetation, habitat, water features or structures. The site is approximately 0.3 miles west of Trona Wildrose Road, which is not a designated scenic highway or scenic corridor.

The second application (No. 2022-02), also known as Trona 4, proposes a PV solar facility within a 15-acre parcel that is contiguous (i.e., has a common corner) with the Trona 7 site. The facility would generate 3.0 MW of electricity utilizing approximately 6,000 single-axis tracker solar panels. The site also is previously graded, flat or gently sloped, highly disturbed and has no natural vegetation, habitat, water features or structures. Prior uses include a private dirt track and a junk yard, both recently removed. The site is approximately 0.03 miles west of Trona Wildrose Road.

Both proposed facilities (collectively, the 20-acre "Project Area") are located approximately three miles north of the Trona community and one mile west of the Trona Airport. The elevation of the Project Area is approximately 1,700 feet amsl. It has no history of agricultural use and is not federally managed. According to FEMA, the Project Area is within an Area of Minimal Flood Hazard.

Zoning in the Project Area is rural residential. Approximately five residential structures are within 0.5 miles of the Project Area, located mostly south and west. Two of these structures are approximately 400 feet from the edge of the Project Area (most of the Project Area is farther to the east and extends up to approximately 2,300 feet distant from these structures). Other land use in 0.5 miles of the Project Area include storage of equipment and vehicles, scrap yards and storage units. Representative photographs are included in Appendix A. Agricultural use of surrounding land is minimal. Agriculture and farming are not significant land uses in the area.

Construction will consist of limited grading in some areas, as the Project Area is already predominantly level and graded. Appendix B (Biological Resources Evaluation) documents the onsite conditions. Shallow trenching will be required for underground conduits, and one 20x20-foot concrete pad will be placed on each site to support the transformers. Following grading and

trenching, metal poles or masts will be installed into the ground to support the solar panels. Grading and trenching will require approximately two days. Pole and panel installation will take an estimated two months. Appendix C contains an equipment list, operating hours and projected air emissions.

Dust control measures will be used at all times during construction, and during Project operations (the control of fugitive dust is critical to solar operations, as panels coated by dust do not function at full capacity). Dust controls during construction will consist of a watering truck, the application of crushed limestone to the ground, and application of a non-toxic clay polymer known as EarthGlue (specifications in Appendix D). Stabilized construction entrance and exits will be used to reduce sediment trackout onto the adjacent public roadway. During operations, limestone and EarthGlue will control dust.

Once installed, the solar panels will reach a maximum height of 12 feet above the ground (or less, as the panels change slightly in height as they rotate slowly throughout the day to track the sun). Panels will feature anti-reflective coatings to reduce daytime glare and reflectivity. Each facility will be fenced to prevent unauthorized access. Representative photographs of the panels and tracker supports are in Appendix E, showing a recently constructed solar project located on adjacent land (described in more detail below) that uses the same equipment design and components to be used by the Project.

The Project is the second renewable energy solar project proposed for the Trona SEDA. The prior project, on 10 acres adjacent to the Project Area, was approved and has been constructed by the applicant (Nos. 2018-01 and 2021-01). Another 10-acre project is reportedly in development to the south. Combined, the existing, proposed and potential future renewable solar projects are 40 acres, and account for a small part of the 600 acres allocated by the REGPA to solar projects in the Trona SEDA. Future solar projects in the Trona SEDA may not be possible, however, according to the applicant, until SCE improves its transmission infrastructure to increase its transmission capacity.

AGENCY COORDINATION AND PUBLIC INVOLVEMENT

Public notifications concerning the Project began approximately seven months ago. On November 14, 2022, the County gave public notice of the availability of a Draft Initial Study and Negative Declaration for each of the two applications. The 30-day review period ended on December 17, 2022. No comments were received.

A public hearing was set before the Planning Commission on March 23, 2023 to approve both applications. Two days before the hearing, the County received public comments from a nearby landowner, and as a result, the County postponed the hearing to May 3, 2023. Prior to the May hearing, the County received additional public comments. As a result, the County postponed the hearing again, revised the Initial Study and Mitigated Negative Declaration, and has recirculated the Initial Study and Mitigated Negative Declaration pursuant to Section 15073.5 of the CEQA Guidelines.

TRIBAL OUTREACH

In accordance with AB 52 and Public Resource Code Section 21081.3.1(b) tribes identified as being local to Inyo County were notified via certified letter about the project and the opportunity for consultation on this project. The tribes were notified as follows: The Cabazon Band of

Mission Indians, the Torres Martinez Desert Cahuilla Indians, the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Fort Independence Paiute Tribe, the Lone Pine Paiute Tribe, and the Timbisha Shoshone Tribe.

TIERED DOCUMENT

A program EIR evaluates the environmental consequences of a series of actions that together constitute a large project and share common geographic, regulatory and environmental attributes. (Cal. Code of Regs., tit. 14, § 15168(a).) If the program EIR facilitates the approval of activities within a program, the agency must scrutinize those activities, as they arise for approval, to determine if additional environmental review is needed.

An agency's assessment of the adequacy of a prior program EIR for the approval of specific activities involves an analysis of whether the activity falls within the scope of the prior EIR and whether the activity will give rise to environmental impacts that were not previously analyzed in the program EIR. (Cal. Code of Regs., tit. 14, § 15168(c).) If impacts were adequately assessed, the agency can avoid further environmental documentation. (Id., tit. 14, § 15168(c).) If further review is needed, the "tiered" document should analyze only those effects that may be significant but were not analyzed in the program EIR, or that were considered significant but can be mitigated or avoided through further analysis. (Id., tit. 14, § 15152(d); see also Pub. Resources Code, §§ 21081(a)(1), 21094(c).)

The PEIR was a program EIR pursuant to section 15168 of the CEQA Guidelines. The County has determined that certain of the Project's potential impacts are adequately addressed in the PEIR. Others require site-specific analysis and are properly assessed in a Mitigated Negative Declaration that will integrate enforceable mitigation measures from the PEIR to ensure that they are enforced at the Project level. The County is treating the Mitigated Negative Declaration as a tiered document under the PEIR. The PEIR can be found at the following website link, or by typing or pasting the following text into an internet browser:

https://www.inyocounty.us/sites/default/files/2023-04/Final%20PEIR%20Volme%20II.pdf

CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐

No. The Project is not located near a scenic vista.
The Project is near the valley floor within an area that is visually characterized by junk yards, and outdoor storage of vehicles and equipment in a high desert environment. The Project is within the Trona SEDA, which has its location and boundaries in an area that lacks an abundance of scenic resources. (PEIR, 4.1-15.)

The Project is consistent with the PEIR analysis and mitigation measures. The potentially-applicable mitigation measures (AES-1 through 6, and 9) require that site-specific visual studies be prepared for utility-scale projects (i.e., generating greater than 20 MW) and for smaller-scale projects determined by a qualified county planner to have a potential to impact visual resources in individual SEDAs. Here, the Project involves a small, commercial-scale facilities that, due to its size and location, have been determined by a qualified planner to not have a potential to impact visual resources, including a scenic vista.
https://www.inyocounty.us/sites/default/files/2023-04/Final%20PEIR%20Volme%20II.pdf

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

No. The Project Area has previously been disturbed with roads, storage units, and weed abatement. It has previously been graded and is devoid of natural resources such as rock outcroppings and trees. No removal of vegetative life, rock outcroppings, or historic buildings within a scenic state highway will occur. It is not located within or adjacent to any designated scenic highways mapped by the California Department of Transportation. The Project involves the placement of PV solar panels that reach a maximum height of 12 feet.

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 a 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?	☐	☐	☒	☐

No. The Project will not affect the overall scenic integrity of the area. The Project Area is barren of natural resources that provide scenic value. The Project is in a rural, non-urbanized area and surrounded by property owners that frequently use the area for storage and scrap yards. Public views are mainly from Trona-Wildrose Road, and the Project will not substantially

degrade the existing visual character of the area from the perspective of passing motorists as the area is characterized by scrap yards and outdoor storage of materials. (Appendix A.) The low height of the panels (12 foot maximum, comparable to a single-story house) would not obstruct views of the Argus range to the west or the Slate range to the east.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

No. Due to the small size of the facilities, and their location and design, the Project will not significantly impact daytime or nighttime views. Construction will take place during the daytime hours only. Operation will not involve new light sources that affect nighttime views. The Project will use solar panels that integrate anti-reflective technology to minimize daytime glare, which is consistent with PEIR Mitigation Measure AES-6 (requiring that certain projects treat solar panels with anti-reflective coating). The boundaries and locations of SEDAs, including the Trona SEDA, were sited in areas without an abundance of scenic resources. (PEIR, 4.1-15.)

* * *

II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒

No, the Project is not located on land designated as farmland.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

No, the Project is not located on land zoned exclusively for agriculture. Inyo County has no Williamson Act contracts.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒

No, the Project Area does not include forest land or timberland, or land zoned for forest land, timberland, or Timberland Production.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

No, the Project is not located on forest land.

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?	☐	☐	☐	☒

No, the Project is not located on farmland and is not conducive to future use as farmland. The Project Area has no history of agricultural production. To the extent that agricultural activities may exist on surrounding properties, the Project would have no impact on or interference with those activities.

* * *

III. AIR QUALITY: Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐

No. There is no applicable air quality plan for the area in which the Project is proposed. The Project is in an area considered to be in attainment for PM-10 in reference to National Ambient Air Quality Standards. The predominant air quality concern is windblown dust. The applicant will control dust during construction by standard techniques that include use of a water truck to wet down disturbed areas, the use of limestone to stabilize the ground surface, and application of dust suppressants including EarthGlue, which will ensure there are no significant impacts. (See Appendix C, Air Quality and Greenhouse Gas Memorandum). The applicant will be conditioned to obtain any required permits, and follow best management practices, required by the GBUAPCD.

Additionally, the Project is consistent with the PEIR analysis and mitigation measures. The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. (See PEIR, p. 4.3-10.) The potentially-applicable air quality mitigation measures (AQS-1 through 3) applied to utility-scale projects of greater than 20 MW and did not apply to

smaller, commercial-scale projects unless determined to be needed on a case-by-case basis by a qualified County planner. Here, the Project involves a small commercial-scale facility that does not present significant air quality impacts. (See Appendix C.) Due to the size, location, low emissions well below all applicable thresholds (Appendix C) and design that incorporates dust controls and suppressants, AQS-1 through 3 are unnecessary to apply.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

No. The Project is located in an area in attainment for PM-10. The Project will be in compliance with air quality standards, as the applicant is conditioned to obtain any required permits and to follow best management practices as set forth by GBUAPCD. The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. PEIR, p. 4.3-10.) Project construction and operations will generate emissions that are well below all applicable air quality thresholds and standards. (See Appendix C.)

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐

The Project is not in an area that is in non-attainment under any applicable standard. The operation of the solar project is not anticipated to result in a substantial increase in vehicular or stationary emissions once installed. As a result, long-term emissions resulting from Project operation are anticipated to be well below all applicable thresholds. (See Appendix C.) The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. PEIR, p. 4.3-10.) The Project would not contribute to a cumulatively considerable net increase in non-attainment pollutants during operation, and impacts would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

No, the proposed Project will not expose sensitive receptors to any new substantial pollutant concentrations. The construction process is low impact, involving minor leveling and digging of shallow trenches for placing underground conduits, and installation of a single 20'x20' concrete pad for a transformer. There are no nearby schools or hospitals. Few houses are in proximity to the Project Area. During construction, windblown dust will be controlled by watering, the application of limestone, and the application of a dust suppressant. Vehicle emissions will be well below applicable thresholds of significance during construction and operations. (See Appendix C.) During Project operation, the solar facility will not produce pollutants.

e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

The proposed Project will not produce objectionable odors during the life of the operation. The Project will use typical construction techniques and the odors would be typical of most construction sites and temporary in nature.

* * *

IV. BIOLOGICAL RESOURCES:

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

No. The Project Area has been inspected by County planning staff and by a qualified biologist. No CDFW or USFWS designated special status species were found in Project Area. The Project Area is graded, cleared of any significant vegetation, and contains no native habitat. No impacts through habitat modification are anticipated.

A Biological Resource Evaluation (BRE) was performed by qualified biologists. (Appendix B.) The BRE surveyed the Project Area and a 250-foot buffer. No significant biological resources (plant or wildlife) were found present in the Project Area or buffer. In particular, the BRE found no evidence of desert tortoise (Gopherus agassizii) or suitable foraging habitat or other habitat for desert tortoise. The BRE also found no evidence of Mohave ground squirrel (Xerospermophilus mohavensis) or associated burrows and noted that the nearest population of Mohave ground squirrel is 8.2 miles southwest, and the nearest core population is 25 miles northwest.

The BRE concluded that the desert kit fox (Vulpes macrotis arsipus) could potentially visit the Project Area as a transient forager, but the Project Area and surroundings lack optimal denning habitat due to existing ground disturbance. The BRE also found a potential for nesting birds or raptors to forage and/or nest in the Project Area or buffer, using utility poles, although no active or inactive nests were observed. Nesting migratory birds and other raptors species, protected by the Migratory Bird Treaty Species Act, were not observed but have a potential to occur in or near the Project Area and surrounding areas. (Appendix B.)

To mitigate the potential for impacts to desert kit fox and protected bird species, the BRE recommended Best Management Practices and avoidance measures including: a pre-activity survey, a vehicle speed limit of 20mph, covering of trenches, and proper disposal of food items, as set forth more specifically in the BRE. With these measures, the Project is not expected to significantly impact candidate, sensitive, or special status species.

The Project is consistent with the PEIR. The biological resource mitigation measures identified in the PEIR apply to utility-scale projects with greater than 20 MW of generating capacity. The PEIR provides that "small scale solar energy projects are considered to result in no impacts under CEQA" and the mitigation measures in the PEIR do not apply to such projects unless a qualified County planner determines, on a case-by-case basis, that implementation of the PEIR mitigation measures is necessary. (PEIR, p. 4.4-122-123.) If the planner determines, after review, that a proposed commercial-scale project has a potential to impact biological resources, the PEIR mitigation measures shall be implemented "as determined necessary" by the planner. (PEIR, p. 4.4-123.) Here, the Project has no potential to impact biological resources other than potential impacts to desert kit fox and bird species. The mitigation measures in the BRE will ensure that the potential impacts to desert kit fox and bird species are less than significant, and it is unnecessary to implement any additional mitigation measures from the PEIR.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒

No, there is no identified riparian habitat or other sensitive natural community in the Project Area or in close proximity that would be affected by the Project. The USFWS National Wetlands Inventory (USFWS 2014b) shows no freshwater wetlands near the Project Area. No protected natural areas are located within the Trona SEDA.

c) Have a substantial adverse effect on state or federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

No, there are no federally protected wetlands in or near the Project Area, nor would the nature of the Project cause fill material or Project contaminants to enter flowing water.

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?	☐	☐	☐	☒

No, although the Project Area could potentially have occurrences of wildlife species, the Project will not interfere with migratory fish or wildlife species. As stated in the BRE, there are no known wildlife movement corridors or habitat linkages that intersect the Project Area. The Project Area is within a highly disturbed area and provides minimal linkage between suitable natural habitats for most wildlife species. The BRE anticipates no substantial movement of wildlife onto or from the Project Area.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

No, there are no local policies or ordinances in place protecting biological resources that pertain to the Project Area.

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?	☐	☐	☐	☒

No, there are no adopted habitat or conservation plans that affect the Project Area. The proposed Project is within an area specifically designated for solar energy development pursuant to the REGPA.

Mitigation Measures: *The applicant shall implement all Best Management Practices recommended in Section 6 of the BRE (i.e., pre-activity surveys; avoidance buffers for desert kit fox; Worker Environmental Awareness Training Program; speed limit of 20-mph; covering of trenches deeper than two feet at the close of work day; inspection of pipes and culverts greater than four inches before burial; trash and food items onsite must be discarded into closed containers; no pets should be permitted onsite).*

* * *

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☒

No, the Project will not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. The Project Area is vacant and undeveloped. It does not contain resources listed in, or determined to be eligible by, the State Historical Resources Commission for listing in, the California Register of Historical Resources, or any local register of historical resources. The Project Area also does not contain any known structures, features or sites that may be historically significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐

No, the Project does not contain any known archaeological resources, and will not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. Project construction requires limited ground-disturbance on land that is already flat, making the disturbance or discovery of unanticipated cultural, archaeological, or historical resources unlikely.

If any archaeological or cultural resources are inadvertently discovered in the Project Area, work shall immediately desist and County staff shall be immediately notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. The County will then work with the operator and local tribal members, including tribal THPOs, to develop a plan for preservation, protection, or relocation of the resource. With this mitigation measure, the Project will not cause an adverse change in the significance of an archaeological resource pursuant to Section 15064.5

c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

No, there are no known human remains or burial sites in the Project Area. Additionally, it is unlikely that such remains would be discovered due to the minimal nature of earth-disturbance on the Project site. However, if human remains are uncovered, the discovery would be treated in the same manner as an archeological resource described in (V b) above (i.e., work would cease immediately and remain stopped until a plan was developed for preservation, protection, or removal).

* * *

VI. ENERGY: 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?	☐	☐	☐	☒

No, the Project is to construct a PV solar facility, totaling approximately 1.2 MW of generating capacity, that uses only a small amount of energy, and is required to meet California building standards including green and title 24 standards.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

No, the Project is to construct a PV solar facility, totaling approximately 1.2 MW of generating capacity, located in one of the counties solar energy development areas (SEDAs), as identified by the General Plan. The project will generally advance state and local plans for renewable energy, rather than conflict with or obstruct such plans.

* * *

VII. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒

No, the Project is not in an Alquist-Priolo zone. The Project operates with little human intervention and would not expose people to significant risk of injury. In addition, the nature of the solar panels, and their low height, does not make them readily susceptible to adverse effects during seismic activity. Also, subsequent to the approval of the permit, the applicant shall work with the Inyo County Department of Building and Safety to ensure any building activities meet State and County Codes.

ii) Strong seismic ground shaking?	☐	☐	☒	☐

No, the State Geologist has not mapped any faults in the Searles Valley in the vicinity of the Project. In addition, seismic activity and ground shaking can occur anywhere in the region, but compared to much of the rest of California, this is a less than average seismically active area. The California Building Code ensures that structures be constructed to required seismic standards in order to withstand such shaking.

iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒

No, the Project is not within an area of soils known to be subject to liquefaction.

iv) Landslides?	☐	☐	☐	☒

No, the Project Area is flat or gently sloping, and is not in an area prone to landslides.

b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

No, Project construction is limited to trenching for conduits, and minor grading to level the ground surface as needed. The limited scale of ground disturbance is not expected to result in a risk of substantial soil erosion or loss of topsoil, and in addition, the placement of limestone will stabilize the surface to protect against the low risk of erosion.

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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐

No, the proposed Project is not located in an area with a geologic unit or soil that is known to be unstable. If any questions arise about the quality of the soil during the development of the Project, the applicant shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐

No, the proposed Project is not located in an area with a known expansive soil type. If any questions arise about the quality of the soil during the development of the Project, the applicant shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

No, the soils are compatible with septic tanks and other wastewater disposal systems, although the Project is not designed to have either septic tanks or wastewater disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature?	☐	☐	☐	☒

No, the Project Area does not include any unique paleontological or geologic features.

* * *

VIII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

No. GHGs generated during the construction phase would be minimal and below all applicable thresholds. (See Appendix C.) GHGs during Project operation would be virtually non-existent, and not present a significant impact, because the solar facilities do not generate any GHGs except for occasionally visits (estimated weekly) by the applicant in a light vehicle to monitor the facilities.

The Project is consistent with the PEIR. The PEIR identified mitigation measures applicable mainly to utility-scale projects with greater than 20 MW of generating capacity. The PEIR provides that "small scale solar energy projects are considered to result in no impacts under

CEQA" and the mitigation measures in the PEIR do not apply to such projects unless a qualified County planner determines, on a case-by-case basis, that implementation of the PEIR mitigation measures is necessary. (PEIR, p. 4.7-12.) If the planner determines, after review, that a proposed commercial-scale project has a potential to generate a significant GHG impact, the PEIR mitigation measures shall be implemented "as determined necessary" by the planner. (PEIR, p. 4.7-12.) Here, the Project has no potentially significant GHG impacts, in light of the small scale of the Project and limited GHG emissions that would occur during construction. (Appendix C.)

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

No, the proposed Project will not conflict with any plan, policy or regulation adopted for the purpose of reducing GHG emissions. (Appendix C.)

* * *

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

No. The proposed Project will produce a small amount of waste associated with operational maintenance activities. PV wastes include broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid materials. These wastes will be generated infrequently. Most of this material will be collected and delivered back to the manufacturer for recycling or disposed of according to legal requirements. The presence of such wastes onsite would not pose a risk to surrounding properties and transporting it off site poses no threat or risk due to the inert nature of the waste materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

No. The proposed Project will not involve the use of a significant hazardous material. The operation of a PV solar facility does not involve the presence of any liquid wastes or hazardous materials readily capable of migrating to off-site properties. No battery storage will occur on site, or associated hazardous materials, as the solar facilities will connect directly to existing power lines operated by SCE. No significant hazard to the public or environment through a reasonably foreseeable upset or accident that could result in the release of hazardous materials is anticipated.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials,	☐	☐	☐	☒

substances, or waste within one-quarter mile of an existing or proposed school?

No. The proposed Project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, nor involve the handling of acutely hazardous materials, substances, or waste.

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?	☐	☐	☐	☒

No, the proposed Project is not located on a site included on a list of hazardous material sites compiled pursuant to Government Code section 65962.5.

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 for people residing or working in the project area?	☐	☐	☐	☒

No. The Project operates passively and with little human intervention, and there will be no people typically working in the Project Area that could be affected by airport operations. The Project also does not pose a danger to Trona Airport maintenance workers because the airport is not a public use airport. Additionally, the airport is not used with enough frequency to pose a danger to anyone working in the Project Area.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No, the project will not physically interfere with an adopted emergency plan or emergency evacuation plan.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

No, risk of loss, injury, and death involving wildland fires are not significant from this Project. Fire risks are identified as moderate at the Project Area, and no areas in proximity to it can be considered urbanized. Land surrounding the Project Area are not heavily vegetated and there are only a few residences in the proximity; therefore, the risk of loss, injury, or death involving

wildland fires is less than significant, and any potential risk is further mitigated by compliance with California Building Standards.

* * *

X. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒

No. The Project will not violate any water quality standards or waste discharge requirements. The Project Area is pre-disturbed. The Project Area is in a region characterized by a low level of precipitation. Project construction will involve some trenching and minor grading to level the land, which does not present a significant risk of violating any water quality standards or substantially degrading surface or groundwater quality. The applicant intends to use stabilized construction entrance and exits would be installed at driveways to reduce tracking of sediment onto adjacent public roadways. The Project is subject to regulation by the Lahontan Regional Water Quality Control Board and the Inyo County Environmental Health Department and will meet all applicable requirements.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒

No. The Project will not have any effect on local groundwater. The project will not use local groundwater for its water needs, which are limited to dust control. All groundwater needs will be supplied by mobile trucks supplying water to the job site. Water demands are estimated at 40,000 gallons/week for dust control and site preparation and water will be trucked in from the Searles Domestic Water Company, located in Trona. The Project will not introduce any significant new areas of impervious surfaces that will prevent groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on or off-site?	☐	☐	☒	☐

No. The Project proposes extremely minimal grading and no new impermeable or impervious surfaces. Other than installing a small concrete pad, no paving or other activities will increase the number of impermeable surfaces that could cause erosion or siltation. No drainage patterns

will be altered. Other than rare storm related overland run-off situations, no water passes over or through the Project Area.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	☐	☐	☐	☒

No. The Project will not significantly change the landscape or existing runoff patterns or redirect or block flood flows. No drainage patterns or rates of runoff will be altered by the Project.

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?	☐	☐	☒	☐

No. The Project is proposed in an area that is already disturbed and will have no substantial changes to runoff patterns. No increase in stormwater runoff will occur as a result of the Project.

iv) impede or redirect flood flows?	☐	☐	☐	☒

No, the Project is in an area that is already disturbed and is not located in a flood hazard area.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒

No, the Project is in an area that is already disturbed, and is not located in a flood hazard, seiche or tsunami zone. Note that the BRE identified a potential surface water drainage based on prior mapping but no evidence of any such feature exists onsite and the mapping is therefore considered to be in error or outdated.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan?	☐	☐	☐	☒

No, the Project will not affect compliance with or implementation of the Lahontan Region water quality control plan and is not in an area included in a sustainable groundwater management plan.

* * *

XI. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	☐	☐	☐	☒

No, there is no established community in the vicinity of the Project, and the Project would not physically divide such a community.

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?	☐	☐	☐	☒

No, the Project is consistent with the current zoning and advances the goals for renewable energy generation for the southern portion of the county, as described in the REGPA. This part of the Trona area also is explicitly called out and designated for solar energy generation as part of the southern Trona SEDA.

* * *

XII. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

No. The Project Area has no known mineral resources of value to the region or state. The Project Area is not in a mapped area of regional or statewide significance by the State Mining and Geology Board. Development of the surface for solar generation would not in any event result in the permanent loss of mineral resources unexpectedly in this location.

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?	☐	☐	☐	☒

No, there are no known locally important mineral resources delineated in any land use plan that would be affected by the Project.

* * *

XIII. NOISE: Would the project:

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 other applicable standards of other agencies?

All potential noise impacts are within the scope of the PEIR analysis and will be subject to the PEIR mitigation measures. The PEIR evaluated the impacts of construction noise, including the use of construction equipment for grading, trenching, mast installation, installation of concrete footings, movement of heavy equipment and transportation of materials by truck. The PEIR also listed the individual equipment types that would be used to install a solar panel array, and the estimated noise levels associated with each item of equipment. (See PEIR, pp. 4.12-16 – 4.12-18.) The Project would use construction equipment of the types listed in the PEIR, and follow a construction process consistent with, or less impactful than, that anticipated in the PEIR. In this regard, the PEIR focused on utility-scale solar projects. The Project is a smaller, commercial-scale Project that will utilize a construction process that is comparatively light and short term in comparison to utility-scale projects. Trenching and grading will take two days using one grader, one backhoe and a water truck. Panel installation will occur over an estimated two months. No nighttime construction will occur. The Project does not present noise impacts that substantially differ from, or that are more impactful than, those analyzed in the PEIR. As such, the Project is within the scope of the PEIR pursuant to CEQA Guidelines section 15168(c)(2).

The PEIR adopted Mitigation Measure MM NOI-2 ("Implement construction noise reduction measures") to ensure that construction noise impacts are avoided or reduced below a level of significance and would have no significant unavoidable adverse impacts. (PEIR, pp. 4.12-18.) The PEIR listed the following five mitigation measures:

> *If utility scale solar development resulting from implementation of the REGPA is proposed within 500 feet of a residence or other noise sensitive receptor, the following measures, in addition to applicable BMPs and related information from REAT's Best Management Practices and Guidance Manual (REAT 2010), shall be implemented to reduce construction noise to the extent feasible:*
>
> - *Whenever feasible, electrical power will be used to run air compressors and similar power tools.*
> - *Equipment staging areas will be located as far as feasible from occupied residences or schools.*
> - *All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.*
> - *Stationary equipment shall be placed such that emitted noise is directed away from sensitive noise receptors.*
> - *Stockpiling and vehicle staging areas shall be located as far as practical from occupied dwellings.*

NOI-2 incorporated certain best management practices (BMPs) from REAT's Best Management Practices and Guidance Manual (REAT 2010) for desert renewable energy projects. In regard to potential noise impacts, the manual lists 10 BMPs:

1) *Ensure noisy construction activities (including truck and rail deliveries, pile driving and blasting) are limited to the least noise-sensitive times of day (i.e., weekdays only 45 between 7 a.m. and 7 p.m.) for projects near residential or recreational areas.*

2) *Consider use of noise barriers such as berms and vegetation to limit ambient noise at plant property lines, especially where sensitive noise receptors may be present.*

3) *Ensure all project equipment has sound-control devices no less effective than those provided on the original equipment. All construction equipment used should be adequately muffled and maintained. Consider use of battery powered forklifts and other facility vehicles.*

4) *Ensure all stationary construction equipment (i.e., compressors and generators) is located as far as practicable from nearby residences.*

5) *If blasting or other noisy activities are required during the construction period, notify nearby residents and the permitting agencies 24 hours in advance.*

6) *Properly maintain mufflers, brakes and all loose items on construction and operation related vehicles to minimize noise and ensure safe operations. Keep truck operations to the quietest operating speeds. Advise about downshifting and vehicle operations in residential communities to keep truck noise to a minimum.*

7) *Use noise controls on standard construction equipment; shield impact tools. Consider use of flashing lights instead of audible back-up alarms on mobile equipment.*

8) *Install mufflers on air coolers and exhaust stacks of all diesel and gas-driven engines. Equip all emergency pressure relief valves and steam blow-down lines with silencers to limit noise levels.*

9) *Contain facilities within buildings or other types of effective noise enclosures.*

10) *Employ engineering controls, including sound-insulated equipment and control rooms, to reduce the average noise level in normal work areas.*

The western and northwestern edge of the Project Area is approximately 400 feet from two residential structures located westerly of the Project Area. Under CEQA Guidelines section 15168(c)(3), the Project will be subject to MM NOI-2 for the portions of the Project Area within 500 feet of the residential structures.

Once the Project is constructed, operational nose sources will be limited to pad-mounted transformers and tracker array motors. Transformers will be located farther than 500 feet from a residence or other noise-sensitive land use and would not require further analysis under MM NOI-1 in the PEIR. Tracker motors generate low noise levels (see PEIR Table 4.12-4) and are sufficiently far from noise-sensitive land uses to have no potential noise-related impacts and to not require further noise study or mitigation. (See PEIR, p. 4.12-19.) As such, the operational impacts are expected to be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

No, the Project involves relatively light ground disturbance with few vehicles. No excessive groundborne vibration or groundborne noise is expected. Considering the types of equipment that will be used, impacts associated with groundborne noise or vibration would be within the scope of the PEIR and less than significant. (See PEIR p. 4.12-15.)

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?	☐	☐	☒	☐

No. Trona Airport is not public, nor is it used with frequency, and it is typically used by light aircraft only. The proposed Project will have minimal noise levels due to its nature and will not create excessive noise levels for personnel working near the Project Area. The Project Area is not immediately below any established flight path and persons working at the Project Area would not be exposed to any significant level of aircraft noise.

Mitigation Measures: *All potential impacts are within the scope of the PEIR analysis. The Project will be subject to MM NOI-2 for the portions of the Project Area within 500 feet of residential structures.*

* * *

XIV. POPULATION AND HOUSING: Would the project:

a) Induce substantial 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)?	☐	☐	☐	☒

No. The Project is not likely to induce any population growth. The Project Area requires few maintenance personnel and will be monitored mostly remotely from offsite locations. No new residents are expected to result from the Project.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No, the proposed Project will not displace existing housing or create a situation where replacement housing will be necessary. No housing currently exists in the Project Area. No existing housing will be removed to construct or operate the Project. The Project will have no effect on the level of housing in the Project Area or on surrounding properties.

* * *

XV. PUBLIC SERVICES: Would the project:

a) 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:				
Fire protection?	☐	☐	☒	☐

No. The Project is not considered to be located in a high-risk area for fire protection. The Project Area has no trees or established vegetation. The San Bernardino Fire Department (which provides fire protection services in the Trona community) was consulted on the Project. No concerns related to the Project Area were given.

Police protection?	☐	☐	☒	☐

No. No new police service will be required because of the Project. Offsite private security measures will mostly be used to monitor the Project Area.

Schools?	☐	☐	☐	☒

No, no new students or residents, or associated school services, will be required because of this Project.

Parks?	☐	☐	☐	☒

No, no new parks will be required because of the Project.

Other public facilities?	☐	☐	☐	☒

No, the proposed Project will not create substantial adverse physical impacts associated with a need for any other foreseeable public services.

* * *

XVI. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒

No, the proposed Project will not increase the use of existing recreational facilities. It is not anticipated that any portion of this Project will result in a change in the level of service required to provide parks or other recreational facilities.

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?	☐	☐	☐	☒

No, the proposed Project does not include recreational facilities, nor will it cause a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.

* * *

XVII. TRANSPORTATION:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒

No. The connecting road, Trona Wildrose Road, is lightly traveled. The Project will add no more than a few vehicles per day to Trona Wildrose Road during the construction phase, and no regular vehicle traffic during operations. During operations, the solar facilities will be remotely monitored and visited only occasionally (weekly, on average) by a light vehicle for inspection or maintenance. The Project will not result in a significant increase in traffic that is substantial in relation to the existing traffic load or capacity of the existing road system. The Project will not conflict with any existing transit, roadway, bicycle, or pedestrian facilities.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3(b)?	☐	☐	☐	☒

No. The project will not result in an adverse change with respect to vehicle miles traveled (VMT). The Project will not significantly increase passenger vehicle traffic or commuter traffic in the region. Construction related traffic generally will be light. When construction is complete, the Project will be remotely monitored and have maintenance personnel on-site as needed during daytime hours. The Project is not within one-half mile of either an existing major transit stop or high-quality transit corridor. The Project will result in less than significant impacts to this resource.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒

No. The proposed Project will not result in any design features that increase transportation hazards. No changes will occur to public roads, including the Trona Wildrose Road. No curves or dangerous intersections will be added to the existing unpaved access road leading to the Project Area. Automobiles and trucks will be accommodated in the Project Area.

d) Result in inadequate emergency access?	☐	☐	☐	☒

No, the Project is proposed on properties that are directly adjacent to, and accessible from, Trona Wildrose Road and emergency access is and will continue to be available.

* * *

XVIII. TRIBAL CULTURAL RESOURCES: Would the project:

a) 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:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒

No. The Project Area undeveloped and cleared of vegetation with no known tribal cultural resources. The proposed Project does not contain a resource eligible for listing in the California Register of Historical Resources, or in a local register for historical resources as defined in Public Resource Code section 5020.1(k). If any archeological or cultural resources are discovered on the site, work shall immediately stop, and Inyo County staff shall be immediately notified per Chapter 9.52 of the Inyo County Code.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

The Project Area is vacant and undeveloped. It does not contain any resource determined by the County to be significant pursuant to criteria set forth in subdivision (c) of the Public Resource Code section 5024.1 (i.e., is associated with events that made a significant contribution to the state's cultural patterns, is associated with the lives of persons important in our past, embodies the distinctive characteristics of a type or period, or has yielded or may yield information important in prehistory or history).

* * *

XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒

No. The proposed Project is for the approval of a PV solar facility that will primarily be remotely monitored and involve no continuous human presence. The Project will not result in the construction or relocation of new or expanded utility, wastewater, or other utility service systems. The goal of the Project is to create a sustainable supply of electric power, and it will not increase demand for utilities whatsoever.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒

No impact. During operation, water needs will be no more than 1.0-acre feet per year and will be utilized primarily for panel washing 2-4 times annually. During active construction, light water consumption (relative to other construction uses) will be required for dust suppression. All water needs will be covered via trucking it in from Searles Domestic Water Company, located in Trona. No landscaping water will be required.

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?	☐	☐	☐	☒

No. The Project would not generate wastewater requiring disposal or contribute to demand for wastewater treatment.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of soil infrastructure, or otherwise impair thc attainment of solid waste reduction goals?	☐	☐	☐	☒

No. The Project will not require changes to the current solid waste capacity to accommodate them. Solid waste needs for the project will be minimal. Most of the volume of solid waste (scrap metals, electrical equipment, and proprietary solar array features) will be collected and recycled.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

No impact. The Project and any future development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.

* * *

XX. WILDFIRE:

a) Substantially impact an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No. There is not an adopted emergency response or evacuation plan for the area in which the Project is proposed.

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?	☐	☐	☐	☒

No. The Project Area is on flat or gently-sloped land. It lacks vegetation and vegetation is sparse in the area, characterized mainly by desert scrub, making wildfire risks moderate to low. There will be no project occupants, and the project area is physically separated from surrounding structures. The proposed Project does little to add to the wildfire risk in the area. The risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel break, 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?	☐	☐	☐	☒

No. The Project will not cause the need for additional wildfire associated infrastructure.

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?	☐	☐	☐	☒

No. The Project is on already graded and disturbed land. The addition of solar facilities will not create downslope or downstream flooding or landslides.

* * *

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to 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, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

☐ ☒ ☐ ☐

No, the Project will not impact or degrade the quality of the environment. The limited impact to resources in the Project Area can be mitigated to less than significant levels. Minimization measures have been written into the Mitigation Monitoring and Reporting Program for the permits and include: pre-activity surveys; avoidance buffers for desert kit fox; noise control measures subject to MM NOI-2 for the portions of the Project Area within 500 feet of residential structures, dust mitigation measures to control air quality issues, and the monitoring efforts of a representative from local native American tribes in case native artifacts or human remains are uncovered.

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)?

☐ ☐ ☒ ☐

No. The proposed Project does not have impacts that are individually limited, but cumulatively considerable. The only existing and potentially future projects of note in the vicinity are PV solar projects within the Trona SEDA, but the overall number and size of these projects are likely to be less than analyzed in the PEIR. The Project is the second PV solar project in the SEDA as stated in the Project Description. Future solar projects in the Trona SEDA beyond those existing, proposed or planned, appear to be unlikely without significant improvements to offsite SCE transmission infrastructure.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

☐ ☐ ☐ ☒

No, the Project has no known environmental effects that will cause substantial adverse effects on human beings either directly or indirectly.

EXHIBIT 2

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

Phone: (760) 878-0263
FAX : (760) 872-2712
E-Mail : inyoplanning@inyocounty.us

RECIRCULATED DRAFT MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT AND INITIAL STUDY

PROJECT TITLE: Renewable Energy Permit 2022-02/Barker-Trona 4

PROJECT LOCATION: The Project site is located approximately 3 miles north of the unincorporated community of Trona, California. The property is on private land owned by Robbie Barker, Assessor parcel numbers 038-330-32,038-330-33 and 038-330-34.

PROJECT DESCRIPTION: The applicant is applying for a Renewable Energy Permit to construct a 3.0 Megawatt (MW) photovoltaic solar facility using approximately 6,000 fixed single-axis tracker solar panels. The project site is located on 15-acres that are previously graded, flat or gently sloped, highly disturbed and has no natural vegetation, habitat, water features or structures. Prior uses include a private dirt track and a junk yard, both recently removed. The site is approximately 0.03 miles west of Trona Wildrose Road.

FINDINGS:

A. The proposed project is consistent with goals and objectives of the Inyo County General Plan.

B. The proposed project is consistent with the provisions of the Inyo County Zoning Ordinance.

C. Potential adverse environmental impacts will not exceed thresholds of significance, either individually or cumulatively.

D. Based upon the environmental evaluation of the proposed project, the Planning Department finds that the project does not have the potential to create a significant adverse impact on flora or fauna; natural, scenic, and historic resources; the local economy; public health, safety, and welfare. This constitutes a Mitigated Negative Finding for the Mandatory Findings required by Section 15065 of the CEQA Guidelines.

The 30-day public review period for this Draft Mitigated Negative Declaration will expire on August 25, 2023. Inyo County is not required to respond to any comments received after this date.

Additional information is available from the Inyo County Planning Department. Please contact Project Planner Cynthia Draper (760-878-0265) if you have any questions regarding this project.

Cathreen Richards
Director, Inyo County Planning Department

7/19/2023
Date

Planning Department
168 North Edwards Street
Post Office Drawer L
Independence, California 93526

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INYO COUNTY PLANNING DEPARTMENT

APPENDIX G: CEQA INITIAL STUDY & ENVIRONMENTAL CHECKLIST FORM

1. Project title: Renewable Energy Permit 2022-02/Barker- Trona 4

2. Lead agency name and address: Inyo County Planning Department, PO Drawer L, Independence, CA 93526

3. Contact person and phone number: Cynthia Draper: (760) 878-0265

4. Project location: The property is on private land owned by Robbie Barker, Assessor parcel numbers 038-330-32,038-330-33,038-330-34.

5. Project sponsor's name and address: Robbie Barker 82740 Trona Rd., Trona, CA 93562

6. General Plan designation: Residential Estate (RE), SEDA overlay

7. Zoning: Rural Residential (RR-5.0)

8. Description of project: The applicant is applying for a Renewable Energy Permit to construct a 3.0 Megawatt (MW) photovoltaic solar facility using approximately 6,000 fixed single-axis tracker solar panels. The project site is located on 15-acres that are previously graded, flat or gently sloped, highly disturbed and has no natural vegetation, habitat, water features or structures. Prior uses include a private dirt track and a junk yard, both recently removed. The site is approximately 0.03 miles west of Trona Wildrose Road.

9. Surrounding land uses and setting: The property is surrounded by undeveloped land, sparse residential dwellings, and commercial uses (such as equipment storage). Developed areas include the Trona Airport, scattered residences, and scrap yards. The surrounding parcels are highly disturbed, devoid of plants or native habitat. Weed abatement has been performed throughout the area.

Location:	Use:	Gen. Plan Designation	Zoning
North	Vacant	Residential Estate (RE)	Rural Residential (RR-5.0-MH)
South	Developed/Solar	Residential Estate (RE)	Rural Residential (RR-5.0-MH)
East	Vacant/ BLM	State and Federal lands (SFL)/Open space rec (OSR)	Open Space (OS-40)
West	Vacant/ (MS) Misc structure	Residential Estate (RE)	Rural Residential (RR-5.0-MH)

10. Other public agencies whose approval is required: Inyo County Building and Safety, Inyo County Environmental Health, Inyo County Public Works

11. 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, has consultation begun?

In compliance with AB 52 and Public Resource Code Section 21080.3.1(b), tribes identified as being local to Inyo County were notified via certified letter about the project and the opportunity for consultation on this project. The tribes notified were as follows: The Cabazon Band of Mission Indians, the Torres Martinez Desert Cahuilla Indians, the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Fort Independence Paiute Tribe, the Lone Pine Paiute Tribe, and the Timbisha Shoshone Tribe.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
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.

☐ Aesthetics Resources	☐ Agriculture & Forestry	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology /Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use / Planning	☐ Mineral Resources
☐ Noise	☐ Population / Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities / Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

DETERMINATION

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Cynthia Draper, Assistant Planner
Inyo County Planning Department

Date 7/19/23

RECIRCULATED INITIAL STUDY with MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL CHECKLIST FORM

Renewable Energy Permit 2022-02/Barker- Trona 4

REGULATORY BACKGROUND

The Inyo County General Plan provides a vision for Inyo County's long-range physical and economic development, including resource development and conservation. The General Plan contains implementing strategies, policies and programs enabling this vision to be accomplished. On March 24, 2015, the Board of Supervisors adopted an amendment to the General Plan known as the Renewable Energy General Plan Amendment ("REGPA"). The REGPA regulates the type, siting, and size of renewable energy solar development projects in the County through adoption of land use policies consistent with the broader goals in the General Plan.

The REGPA differentiates renewable energy solar facilities based on their size and output. It defines "utility-scale" facilities as those generating at least 20 megawatts (MW) for off-site use, consumption or sale. Facilities that generate less than 20 MW may include "commercial-scale" or "community-scale" facilities, depending on whether electricity is produced for off-site use or for use by a specific community. The REGPA states that the County "shall encourage the development of" commercial and community-scale facilities.

The REGPA also designated seven different areas of the County, known as Solar Energy Development Areas (SEDAs), where renewable energy solar facilities would be allowed. Policy LU-1.17 permits utility-scale and commercial-scale facilities to be considered in SEDAs, subject to any necessary environmental review. Renewable energy solar development within a SEDA is allowed in any zoning classification. The Trona SEDA covers an approximately 7.1-mile area in the Searles Valley, north of the unincorporated community of Trona. The REGPA allows 600 acres of renewable energy development in the Trona SEDA.

When the County adopted the REGPA in 2015, it certified a Programmatic Environmental Impact Report (PEIR). The PEIR analyzed the impacts of renewable energy solar development throughout the County. It identified less-than-significant environmental impacts to agriculture and forestry resources, air quality, geology, and soils, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, socioeconomics, transportation and circulation, and utilities and service systems. The PEIR identified potentially significant and unavoidable impacts to aesthetics, biological resources, and cultural resources, and included mitigation measures to reduce these impacts to the extent feasible.

ENVIRONMENTAL SETTING

Inyo County covers approximately 10,200 square miles and is located on the east side of the Sierra Nevada Mountain range, within the east-central part of California. The County is primarily rural and undeveloped, characterized by open expanses, wide valleys and mountains ranging from low hills to jagged peaks. Elevations are from 282 feet below sea level within Death Valley National Park to 14,505 feet above sea level (amsl) in the Sierra Nevada

mountains. The climate typically is arid to semi-arid, marked by low precipitation, abundant sunshine, frequent winds, moderate to low humidity, and high evapotranspiration.

The Project is located in the Searles Valley, at the southern edge of the County, north of the unincorporated Trona community, and in the Trona SEDA. As noted above, the SEDA covers approximately 7.1 square miles (4,550 acres). Most of the SEDA is undeveloped. Roughly 60 percent is managed by BLM, with the remainder under private ownership. Developed features include Trona Airport, scattered rural residences, and scrap yards. North of the airport lies Valley Wells, a state historical landmark, consisting of small buildings, abandoned recreational facilities, a desert golf course and well field. The Trona area is sparsely populated, containing less than 2,000 people.

Elevations within the Trona SEDA range from 2,100 feet to 1,650 feet amsl. The average January temperatures range from 32-58 degrees Fahrenheit, and in July from 73-105 degrees. Annual precipitation is low, averaging 3.98 inches. The habitat consists mainly of alkali desert scrub flats with ephemeral washes, with an open composition and canopy cover less than 50 percent.

Topography in the Trona SEDA, within the center of the northern Searles Valley, is generally level or gently sloped. Steeper terrain occurs to the west (the Argus Range), east, and north (the Slate Range). Surface exposures consist predominantly of late Quaternary alluvial/lake deposits, sandy to loamy topsoil with Mesozoic granitic intrusive rocks to the west, and areas to the east and north exhibiting an assemblage of Precambrian/Paleozoic metasediments, Mesozoic granitic intrusives, Mesozoic and Tertiary volcanics, and older Quaternary alluvial/sedimentary deposits. No mapped faults exist in the Searles Valley. The nearest mapped fault is the Panamint Fault, approximately 10 miles east.

The Trona SEDA is within the South Lahontan Basin, as designated in the 1995 (as amended) Lahontan RWQCB Water Quality Control Plan for the Lahontan Region (Basin Plan). The Trona SEDA is within the areal extent of the Searles Valley Groundwater Basin (Searles Basin), which includes an area of approximately 197,000 acres, and a water-bearing strata consisting of a thick (at least 750 feet) sequence of younger unconsolidated alluvial deposits and underlying (locally semi-consolidated) older alluvium.

Average reported municipal/irrigation well depths in the Searles Basin are approximately 300 feet (DWR 2003). Estimated groundwater storage capacity is 2.1 million acre-feet. Groundwater is characterized mainly as calcium-sodium-bicarbonate or sodium-calcium bicarbonate in nature, with groundwater near Searles Lake described as sodium-chloride in nature. The northwestern and southwestern portions of the Searles Basin exhibit generally good water quality (with locally elevated fluoride and nitrate levels), while areas near Searles Lake have poor water quality with TDS levels of between 12,000 and 420,000 mg/l (DWR 2003).

The Trona SEDA is within the Great Basin Valleys Air Basin (Air Basin). The Air Basin is named for its geological formation of valleys surrounded by mountains. Air rises and sinks due to the heat in the valleys and height of the mountains, which causes the air to settle in the valleys and low-lying areas. Areas in the Air Basin are under the jurisdiction of the Great Basin Unified Air Pollution Control District (GBUAPCD), which regulates air pollutant emissions for all stationary sources within the Air Basin.

In 1987, the Trona area was designated as a PM-10 nonattainment area by the United States EPA. The main source of PM-10 emissions in the region is the dry Owens Lake lakebed, which is located approximately 50 miles northwest of the Project. At the time, the Trona area was part of the Coso Junction Planning Area. In 2002, the US EPA redesignated the Searles Valley into three separate areas, and made a finding of attainment for Trona. (Federal Register, 2002a, 2002b.)

PROJECT DESCRIPTION

The applicant has applied for two renewable energy permits for two separate photovoltaic (PV) solar facilities on contiguous land ("Project"). The applicant submitted two separate applications because each facility would separately connect to the existing Southern California Edison (SCE) 33-kV transmission line passing through the area. This Initial Study studies the impacts of both applications as one Project because both facilities have a common applicant, are in proximity to each other, and would have similar impacts.

The first application (No. 2022-01), known to the applicant as "Trona 7," proposes a PV solar facility on a five-acre parcel, consisting of approximately 2,300 single-axis tracker solar panels that will produce approximately 1.2 megawatts (MW) of electricity. The five-acre site is graded and highly disturbed, flat or gently sloped, and has no natural vegetation, habitat, water features or structures. The site is approximately 0.3 miles west of Trona Wildrose Road, which is not a designated scenic highway or scenic corridor.

The second application (No. 2022-02), also known as Trona 4, proposes a PV solar facility within a 15-acre parcel that is contiguous (i.e., has a common corner) with the Trona 7 site. The facility would generate 3.0 MW of electricity utilizing approximately 6,000 single-axis tracker solar panels. The site also is previously graded, flat or gently sloped, highly disturbed and has no natural vegetation, habitat, water features or structures. Prior uses include a private dirt track and a junk yard, both recently removed. The site is approximately 0.03 miles west of Trona Wildrose Road.

Both proposed facilities (collectively, the 20-acre "Project Area") are located approximately three miles north of the Trona community and one mile west of the Trona Airport. The elevation of the Project Area is approximately 1,700 feet amsl. It has no history of agricultural use and is not federally managed. According to FEMA, the Project Area is within an Area of Minimal Flood Hazard.

Zoning in the Project Area is rural residential. Approximately five residential structures are within 0.5 miles of the Project Area, located mostly south and west. Two of these structures are approximately 400 feet from the edge of the Project Area (most of the Project Area is farther to the east and extends up to approximately 2,300 feet distant from these structures). Other land use in 0.5 miles of the Project Area include storage of equipment and vehicles, scrap yards and storage units. Representative photographs are included in Appendix A. Agricultural use of surrounding land is minimal. Agriculture and farming are not significant land uses in the area.

Construction will consist of limited grading in some areas, as the Project Area is already predominantly level and graded. Appendix B (Biological Resources Evaluation) documents the onsite conditions. Shallow trenching will be required for underground conduits, and one 20x20-foot concrete pad will be placed on each site to support the transformers. Following grading and

trenching, metal poles or masts will be installed into the ground to support the solar panels. Grading and trenching will require approximately two days. Pole and panel installation will take an estimated two months. Appendix C contains an equipment list, operating hours and projected air emissions.

Dust control measures will be used at all times during construction, and during Project operations (the control of fugitive dust is critical to solar operations, as panels coated by dust do not function at full capacity). Dust controls during construction will consist of a watering truck, the application of crushed limestone to the ground, and application of a non-toxic clay polymer known as EarthGlue (specifications in Appendix D). Stabilized construction entrance and exits will be used to reduce sediment trackout onto the adjacent public roadway. During operations, limestone and EarthGlue will control dust.

Once installed, the solar panels will reach a maximum height of 12 feet above the ground (or less, as the panels change slightly in height as they rotate slowly throughout the day to track the sun). Panels will feature anti-reflective coatings to reduce daytime glare and reflectivity. Each facility will be fenced to prevent unauthorized access. Representative photographs of the panels and tracker supports are in Appendix E, showing a recently constructed solar project located on adjacent land (described in more detail below) that uses the same equipment design and components to be used by the Project.

The Project is the second renewable energy solar project proposed for the Trona SEDA. The prior project, on 10 acres adjacent to the Project Area, was approved and has been constructed by the applicant (Nos. 2018-01 and 2021-01). Another 10-acre project is reportedly in development to the south. Combined, the existing, proposed and potential future renewable solar projects are 40 acres, and account for a small part of the 600 acres allocated by the REGPA to solar projects in the Trona SEDA. Future solar projects in the Trona SEDA may not be possible, however, according to the applicant, until SCE improves its transmission infrastructure to increase its transmission capacity.

AGENCY COORDINATION AND PUBLIC INVOLVEMENT

Public notifications concerning the Project began approximately seven months ago. On November 14, 2022, the County gave public notice of the availability of a Draft Initial Study and Negative Declaration for each of the two applications. The 30-day review period ended on December 17, 2022. No comments were received.

A public hearing was set before the Planning Commission on March 23, 2023 to approve both applications. Two days before the hearing, the County received public comments from a nearby landowner, and as a result, the County postponed the hearing to May 3, 2023. Prior to the May hearing, the County received additional public comments. As a result, the County postponed the hearing again, revised the Initial Study and Mitigated Negative Declaration, and has recirculated the Initial Study and Mitigated Negative Declaration pursuant to Section 15073.5 of the CEQA Guidelines.

TRIBAL OUTREACH

In accordance with AB 52 and Public Resource Code Section 21081.3.1(b) tribes identified as being local to Inyo County were notified via certified letter about the project and the opportunity for consultation on this project. The tribes were notified as follows: The Cabazon Band of

Mission Indians, the Torres Martinez Desert Cahuilla Indians, the Twenty-Nine Palms Band of Mission Indians, the Big Pine Paiute Tribe, the Fort Independence Paiute Tribe, the Lone Pine Paiute Tribe, and the Timbisha Shoshone Tribe.

TIERED DOCUMENT

A program EIR evaluates the environmental consequences of a series of actions that together constitute a large project and share common geographic, regulatory and environmental attributes. (Cal. Code of Regs., tit. 14, § 15168(a).) If the program EIR facilitates the approval of activities within a program, the agency must scrutinize those activities, as they arise for approval, to determine if additional environmental review is needed.

An agency's assessment of the adequacy of a prior program EIR for the approval of specific activities involves an analysis of whether the activity falls within the scope of the prior EIR and whether the activity will give rise to environmental impacts that were not previously analyzed in the program EIR. (Cal. Code of Regs., tit. 14, § 15168(c).) If impacts were adequately assessed, the agency can avoid further environmental documentation. (Id., tit. 14, § 15168(c).) If further review is needed, the "tiered" document should analyze only those effects that may be significant but were not analyzed in the program EIR, or that were considered significant but can be mitigated or avoided through further analysis. (Id., tit. 14, § 15152(d); see also Pub. Resources Code, §§ 21081(a)(1), 21094(c).)

The PEIR was a program EIR pursuant to section 15168 of the CEQA Guidelines. The County has determined that certain of the Project's potential impacts are adequately addressed in the PEIR. Others require site-specific analysis and are properly assessed in a Mitigated Negative Declaration that will integrate enforceable mitigation measures from the PEIR to ensure that they are enforced at the Project level. The County is treating the Mitigated Negative Declaration as a tiered document under the PEIR. The PEIR can be found at the following website link, or by typing or pasting the following text into an internet browser:

https://www.inyocounty.us/sites/default/files/2023-04/Final%20PEIR%20Volme%20II.pdf

CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐

No. The Project is not located near a scenic vista.
The Project is near the valley floor within an area that is visually characterized by junk yards, and outdoor storage of vehicles and equipment in a high desert environment. The Project is within the Trona SEDA, which has its location and boundaries in an area that lacks an abundance of scenic resources. (PEIR, 4.1-15.)

The Project is consistent with the PEIR analysis and mitigation measures. The potentially-applicable mitigation measures (AES-1 through 6, and 9) require that site-specific visual studies be prepared for utility-scale projects (i.e., generating greater than 20 MW) and for smaller-scale projects determined by a qualified county planner to have a potential to impact visual resources in individual SEDAs. Here, the Project involves a small, commercial-scale facilities that, due to its size and location, have been determined by a qualified planner to not have a potential to impact visual resources, including a scenic vista.
https://www.inyocounty.us/sites/default/files/2023-04/Final%20PEIR%20Volme%20II.pdf

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒

No. The Project Area has previously been disturbed with roads, storage units, and weed abatement. It has previously been graded and is devoid of natural resources such as rock outcroppings and trees. No removal of vegetative life, rock outcroppings, or historic buildings within a scenic state highway will occur. It is not located within or adjacent to any designated scenic highways mapped by the California Department of Transportation. The Project involves the placement of PV solar panels that reach a maximum height of 12 feet.

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 a 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?	☐	☐	☒	☐

No. The Project will not affect the overall scenic integrity of the area. The Project Area is barren of natural resources that provide scenic value. The Project is in a rural, non-urbanized area and surrounded by property owners that frequently use the area for storage and scrap yards. Public views are mainly from Trona-Wildrose Road, and the Project will not substantially

degrade the existing visual character of the area from the perspective of passing motorists as the area is characterized by scrap yards and outdoor storage of materials. (Appendix A.) The low height of the panels (12 foot maximum, comparable to a single-story house) would not obstruct views of the Argus range to the west or the Slate range to the east.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

No. Due to the small size of the facilities, and their location and design, the Project will not significantly impact daytime or nighttime views. Construction will take place during the daytime hours only. Operation will not involve new light sources that affect nighttime views. The Project will use solar panels that integrate anti-reflective technology to minimize daytime glare, which is consistent with PEIR Mitigation Measure AES-6 (requiring that certain projects treat solar panels with anti-reflective coating). The boundaries and locations of SEDAs, including the Trona SEDA, were sited in areas without an abundance of scenic resources. (PEIR, 4.1-15.)

* * *

II. AGRICULTURAL AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to nonagricultural use?	☐	☐	☐	☒

No, the Project is not located on land designated as farmland.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

No, the Project is not located on land zoned exclusively for agriculture. Inyo County has no Williamson Act contracts.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒

No, the Project Area does not include forest land or timberland, or land zoned for forest land, timberland, or Timberland Production.

d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒

No, the Project is not located on forest land.

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?	☐	☐	☐	☒

No, the Project is not located on farmland and is not conducive to future use as farmland. The Project Area has no history of agricultural production. To the extent that agricultural activities may exist on surrounding properties, the Project would have no impact on or interference with those activities.

* * *

III. AIR QUALITY: Where available, the significant criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐

No. There is no applicable air quality plan for the area in which the Project is proposed. The Project is in an area considered to be in attainment for PM-10 in reference to National Ambient Air Quality Standards. The predominant air quality concern is windblown dust. The applicant will control dust during construction by standard techniques that include use of a water truck to wet down disturbed areas, the use of limestone to stabilize the ground surface, and application of dust suppressants including EarthGlue, which will ensure there are no significant impacts. (See Appendix C, Air Quality and Greenhouse Gas Memorandum). The applicant will be conditioned to obtain any required permits, and follow best management practices, required by the GBUAPCD.

Additionally, the Project is consistent with the PEIR analysis and mitigation measures. The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. (See PEIR, p. 4.3-10.) The potentially-applicable air quality mitigation measures (AQS-1 through 3) applied to utility-scale projects of greater than 20 MW and did not apply to

smaller, commercial-scale projects unless determined to be needed on a case-by-case basis by a qualified County planner. Here, the Project involves a small commercial-scale facility that does not present significant air quality impacts. (See Appendix C.) Due to the size, location, low emissions well below all applicable thresholds (Appendix C) and design that incorporates dust controls and suppressants, AQS-1 through 3 are unnecessary to apply.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐

No. The Project is located in an area in attainment for PM-10. The Project will be in compliance with air quality standards, as the applicant is conditioned to obtain any required permits and to follow best management practices as set forth by GBUAPCD. The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. PEIR, p. 4.3-10.) Project construction and operations will generate emissions that are well below all applicable air quality thresholds and standards. (See Appendix C.)

c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐

The Project is not in an area that is in non-attainment under any applicable standard. The operation of the solar project is not anticipated to result in a substantial increase in vehicular or stationary emissions once installed. As a result, long-term emissions resulting from Project operation are anticipated to be well below all applicable thresholds. (See Appendix C.) The GBUAPCD considers short-term construction equipment exhaust emissions to be less than significant. PEIR, p. 4.3-10.) The Project would not contribute to a cumulatively considerable net increase in non-attainment pollutants during operation, and impacts would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐

No, the proposed Project will not expose sensitive receptors to any new substantial pollutant concentrations. The construction process is low impact, involving minor leveling and digging of shallow trenches for placing underground conduits, and installation of a single 20'x20' concrete pad for a transformer. There are no nearby schools or hospitals. Few houses are in proximity to the Project Area. During construction, windblown dust will be controlled by watering, the application of limestone, and the application of a dust suppressant. Vehicle emissions will be well below applicable thresholds of significance during construction and operations. (See Appendix C.) During Project operation, the solar facility will not produce pollutants.

e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

The proposed Project will not produce objectionable odors during the life of the operation. The Project will use typical construction techniques and the odors would be typical of most construction sites and temporary in nature.

* * *

IV. BIOLOGICAL RESOURCES:

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐

No. The Project Area has been inspected by County planning staff and by a qualified biologist. No CDFW or USFWS designated special status species were found in Project Area. The Project Area is graded, cleared of any significant vegetation, and contains no native habitat. No impacts through habitat modification are anticipated.

A Biological Resource Evaluation (BRE) was performed by qualified biologists. (Appendix B.) The BRE surveyed the Project Area and a 250-foot buffer. No significant biological resources (plant or wildlife) were found present in the Project Area or buffer. In particular, the BRE found no evidence of desert tortoise (Gopherus agassizii) or suitable foraging habitat or other habitat for desert tortoise. The BRE also found no evidence of Mohave ground squirrel (Xerospermophilus mohavensis) or associated burrows and noted that the nearest population of Mohave ground squirrel is 8.2 miles southwest, and the nearest core population is 25 miles northwest.

The BRE concluded that the desert kit fox (Vulpes macrotis arsipus) could potentially visit the Project Area as a transient forager, but the Project Area and surroundings lack optimal denning habitat due to existing ground disturbance. The BRE also found a potential for nesting birds or raptors to forage and/or nest in the Project Area or buffer, using utility poles, although no active or inactive nests were observed. Nesting migratory birds and other raptors species, protected by the Migratory Bird Treaty Species Act, were not observed but have a potential to occur in or near the Project Area and surrounding areas. (Appendix B.)

To mitigate the potential for impacts to desert kit fox and protected bird species, the BRE recommended Best Management Practices and avoidance measures including: a pre-activity survey, a vehicle speed limit of 20mph, covering of trenches, and proper disposal of food items, as set forth more specifically in the BRE. With these measures, the Project is not expected to significantly impact candidate, sensitive, or special status species.

The Project is consistent with the PEIR. The biological resource mitigation measures identified in the PEIR apply to utility-scale projects with greater than 20 MW of generating capacity. The PEIR provides that "small scale solar energy projects are considered to result in no impacts under CEQA" and the mitigation measures in the PEIR do not apply to such projects unless a qualified County planner determines, on a case-by-case basis, that implementation of the PEIR mitigation measures is necessary. (PEIR, p. 4.4-122-123.) If the planner determines, after review, that a proposed commercial-scale project has a potential to impact biological resources, the PEIR mitigation measures shall be implemented "as determined necessary" by the planner. (PEIR, p. 4.4-123.) Here, the Project has no potential to impact biological resources other than potential impacts to desert kit fox and bird species. The mitigation measures in the BRE will ensure that the potential impacts to desert kit fox and bird species are less than significant, and it is unnecessary to implement any additional mitigation measures from the PEIR.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒

No, there is no identified riparian habitat or other sensitive natural community in the Project Area or in close proximity that would be affected by the Project. The USFWS National Wetlands Inventory (USFWS 2014b) shows no freshwater wetlands near the Project Area. No protected natural areas are located within the Trona SEDA.

c) Have a substantial adverse effect on state or federal protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒

No, there are no federally protected wetlands in or near the Project Area, nor would the nature of the Project cause fill material or Project contaminants to enter flowing water.

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?	☐	☐	☐	☒

No, although the Project Area could potentially have occurrences of wildlife species, the Project will not interfere with migratory fish or wildlife species. As stated in the BRE, there are no known wildlife movement corridors or habitat linkages that intersect the Project Area. The Project Area is within a highly disturbed area and provides minimal linkage between suitable natural habitats for most wildlife species. The BRE anticipates no substantial movement of wildlife onto or from the Project Area.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒

No, there are no local policies or ordinances in place protecting biological resources that pertain to the Project Area.

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?	☐	☐	☐	☒

No, there are no adopted habitat or conservation plans that affect the Project Area. The proposed Project is within an area specifically designated for solar energy development pursuant to the REGPA.

Mitigation Measures: *The applicant shall implement all Best Management Practices recommended in Section 6 of the BRE (i.e., pre-activity surveys; avoidance buffers for desert kit fox; Worker Environmental Awareness Training Program; speed limit of 20-mph; covering of trenches deeper than two feet at the close of work day; inspection of pipes and culverts greater than four inches before burial; trash and food items onsite must be discarded into closed containers; no pets should be permitted onsite).*

* * *

V. CULTURAL RESOURCES: Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	☐	☐	☐	☒

No, the Project will not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5. The Project Area is vacant and undeveloped. It does not contain resources listed in, or determined to be eligible by, the State Historical Resources Commission for listing in, the California Register of Historical Resources, or any local register of historical resources. The Project Area also does not contain any known structures, features or sites that may be historically significant.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	☐	☐	☒	☐

No, the Project does not contain any known archaeological resources, and will not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5. Project construction requires limited ground-disturbance on land that is already flat, making the disturbance or discovery of unanticipated cultural, archaeological, or historical resources unlikely.

If any archaeological or cultural resources are inadvertently discovered in the Project Area, work shall immediately desist and County staff shall be immediately notified per Chapter 9.52, Disturbance of Archaeological, Paleontological and Historical Features of the Inyo County Code. The County will then work with the operator and local tribal members, including tribal THPOs, to develop a plan for preservation, protection, or relocation of the resource. With this mitigation measure, the Project will not cause an adverse change in the significance of an archaeological resource pursuant to Section 15064.5

c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒

No, there are no known human remains or burial sites in the Project Area. Additionally, it is unlikely that such remains would be discovered due to the minimal nature of earth-disturbance on the Project site. However, if human remains are uncovered, the discovery would be treated in the same manner as an archeological resource described in (V b) above (i.e., work would cease immediately and remain stopped until a plan was developed for preservation, protection, or removal).

* * *

VI. ENERGY: 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?	☐	☐	☐	☒

No, the Project is to construct a PV solar facility, totaling approximately 3.0 MW of generating capacity, that uses only a small amount of energy, and is required to meet California building standards including green and title 24 standards.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

No, the Project is to construct a PV solar facility, totaling approximately 3 MW of generating capacity, located in one of the counties solar energy development areas (SEDAs), as identified by the General Plan. The project will generally advance state and local plans for renewable energy, rather than conflict with or obstruct such plans.

* * *

VII. GEOLOGY AND SOILS: Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒

No, the Project is not in an Alquist-Priolo zone. The Project operates with little human intervention and would not expose people to significant risk of injury. In addition, the nature of the solar panels, and their low height, does not make them readily susceptible to adverse effects during seismic activity. Also, subsequent to the approval of the permit, the applicant shall work with the Inyo County Department of Building and Safety to ensure any building activities meet State and County Codes.

ii) Strong seismic ground shaking?	☐	☐	☒	☐

No, the State Geologist has not mapped any faults in the Searles Valley in the vicinity of the Project. In addition, seismic activity and ground shaking can occur anywhere in the region, but compared to much of the rest of California, this is a less than average seismically active area. The California Building Code ensures that structures be constructed to required seismic standards in order to withstand such shaking.

iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒

No, the Project is not within an area of soils known to be subject to liquefaction.

iv) Landslides?	☐	☐	☐	☒

No, the Project Area is flat or gently sloping, and is not in an area prone to landslides.

b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐

No, Project construction is limited to trenching for conduits, and minor grading to level the ground surface as needed. The limited scale of ground disturbance is not expected to result in a risk of substantial soil erosion or loss of topsoil, and in addition, the placement of limestone will stabilize the surface to protect against the low risk of erosion.

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 offsite landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐

No, the proposed Project is not located in an area with a geologic unit or soil that is known to be unstable. If any questions arise about the quality of the soil during the development of the Project, the applicant shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐

No, the proposed Project is not located in an area with a known expansive soil type. If any questions arise about the quality of the soil during the development of the Project, the applicant shall work with Inyo County's Building and Safety Department to employ the proper design standards that mitigate for expansive soils.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒

No, the soils are compatible with septic tanks and other wastewater disposal systems, although the Project is not designed to have either septic tanks or wastewater disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site unique geologic feature?	☐	☐	☐	☒

No, the Project Area does not include any unique paleontological or geologic features.

* * *

VIII. GREENHOUSE GAS EMISSIONS: Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐

No. GHGs generated during the construction phase would be minimal and below all applicable thresholds. (See Appendix C.) GHGs during Project operation would be virtually non-existent, and not present a significant impact, because the solar facilities do not generate any GHGs except for occasionally visits (estimated weekly) by the applicant in a light vehicle to monitor the facilities.

The Project is consistent with the PEIR. The PEIR identified mitigation measures applicable mainly to utility-scale projects with greater than 20 MW of generating capacity. The PEIR provides that "small scale solar energy projects are considered to result in no impacts under

CEQA" and the mitigation measures in the PEIR do not apply to such projects unless a qualified County planner determines, on a case-by-case basis, that implementation of the PEIR mitigation measures is necessary. (PEIR, p. 4.7-12.) If the planner determines, after review, that a proposed commercial-scale project has a potential to generate a significant GHG impact, the PEIR mitigation measures shall be implemented "as determined necessary" by the planner. (PEIR, p. 4.7-12.) Here, the Project has no potentially significant GHG impacts, in light of the small scale of the Project and limited GHG emissions that would occur during construction. (Appendix C.)

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

No, the proposed Project will not conflict with any plan, policy or regulation adopted for the purpose of reducing GHG emissions. (Appendix C.)

* * *

IX. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

No. The proposed Project will produce a small amount of waste associated with operational maintenance activities. PV wastes include broken and rusted metal, defective or malfunctioning modules, electrical materials, empty containers, and other miscellaneous solid materials. These wastes will be generated infrequently. Most of this material will be collected and delivered back to the manufacturer for recycling or disposed of according to legal requirements. The presence of such wastes onsite would not pose a risk to surrounding properties and transporting it off site poses no threat or risk due to the inert nature of the waste materials.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐

No. The proposed Project will not involve the use of a significant hazardous material. The operation of a PV solar facility does not involve the presence of any liquid wastes or hazardous materials readily capable of migrating to off-site properties. No battery storage will occur on site, or associated hazardous materials, as the solar facilities will connect directly to existing power lines operated by SCE. No significant hazard to the public or environment through a reasonably foreseeable upset or accident that could result in the release of hazardous materials is anticipated.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials,	☐	☐	☐	☒

substances, or waste within one-quarter mile of an existing or proposed school?

No. The proposed Project is not within one-quarter mile of an existing or proposed school, nor will it emit hazardous emissions, nor involve the handling of acutely hazardous materials, substances, or waste.

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?	☐	☐	☐	☒

No, the proposed Project is not located on a site included on a list of hazardous material sites compiled pursuant to Government Code section 65962.5.

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 for people residing or working in the project area?	☐	☐	☐	☒

No. The Project operates passively and with little human intervention, and there will be no people typically working in the Project Area that could be affected by airport operations. The Project also does not pose a danger to Trona Airport maintenance workers because the airport is not a public use airport. Additionally, the airport is not used with enough frequency to pose a danger to anyone working in the Project Area.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No, the project will not physically interfere with an adopted emergency plan or emergency evacuation plan.

g) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

No, risk of loss, injury, and death involving wildland fires are not significant from this Project. Fire risks are identified as moderate at the Project Area, and no areas in proximity to it can be considered urbanized. Land surrounding the Project Area are not heavily vegetated and there are only a few residences in the proximity; therefore, the risk of loss, injury, or death involving

wildland fires is less than significant, and any potential risk is further mitigated by compliance with California Building Standards.

* * *

X. HYDROLOGY AND WATER QUALITY: Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒

No. The Project will not violate any water quality standards or waste discharge requirements. The Project Area is pre-disturbed. The Project Area is in a region characterized by a low level of precipitation. Project construction will involve some trenching and minor grading to level the land, which does not present a significant risk of violating any water quality standards or substantially degrading surface or groundwater quality. The applicant intends to use stabilized construction entrance and exits would be installed at driveways to reduce tracking of sediment onto adjacent public roadways. The Project is subject to regulation by the Lahontan Regional Water Quality Control Board and the Inyo County Environmental Health Department and will meet all applicable requirements.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒

No. The Project will not have any effect on local groundwater. The project will not use local groundwater for its water needs, which are limited to dust control. All groundwater needs will be supplied by mobile trucks supplying water to the job site. Water demands are estimated at 40,000 gallons/week for dust control and site preparation and water will be trucked in from the Searles Domestic Water Company, located in Trona. The Project will not introduce any significant new areas of impervious surfaces that will prevent groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on or off-site?	☐	☐	☒	☐

No. The Project proposes extremely minimal grading and no new impermeable or impervious surfaces. Other than installing a small concrete pad, no paving or other activities will increase the number of impermeable surfaces that could cause erosion or siltation. No drainage patterns

will be altered. Other than rare storm related overland run-off situations, no water passes over or through the Project Area.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off-site?	☐	☐	☐	☒

No. The Project will not significantly change the landscape or existing runoff patterns or redirect or block flood flows. No drainage patterns or rates of runoff will be altered by the Project.

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?	☐	☐	☒	☐

No. The Project is proposed in an area that is already disturbed and will have no substantial changes to runoff patterns. No increase in stormwater runoff will occur as a result of the Project.

iv) impede or redirect flood flows?	☐	☐	☐	☒

No, the Project is in an area that is already disturbed and is not located in a flood hazard area.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒

No, the Project is in an area that is already disturbed, and is not located in a flood hazard, seiche or tsunami zone. Note that the BRE identifled a potential surface water drainage based on prior mapping but no evidence of any such feature exists onsite and the mapping is therefore considered to be in error or outdated.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable ground water management plan?	☐	☐	☐	☒

No, the Project will not affect compliance with or implementation of the Lahontan Region water quality control plan and is not in an area included in a sustainable groundwater management plan.

* * *

XI. LAND USE AND PLANNING: Would the project:

a) Physically divide an established community?	☐	☐	☐	☒

No, there is no established community in the vicinity of the Project, and the Project would not physically divide such a community.

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?	☐	☐	☐	☒

No, the Project is consistent with the current zoning and advances the goals for renewable energy generation for the southern portion of the county, as described in the REGPA. This part of the Trona area also is explicitly called out and designated for solar energy generation as part of the southern Trona SEDA.

* * *

XII. MINERAL RESOURCES: Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒

No. The Project Area has no known mineral resources of value to the region or state. The Project Area is not in a mapped area of regional or statewide significance by the State Mining and Geology Board. Development of the surface for solar generation would not in any event result in the permanent loss of mineral resources unexpectedly in this location.

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?	☐	☐	☐	☒

No, there are no known locally important mineral resources delineated in any land use plan that would be affected by the Project.

* * *

XIII. NOISE: Would the project:

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 other applicable standards of other agencies?

All potential noise impacts are within the scope of the PEIR analysis and will be subject to the PEIR mitigation measures. The PEIR evaluated the impacts of construction noise, including the use of construction equipment for grading, trenching, mast installation, installation of concrete footings, movement of heavy equipment and transportation of materials by truck. The PEIR also listed the individual equipment types that would be used to install a solar panel array, and the estimated noise levels associated with each item of equipment. (See PEIR, pp. 4.12-16 – 4.12-18.) The Project would use construction equipment of the types listed in the PEIR, and follow a construction process consistent with, or less impactful than, that anticipated in the PEIR. In this regard, the PEIR focused on utility-scale solar projects. The Project is a smaller, commercial-scale Project that will utilize a construction process that is comparatively light and short term in comparison to utility-scale projects. Trenching and grading will take two days using one grader, one backhoe and a water truck. Panel installation will occur over an estimated two months. No nighttime construction will occur. The Project does not present noise impacts that substantially differ from, or that are more impactful than, those analyzed in the PEIR. As such, the Project is within the scope of the PEIR pursuant to CEQA Guidelines section 15168(c)(2).

The PEIR adopted Mitigation Measure MM NOI-2 ("Implement construction noise reduction measures") to ensure that construction noise impacts are avoided or reduced below a level of significance and would have no significant unavoidable adverse impacts. (PEIR, pp. 4.12-18.) The PEIR listed the following five mitigation measures:

> *If utility scale solar development resulting from implementation of the REGPA is proposed within 500 feet of a residence or other noise sensitive receptor, the following measures, in addition to applicable BMPs and related information from REAT's Best Management Practices and Guidance Manual (REAT 2010), shall be implemented to reduce construction noise to the extent feasible:*
>
> - *Whenever feasible, electrical power will be used to run air compressors and similar power tools.*
> - *Equipment staging areas will be located as far as feasible from occupied residences or schools.*
> - *All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.*
> - *Stationary equipment shall be placed such that emitted noise is directed away from sensitive noise receptors.*
> - *Stockpiling and vehicle staging areas shall be located as far as practical from occupied dwellings.*

NOI-2 incorporated certain best management practices (BMPs) from REAT's Best Management Practices and Guidance Manual (REAT 2010) for desert renewable energy projects. In regard to potential noise impacts, the manual lists 10 BMPs:

1) *Ensure noisy construction activities (including truck and rail deliveries, pile driving and blasting) are limited to the least noise-sensitive times of day (i.e., weekdays only 45 between 7 a.m. and 7 p.m.) for projects near residential or recreational areas.*

2) *Consider use of noise barriers such as berms and vegetation to limit ambient noise at plant property lines, especially where sensitive noise receptors may be present.*

3) *Ensure all project equipment has sound-control devices no less effective than those provided on the original equipment. All construction equipment used should be adequately muffled and maintained. Consider use of battery powered forklifts and other facility vehicles.*

4) *Ensure all stationary construction equipment (i.e., compressors and generators) is located as far as practicable from nearby residences.*

5) *If blasting or other noisy activities are required during the construction period, notify nearby residents and the permitting agencies 24 hours in advance.*

6) *Properly maintain mufflers, brakes and all loose items on construction and operation related vehicles to minimize noise and ensure safe operations. Keep truck operations to the quietest operating speeds. Advise about downshifting and vehicle operations in residential communities to keep truck noise to a minimum.*

7) *Use noise controls on standard construction equipment; shield impact tools. Consider use of flashing lights instead of audible back-up alarms on mobile equipment.*

8) *Install mufflers on air coolers and exhaust stacks of all diesel and gas-driven engines. Equip all emergency pressure relief valves and steam blow-down lines with silencers to limit noise levels.*

9) *Contain facilities within buildings or other types of effective noise enclosures.*

10) *Employ engineering controls, including sound-insulated equipment and control rooms, to reduce the average noise level in normal work areas.*

The western and northwestern edge of the Project Area is approximately 400 feet from two residential structures located westerly of the Project Area. Under CEQA Guidelines section 15168(c)(3), the Project will be subject to MM NOI-2 for the portions of the Project Area within 500 feet of the residential structures.

Once the Project is constructed, operational nose sources will be limited to pad-mounted transformers and tracker array motors. Transformers will be located farther than 500 feet from a residence or other noise-sensitive land use and would not require further analysis under MM NOI-1 in the PEIR. Tracker motors generate low noise levels (see PEIR Table 4.12-4) and are sufficiently far from noise-sensitive land uses to have no potential noise-related impacts and to not require further noise study or mitigation. (See PEIR, p. 4.12-19.) As such, the operational impacts are expected to be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐

No, the Project involves relatively light ground disturbance with few vehicles. No excessive groundborne vibration or groundborne noise is expected. Considering the types of equipment that will be used, impacts associated with groundborne noise or vibration would be within the scope of the PEIR and less than significant. (See PEIR p. 4.12-15.)

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?	☐	☐	☒	☐

No. Trona Airport is not public, nor is it used with frequency, and it is typically used by light aircraft only. The proposed Project will have minimal noise levels due to its nature and will not create excessive noise levels for personnel working near the Project Area. The Project Area is not immediately below any established flight path and persons working at the Project Area would not be exposed to any significant level of aircraft noise.

Mitigation Measures: *All potential impacts are within the scope of the PEIR analysis. The Project will be subject to MM NOI-2 for the portions of the Project Area within 500 feet of residential structures.*

* * *

XIV. POPULATION AND HOUSING: Would the project:

a) Induce substantial 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)?	☐	☐	☐	☒

No. The Project is not likely to induce any population growth. The Project Area requires few maintenance personnel and will be monitored mostly remotely from offsite locations. No new residents are expected to result from the Project.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

No, the proposed Project will not displace existing housing or create a situation where replacement housing will be necessary. No housing currently exists in the Project Area. No existing housing will be removed to construct or operate the Project. The Project will have no effect on the level of housing in the Project Area or on surrounding properties.

* * *

XV. PUBLIC SERVICES: Would the project:

a) 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:				
Fire protection?	☐	☐	☒	☐

No. The Project is not considered to be located in a high-risk area for fire protection. The Project Area has no trees or established vegetation. The San Bernardino Fire Department (which provides fire protection services in the Trona community) was consulted on the Project. No concerns related to the Project Area were given.

Police protection?	☐	☐	☒	☐

No. No new police service will be required because of the Project. Offsite private security measures will mostly be used to monitor the Project Area.

Schools?	☐	☐	☐	☒

No, no new students or residents, or associated school services, will be required because of this Project.

Parks?	☐	☐	☐	☒

No, no new parks will be required because of the Project.

Other public facilities?	☐	☐	☐	☒

No, the proposed Project will not create substantial adverse physical impacts associated with a need for any other foreseeable public services.

* * *

XVI. RECREATION: Would the project:

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒

No, the proposed Project will not increase the use of existing recreational facilities. It is not anticipated that any portion of this Project will result in a change in the level of service required to provide parks or other recreational facilities.

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?	☐	☐	☐	☒

No, the proposed Project does not include recreational facilities, nor will it cause a need for an increase in parks or other recreational facilities that might have an adverse physical effect on the environment.

* * *

XVII. TRANSPORTATION:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☐	☒

No. The connecting road, Trona Wildrose Road, is lightly traveled. The Project will add no more than a few vehicles per day to Trona Wildrose Road during the construction phase, and no regular vehicle traffic during operations. During operations, the solar facilities will be remotely monitored and visited only occasionally (weekly, on average) by a light vehicle for inspection or maintenance. The Project will not result in a significant increase in traffic that is substantial in relation to the existing traffic load or capacity of the existing road system. The Project will not conflict with any existing transit, roadway, bicycle, or pedestrian facilities.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3(b)?	☐	☐	☐	☒

No. The project will not result in an adverse change with respect to vehicle miles traveled (VMT). The Project will not significantly increase passenger vehicle traffic or commuter traffic in the region. Construction related traffic generally will be light. When construction is complete, the Project will be remotely monitored and have maintenance personnel on-site as needed during daytime hours. The Project is not within one-half mile of either an existing major transit stop or high-quality transit corridor. The Project will result in less than significant impacts to this resource.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒

No. The proposed Project will not result in any design features that increase transportation hazards. No changes will occur to public roads, including the Trona Wildrose Road. No curves or dangerous intersections will be added to the existing unpaved access road leading to the Project Area. Automobiles and trucks will be accommodated in the Project Area.

d) Result in inadequate emergency access?	☐	☐	☐	☒

No, the Project is proposed on properties that are directly adjacent to, and accessible from, Trona Wildrose Road and emergency access is and will continue to be available.

* * *

XVIII. TRIBAL CULTURAL RESOURCES: Would the project:

a) 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:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☐	☒

No. The Project Area undeveloped and cleared of vegetation with no known tribal cultural resources. The proposed Project does not contain a resource eligible for listing in the California Register of Historical Resources, or in a local register for historical resources as defined in Public Resource Code section 5020.1(k). If any archeological or cultural resources are discovered on the site, work shall immediately stop, and Inyo County staff shall be immediately notified per Chapter 9.52 of the Inyo County Code.

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

The Project Area is vacant and undeveloped. It does not contain any resource determined by the County to be significant pursuant to criteria set forth in subdivision (c) of the Public Resource Code section 5024.1 (i.e., is associated with events that made a significant contribution to the state's cultural patterns, is associated with the lives of persons important in our past, embodies the distinctive characteristics of a type or period, or has yielded or may yield information important in prehistory or history).

* * *

XIX. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒

No. The proposed Project is for the approval of a PV solar facility that will primarily be remotely monitored and involve no continuous human presence. The Project will not result in the construction or relocation of new or expanded utility, wastewater, or other utility service systems. The goal of the Project is to create a sustainable supply of electric power, and it will not increase demand for utilities whatsoever.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒

No impact. During operation, water needs will be no more than 1.0-acre feet per year and will be utilized primarily for panel washing 2-4 times annually. During active construction, light water consumption (relative to other construction uses) will be required for dust suppression. All water needs will be covered via trucking it in from Searles Domestic Water Company, located in Trona. No landscaping water will be required.

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?	☐	☐	☐	☒

No. The Project would not generate wastewater requiring disposal or contribute to demand for wastewater treatment.

d) Generate solid waste in excess of state or local standards, or in excess of the capacity of soil infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒

No. The Project will not require changes to the current solid waste capacity to accommodate them. Solid waste needs for the project will be minimal. Most of the volume of solid waste (scrap metals, electrical equipment, and proprietary solar array features) will be collected and recycled.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

No impact. The Project and any future development will comply with Inyo County's solid waste standards, as required by the Inyo County Department of Environmental Health.

* * *

XX. WILDFIRE:

a) Substantially impact an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒

No. There is not an adopted emergency response or evacuation plan for the area in which the Project is proposed.

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?	☐	☐	☐	☒

No. The Project Area is on flat or gently-sloped land. It lacks vegetation and vegetation is sparse in the area, characterized mainly by desert scrub, making wildfire risks moderate to low. There will be no project occupants, and the project area is physically separated from surrounding structures. The proposed Project does little to add to the wildfire risk in the area. The risk of loss, injury or death involving wildland fires is less than significant at this site, and any potential risk is further mitigated by compliance with California Building Standards.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel break, 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?	☐	☐	☐	☒

No. The Project will not cause the need for additional wildfire associated infrastructure.

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?	☐	☐	☐	☒

No. The Project is on already graded and disturbed land. The addition of solar facilities will not create downslope or downstream flooding or landslides.

* * *

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

a) Does the project have the potential to 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, reduce the number, or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐

No, the Project will not impact or degrade the quality of the environment. The limited impact to resources in the Project Area can be mitigated to less than significant levels. Minimization measures have been written into the Mitigation Monitoring and Reporting Program for the permits and include: pre-activity surveys; avoidance buffers for desert kit fox; noise control measures subject to MM NOI-2 for the portions of the Project Area within 500 feet of residential structures, dust mitigation measures to control air quality issues, and the monitoring efforts of a representative from local native American tribes in case native artifacts or human remains are uncovered.

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)?	☐	☐	☒	☐

No. The proposed Project does not have impacts that are individually limited, but cumulatively considerable. The only existing and potentially future projects of note in the vicinity are PV solar projects within the Trona SEDA, but the overall number and size of these projects are likely to be less than analyzed in the PEIR. The Project is the second PV solar project in the SEDA as stated in the Project Description. Future solar projects in the Trona SEDA beyond those existing, proposed or planned, appear to be unlikely without significant improvements to offsite SCE transmission infrastructure.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

No, the Project has no known environmental effects that will cause substantial adverse effects on human beings either directly or indirectly.

APPENDIX A

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APPENDIX B

BIOLOGICAL RESOURCE EVALUATION

VALLEY WIDE CONSTRUCTION SERVICES

TRONA 4 AND 7 SOLAR PROJECT

MAY 2023

BIOLOGICAL RESOURCE EVALUATION

TRONA 4 AND 7 SOLAR PROJECT

Prepared for:

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May 2023

Project #160268.02

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EXECUTIVE SUMMARY

This Biological Resource Evaluation (BRE) report provides the results of a biological survey conducted by QK for the Trona 4 and 7 Solar Projects (collectively, the Project) proposed by Valley Wide Construction Services. In order to comply with the California Environmental Quality Act (CEQA) a biological evaluation was conducted to identify the potential for sensitive biological resources to occur on or near the Project site.

The Project is located north of the unincorporated town of Trona, California (Figure 1-1). It consists of two separate applications for renewable energy permits, one covering approximately 15 acres (Trona 4) and the other covering approximately 5 acres (Trona 7) of contiguous land, all situated on Assessor Parcel Numbers (APNs) 038-330-32, 038-330-33, 038-330-34, and 038-330-46. The Project site, which for the purposes of this BRE consists of both the Trona 4 and Trona 7 project sites, is highly disturbed, has been disked and exhibits little native vegetation re-growth. The Project site is bordered by an existing solar facility to the south, scattered residential homes, abandoned vehicles, local trash and debris.

A review of available literature and agency databases was conducted to obtain information of the occurrences of natural communities, special-status plant and wildlife species known or have the potential to occur in the vicinity of the Project site. QK conducted a biological reconnaissance survey on May 8, 2023, to determine the locations and extent of current land use, natural vegetation communities, determine the potential for occurrences of special-status plant and wildlife species, and verify the presence or absence of wetlands and State and or federal jurisdictional waters.

No special-status plant species or special-status wildlife species, or diagnostic sign thereof, were observed during the survey, and one water feature, that intersects the Project site, was identified by the National Hydrology Database and National Wetlands Inventory databases.

Based on the literature and database search and the results current conditions of the survey, it was deemed that there is a potential for two special-status wildlife species to occur on the Project site: the desert kit fox (*Vulpes macrotis arsipus*), and foraging and nesting birds and raptors. Desert kit fox were not observed to be inhabitants on the Project site but may pass through as transients. There is a potential for nesting migratory birds and other raptors species, protected by the Migratory Bird Treaty Species Act, to occur on or near the Project site and surrounding areas. With the implementation of Best Management Practices and recommended avoidance measures, impacts during the construction of the Project are not expected or will be limited to special-status wildlife species and migratory birds and raptors. There is expected to be no impact to special-status plant species, sensitive natural communities, wetlands or water features, or any other sensitive biological resources. No operational impacts would occur because operations are passive and involve no ongoing land disturbance.

SECTION 1 - INTRODUCTION

Valley Wide Construction Services proposes to construct and operate two solar facilities: Trona 4 is a 3 megawatt (MW) photovoltaic (PV) solar facility on approximately 15 acres; and Trona 7 is a 1 MW PV solar facility on approximately 5 acres located in Trona, Inyo County, California. For the analysis presented herein, the two contiguous sites have been combined into a single, 20-acre site for ease of discussion (Figures 1-1 and 1-2). The proposed solar project (Project) will include the vegetation removal, grading, trenching, and associated infrastructure to build the solar project. The Project would connect to the existing Southern California Edison (SCE) 33-kV transmission line that bisects the Project. To comply with the California Environmental Quality Act (CEQA), a biological evaluation was conducted to identify the potential for sensitive biological resources to occur on or near the Project site. This Biological Resource Evaluation (BRE) provides the basic biological information needed for the County of Inyo CEQA permitting process.

1.1 - Project Location

The Project is located north of the town of Trona, California (Figure 1-1). It covers approximately 20 acres and is situated on Assessor Parcel Numbers (APNs) 038-330-32, 038-330-33, 038-330-34 (Trona 4), and 038-330-46 (Trona 7). The unincorporated town of Trona is located on the east side of the Searles Valley and is between the Panamint Range and Southern Sierra Mountain Range, and approximately 28-miles northeast of the City of Ridgecrest. The Project site is west of Trona Wildrose Road and south of Moses Lane (Figure 1-2). It is in the northeast ¼ of Section 32, Township 24 South, Range 43 East, Mount Diablo Base and Meridian, and is within the *Trona East*, California U.S. Geological Survey (USGS) 7.5-minute quadrangle.

1.2 - Project Description

The proposed Trona 4 Project will construct and operate a 3 MW PV solar facility on approximately 15 acres. The Project would install approximately 4,835 single-axis tracker solar panels on the site. The layout of the single axis tracker solar panels will be in an east-west direction. The maximum height of the would be up to 12 feet above grade at the beginning and end of each day. Each solar panel would be attached to embedded piers using a support structure. Module layout and spacing is typically optimized to balance energy production versus peak capacity and depends on the sun angles and shading due to the surrounding horizon of the site.

The proposed Trona 7 Project will construct and operate a 1 MW PV solar facility on approximately 5 acres. The Project would install approximately 2,300 single-axis tracker solar panels on the site.

1.3 - Purpose, Goals, and Objectives for this Report

The BRE report includes the results of a biological reconnaissance survey and available biological and natural resource database search conducted by QK biologists at the Project

site. This report is consistent with the requirements for an analysis of impacts to biological resources.

The primary focus of this report is to provide information about the presence of sensitive biological resources on the Project and develop measures to avoid and minimize any potential impacts of the Project on those resources. To accomplish that goal, this BRE provides information on the condition and sensitivity of the sensitive biological resources potentially present on and adjacent to the Project site and evaluates Project impacts to those resources. This BRE focuses on providing information and sensitive natural communities, special-status species, wildlife movement corridors, and wetlands and waters by conducting a desktop analysis of site conditions and verifying those findings with an on-site biological survey.

Figure 1-1
Regional
Trona 4 and 7 Solar Project,
Inyo County, California

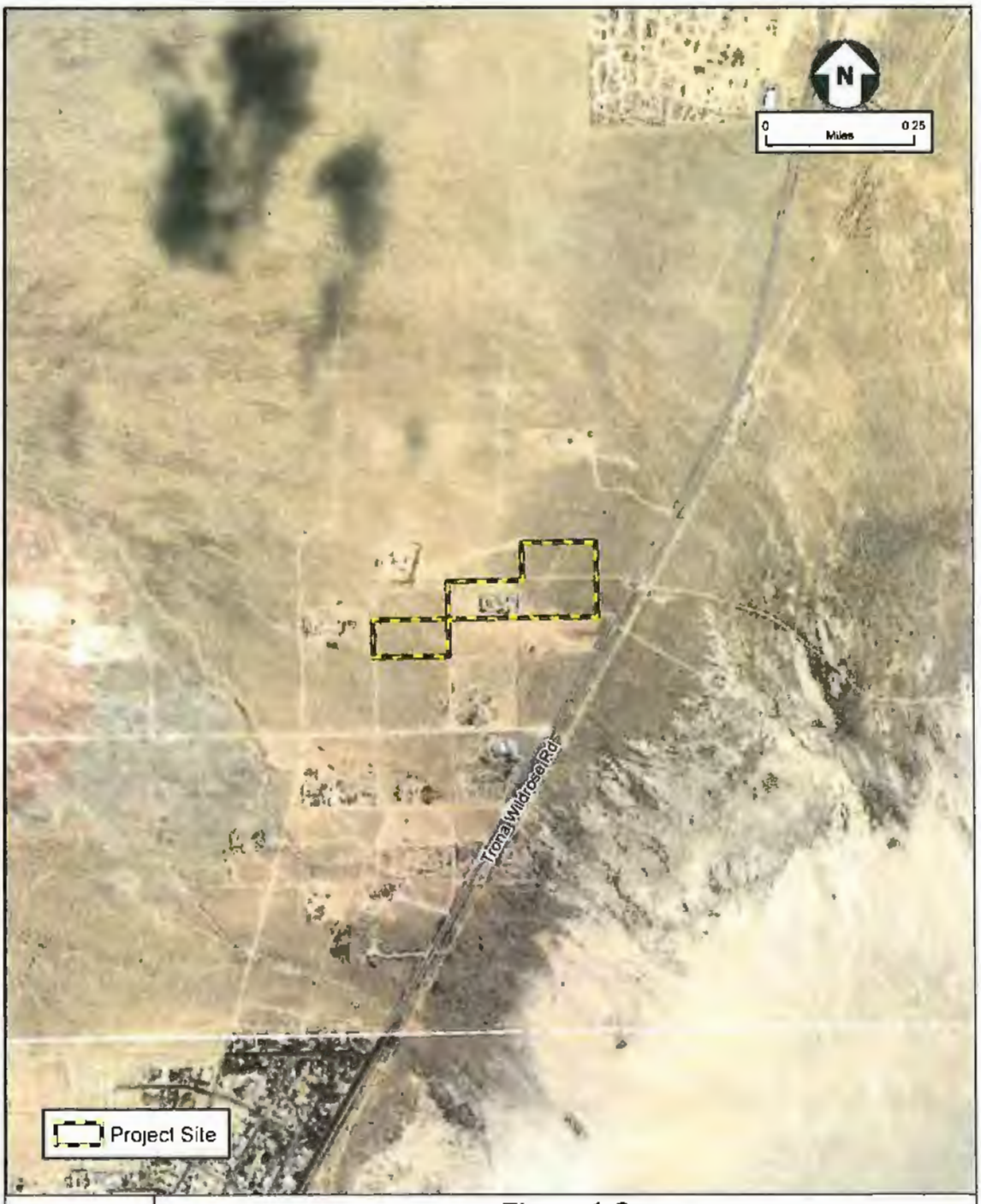

Figure 1-2
Project Location
Trona 4 and 7 Solar Project,
Inyo County, California

SECTION 2 - METHODS

2.1 - Definition of Biological Study Area

The Biological Study Area (BSA) includes the Project site and a 250-foot survey buffer surrounding the Project disturbance footprint (Figure 2-1).

2.2 - Literature Review and Database Analysis

The following sources were reviewed for information on special-status biological resources in the Project vicinity:

- California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB; CDFW 2023a).
- CDFW's Biogeographic Information and Observation System (BIOS; CDFW 2023b).
- CDFW's Special Animals List (CDFW 2023c).
- CDFW's California Wildlife Habitat Relationships (CWHR) System (Mayer and Laudenslayer 1988).
- California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California (CNPS 2023).
- United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation System (IPaC; USFWS 2023a).
- USFWS Critical Habitat Mapper (USFWS 2023b).
- USFWS National Wetlands Inventory (NWI; USFWS 2023c).
- USGS National Hydrography Dataset (NHD; USGS 2023).
- Federal Emergency Management Agency (FEMA) flood zone maps (FEMA 2023).
- United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Web Soil Survey (NRCS 2023a)
- Current and historical aerial imagery (Google LLC 2023; Netroline 2023).

The CNDDB and CNPS queries focused on the *Trona East* USGS 7.5-minute quadrangle in which the Project is located, plus the surrounding eight quadrangles: *Copper Queen Canyon, Homewood Canyon, Manly Fall, Slate Range Crossing, Westend, Layton Spring, Seales Lake,* and *Trona West.* To satisfy other standard search criteria, CNDD8 records within a 10-mile radius of the project site were queried separately from the broader database search.

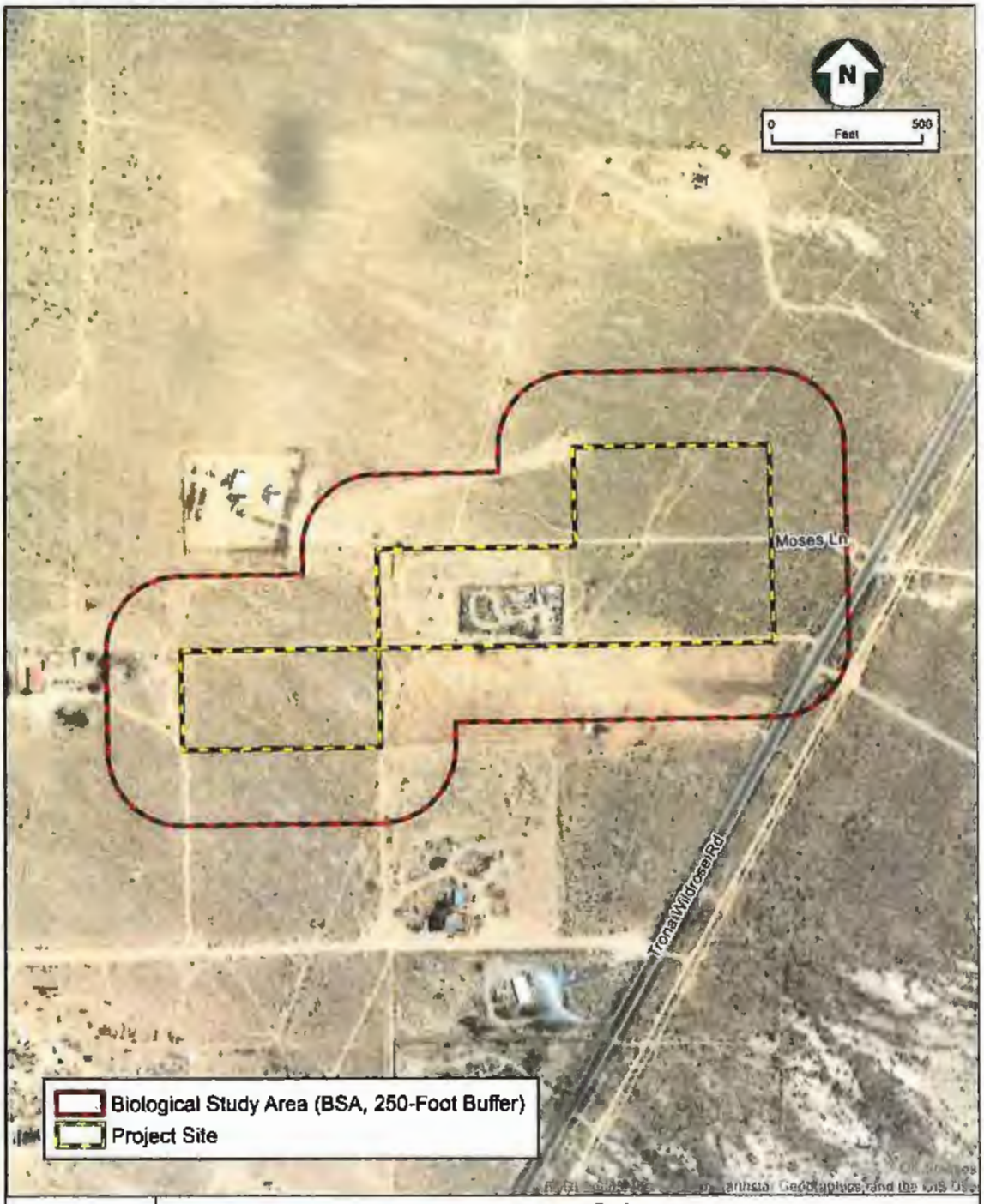

Figure 2-1
Biological Study Area
Trona 4 and 7 Solar Project,
Inyo County, California

The CNDDB provides element-specific spatial information on individual documented occurrences of special-status species and sensitive natural vegetation communities. The CNPS database provides similar information, but at a much lower spatial resolution, for additional sensitive plant species tracked by the CNPS. The CDFW Special Animals List and USFWS IPaC provide no spatial data on wildlife occurrences and provide only lists of species potentially present. Wildlife species designated as "Fully Protected" by California Fish and Game Code Sections 5050 (Fully Protected reptiles and amphibians), 3511 (Fully Protected birds), and 4700 (Fully Protected mammals) are also included on the final list of evaluated species. The database search results can be found in Appendix A.

A review of the NWI was completed to identify whether wetlands have previously been documented on or adjacent to the Project site. The NWI, which is operated by the USFWS, is a collection of wetland and riparian maps that depicts graphic representations of the type, size, and location of wetland, deep water, and riparian habitats in the United States. In addition to the NWI, regional hydrologic information from the NHD was obtained from the USGS to evaluate the potential occurrence of blueline streams within or near the Project site.

Soils data were obtained from the USDA NRCS Web Soil Survey, climate information was obtained from the Western Regional Climate Center, and land use information was obtained from available aerial imagery (NRCS 2023a; WRCC 2023; Google LLC 2023). Information about flood zones was obtained from the Federal Emergency Management Agency, Department of Homeland Security (FEMA 2023).

The results of the database inquiries were reviewed to extract pertinent information on site conditions and evaluate the potential for sensitive biological resources to occur within or near the proposed Project site. Only those resources with the potential to be present and affected by the Project were included and considered in this document. The potential presence of natural communities and special-status species was based on distributional ranges overlapping the Project site and the presence of habitat and/or primary constituent habitat elements.

2.3 - Reconnaissance-Level Field Surveys

A biological reconnaissance survey of the BSA was conducted by QK Environmental Scientists Jeff Erway and Eric Madueno on May 8, 2023. The survey consisted of walking meandering pedestrian transects spaced 50 to 100 feet apart throughout the BSA, where accessible. Areas with suitable habitat that could not be accessed were surveyed by use of high-power binoculars.

Tasks completed during the survey included determining and documenting current land use, developing an inventory of plant species, wildlife species, and wildlife sign (e.g., scat, burrows, nests, feathers, tracks, etc.), characterizing vegetation associations and habitat conditions within the BSA, assessing the potential for federally, State-listed and other special-status plant and wildlife species that may occur on and near the Project site based on existing conditions, and assessing the potential for migratory birds and raptors to nest on and near the Project site. In addition, all historical wetland and water features documented

by NWI and NHD were field verified. All spatial data were recorded using Environmental Systems Research Institute (ESRI) Collector for ArcGIS software installed on an iPad. Site conditions were documented with representative photographs (Appendix B).

SECTION 3 - ENVIRONMENTAL SETTING

This section identifies the regional and local environmental setting of the Project and describes existing baseline conditions. The environmental setting of the BSA was obtained from various sources of literature, databases, and aerial photographs. Site conditions were verified and updated during the site reconnaissance survey conducted by QK Environmental Scientists (Table 3-1).

Table 3-1
Field Survey Personnel and Timing

Date	Personnel	Time	Weather Conditions	Temperature
05/08/2023	Jeff Erway, and Eric Madueno	0947 - 1045	Sunny, Clear	61 - 67°F

3.1 - Topography

The BSA is in the southwestern portion of Inyo County. The BSA is relatively flat with little variation in topography and an elevation of about 1,690 feet above mean sea level.

3.2 - Climate

The BSA is within an area that has a Mediterranean climate of hot summers and mild, wet winters. Average high temperatures range from 58.2°F in January to 105.5°F in July, with daily temperatures often exceeding 100°F several days in the summer (WRCC 2023). Average low temperatures range from 33.2°F in December to 73.3°F in July. Precipitation occurs primarily as rain, most of which falls from November to April, with an average of 3.94 inches of rainfall per year. Rain rarely falls during the summer months.

3.3 - Land Use

The Project site is located approximately 0.8-miles north of the unincorporated town of Trona, California and adjacent to the major public road known as Trona Wildrose Road. Currently, the Project site is highly disturbed from urbanization, previous disking, illegal trash and debris dumping, and by abandoned vehicles. The Project site is situated among scattered residential properties to the north and west, an existing solar facility to the south, Trona Wildrose Road to the east, and an unpaved road identified as Moses Lane to the north.

3.4 - Soils

The United States Department of Agriculture, Natural Resources Conservation Service (NRCS) Web Soil Survey database contains no digital data for the region the BSA is located.

3.5 - Hydrology

There is one record of a jurisdictional wetland feature within the BSA, as defined by the NWI (USFWS 2023c) (Figure 3-1). The jurisdictional wetland bisects a portion of the BSA, known as Trona 4, starting in the middle of the northwest area flowing southeast towards Trona Wildrose Road. The feature is described as an intermittent riverine. Features under the Riverine system include all wetlands and deepwater habitats contained within a channel, with two exceptions: 1) wetlands dominated by trees, shrubs, persistent emergent, emergent mosses, or lichens, and 2) habitats with water containing ocean-derived salts of 0.5 ppt or greater.

According to FEMA, the BSA is within an Area of Minimal Flood Hazard (Figure 3-2).

Figure 3-1
NWI and NHD Records of Aquatic Resources
Trona 4 and 7 Solar Project,
Inyo County, California

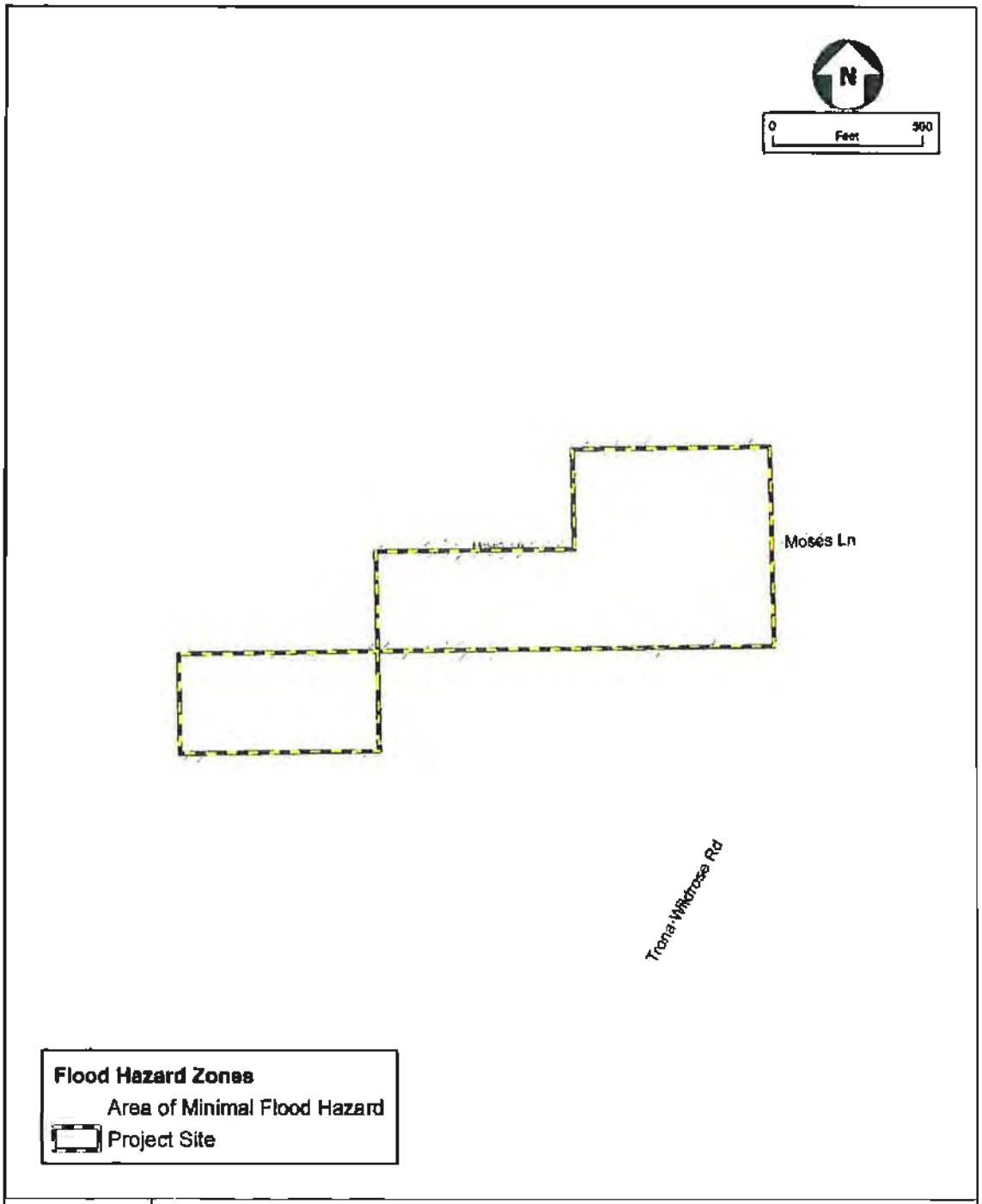

Figure 3-2
FEMA Flood Zone Map
Trona 4 and 7 Solar Project,
Inyo County, California

3.6 - General Biological Conditions

The entirety of the Project site consists of an open, previously disked desert and alkali desert scrub habitat that has been disturbed by urbanization and residential development. The Project site is bordered by scattered residential properties and Moses Lane to the north, and existing solar facility of the south, Trona Wildrose Road to the east, and scattered residential properties and open desert and alkali desert scrub habitat to the west.

No sensitive natural plant communities occur within the BSA. Vegetation observed included saltbush (*Atriplex polycarpa*), white bursage (*Ambrosia dumosa*), desert calico (*Loeseliastrum matthewsii*), desert five spot (*Eremalche rotundifolia*), and creosote (*Larrea tridentata*).

No avian nests were observed within the Project site, but the existing transmission and utility poles near the BSA could support nesting birds and/or raptors. A migratory bird species observed included common raven (*Corvus corax*).

No small mammal burrows, dens, or larger mammal dens that could be utilized by desert kit fox, Mohave ground squirrel (*Xerospermophilus mohavensis*) or desert tortoise (*Gopherus agassizii*) were observed within the BSA. A complete list of plant and wildlife species observed within the BSA during the biological reconnaissance survey is included in Appendix C.

SECTION 4 - FINDINGS

4.1 - Sensitive Natural Communities

4.1.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

Literature results from the nine-quadrangle queries for the Project site were conducted and provide information for the potential of occurrence and verified during the field survey.

4.1.2 - PRESENCE OF SENSITIVE NATURAL COMMUNITIES

No sensitive natural vegetation communities were identified within the BSA. In addition, the BSA does not provide habitat that would support these communities.

4.2 - Special-Status Plants

4.2.1 - RESULTS OF LITERATURE REVIEW AND DATABASE SEARCHES

There were 7 special-status plant species identified in the literature and database review that are known or have the potential to occur within the nine-quadrangle queries centered on the Project site (Table 4-1). There are no CNDDB records of special-status plant species that overlap the BSA.

Table 4-1
Special-Status Plant Species Occurring in the Region of the BSA

(Source: CNDDB 2023, CNPS 2023,	Common Name	Status
Aliciella ripleyi	Ripley's Aliciella	2B.3
Astragalus atratus var. mensanus	Darwin Mesa milk-vetch	1B.1
Castela emoryi	Emory's crucifixion-thorn	2B.2
Cryptantha clokeyi	Clokey's cryptantha	1B.2
Eremothera boothii ssp. boothii	Booth's evening-primrose	2B.3
Penstemon fruticiformis var. amargosae	Amargosa beardtongue	1B.3
Yucca brevifolia	Joshua tree	SC

1A Presumed Extinct in California.
1B Rare, Threatened, or Endangered in California and elsewhere.
2A Plants presumed extirpated in California, but more common elsewhere.
2B Plants Rare, Threatened, or Endangered in California, but more common elsewhere.
CRPR Threat Code Extension:
.1 Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2 Fairly endangered in California (20-80% occurrences threatened)
.3 Not very endangered in California (<20% of occurrences threatened) Abbreviations:
Abbreviations:
FC Federal Candidate
FE Federal Endangered Species
FT Federal Threatened Species
SFP Fully Protected Animal, CDFW
SE California Endangered Species
ST California Threatened Species
SC California Candidate Species
SSC California Department of Fish and Game Species of Special Concern

4.2.2 - Presence of Special-Status Plants

No special-status plant species were observed within the BSA. The surveys coincided with some, but not all of the plant species' optimal blooming periods; however, none of the species identified in the database queries are expected to occur on-site due to the lack of suitable habitat conditions (disturbed site conditions, plant associations and soil types) and/or because the BSA is located outside of the species' known range. The Project site has been highly disturbed with urbanization and disking; however, a few native plant species have revegetated on site.

A complete list of plant species observed during the biological reconnaissance survey is included in Appendix C.

4.3 - Special-Status Wildlife

4.3.1 - Results of Literature Review and Database Searches

There were 15 special-status wildlife species identified in the literature and database review that are known or have the potential to occur within the nine-quad search area centered on

the Project (Table 4-2). There is one historical CNDDB record for prairie falcon (*Falco mexicanus*) that overlaps with the BSA.

Table 4-2
Special-Status Wildlife Species Occurring in the Region of the BSA
(Source: CNDDB 2023, and USFWS 2023)

Scientific Name	Common Name	Status
Invertebrates		
Danaus plexippus	monarch butterfly	FC, -
Reptiles		
Elgaria panamintina	Panamint alligator lizard	-, SSC
Gopherus agassizii	desert tortoise	FT, ST
Birds		
Asio otus	long-eared owl	-, SSC
Athene cunicularia	burrowing owl	-, SSC
Charadrius nivosus nivosus	western snowy plover	FT, SSC
Falco mexicanus	prairie falcon	-, WL
Gymnogyps californianus	California condor	FE, SE
Pipilo crissalis eremophilus	Inyo California towhee	FT, SE
Toxostoma lecontei	Le Conte's thrasher	-, ST
Mammals		
Antrozous pallidus	pallid bat	-, SSC
Corynorhinus townsendii	Townsend's big-eared bat	-, SSC
Eumops perotis californicus	western mastiff bat	-, SSC
Ovis canadensis nelsoni	desert bighorn sheep	-, FP
Xerospermophilus mohavensis	Mohave ground squirrel	-, FT
Vulpes macrotis arsipus	desert kit fox	-, FGC

Abbreviations:
FC Federal Candidate
FE Federal Endangered Species
FGC Fish and Game Code
FT Federal Threatened Species
SFP Fully Protected Animal, CDFW
SE California Endangered Species
ST California Threatened Species
SSC California Department of Fish and Game Species of Special Concern

4.3.2 - PRESENCE OF SPECIAL-STATUS WILDLIFE

There is no roosting habitat for monarch butterfly (*Danaus plexippus*) present within the BSA, although this species may travel through the BSA as a transient. Additionally, no milkweed (*Asclepias* sp.) was observed within the BSA, which is a required food source for larval monarch butterflies. No wetland, marsh, or riparian habitat exists within the BSA to support nesting or foraging Inyo California towhee (*Pipilo crissalis eremophilus*) or

Panamint alligator lizard (*Elgaria panamintina*) which inhabits riparian areas in the desert at the bottom of rocky canyons, near streams and springs.

No desert tortoise sign (e.g., scat, tracks, or burrows) were observed within the BSA. The nearest CNDDB recorded occurrence (EONDX 110170) is approximately 1.2-miles north of the BSA (CDFW 2023a). The occurrence was for an adult desert tortoise crossing a dirt road in March 2017. The BSA is highly disturbed from disking, construction of an existing solar field, and urbanization (e.g., dirt roads and debris) from the residences in the vicinity. The disturbance in the vicinity has resulted in historical ground disturbance that results in no potential for foraging, or habitation of desert tortoise in the BSA.

There are no dense woodlands with coniferous or broadleaved trees near a water source that could provide suitable habitat for long-eared owl (*Asio otus*). Burrowing owl (*Athene cunicularia*) inhabit grassland, open bare ground, and utilize existing small mammal burrows, typically created by California ground squirrel, for breeding and shelter. There were no burrows or diagnostic sign (e.g., whitewash, tracks, prey remains) of burrowing owl observed within the BSA. Due to a lack of suitable burrows on site and highly disturbed condition of the site the likelihood of a resident burrowing owl on site is extremely unlikely.

No suitable foraging or nesting habitat is present within the BSA, due to the highly disturbed condition of the BSA, for western snowy plover (*Charadrius nivosus nivosus*), California condor (*Gymnogyps californianus*), prairie falcon, or Le Conte's thrasher (*Toxostoma lecontei*). The CNDDB recorded occurrence (EONDX 26139), for prairie falcon, that overlaps with the BSA is from 1975 which is presumed extant. No additional data was recorded for this occurrence. There are no rocky outcroppings, mines or caves, cliff faces, tree hollows, buildings, or bridges within the BSA that would support the pallid hat (*Antrozous pallidus*), the western mastiff bat (*Eumops perotis californicus*), or the Townsend's big-cared bat (*Corynorhinus townsendii*).

The BSA is too low in elevation and does not provide suitable foraging habitat for desert bighorn sheep (*Ovis canadensis nelsoni*). There are no steep, rugged mountainous terrain within the BSA that would provide climbing habitat for the desert bighorn sheep to avoid predators. Desert bighorn sheep are known to cross valley floors to neighboring mountainous regions but due to the urbanization and highly disturbed condition of the BSA it is unlikely for desert bighorn sheep to cross within the BSA.

No small mammal burrows, with appropriate configuration in size and shape, or diagnostic sign for Mohave ground squirrel (*Xerospermophilus mohavensis*) were observed within the BSA. According to CDFW, the closest known population is located approximately 8.2-miles southwest of the BSA (CDFW 2023b). This area surrounds the town of Ridgecrest and moves east on State Route (SR) 178 towards the area known as Pinnacles Entrance. Additionally, the closest core population of Mohave ground squirrel is the Coso Range-Olancha core population approximately 25.0-miles northwest of the BSA.

The desert kit fox (*Vulpes macrotis arsipus*) could be present as a transient forager within the BSA. There are no CNDDB records of this species because CNDDB does not record

sightings due to the species not being listed State or federally listed as endangered, threatened, or species of special concern. However, the species is protected as a fur-bearing mammal under Fish and Game Code § 4000.

The Project site lacks optimal suitable denning habitat for the species due to the past and current level of disturbance and the surrounding BSA has been similarly degraded. However, kit foxes, in general, are highly adaptable and can forage from the nearby residential houses. No desert kit fox or diagnostic sign of the species (e.g., tracks, dens, scat, prey remains) were observed during the field survey, and the lack of small mammal burrows observed indicates the site does not support an adequate prey base. Surrounding land use and habitat conditions make it unlikely that the desert kit fox would be present, other than as a transient forager.

4.3.3 - Nesting Migratory Birds and Raptors

There were no active nests observed within the BSA during the survey. The transmission and utility poles outside the BSA could support a variety of nesting bird species, including larger species such as raptors and common raven.

4.4 - Critical Habitat, Movement Corridors, and Linkages

4.4.1 - Presence of Critical Habitat

No designated critical habitat occurs within the BSA. The nearest USFWS designated critical habitat is for Inyo California towhee located approximately 3.1 miles northwest of the BSA (Figure 4-1).

4.4.2 - Presence of Movement Corridors and Linkages

There are no known wildlife movement corridors or habitat linkages that intersect the BSA. The Project is situated within a highly disturbed area that is predominately used for urban development and provides minimal linkage between suitable natural habitats for most wildlife species. Due to the highly disturbed condition of the Project, there is no substantial movement of wildlife onto or off of the BSA.

4.5 - Wetlands and Other Waters

The feature identified by the NHD that bisects the portion of the BSA, known as Trona 4, through in the middle of the northwest area that flows southeast towards Trona Wildrose Road was not observed during the survey. No stream indicators such as mud cracks, bed, or bank were identified. No hydrologic, topographic features or aquatic plant species were observed to indicate an intermittent riverine feature. The feature described in the NHD data does not currently exist on the Project site.

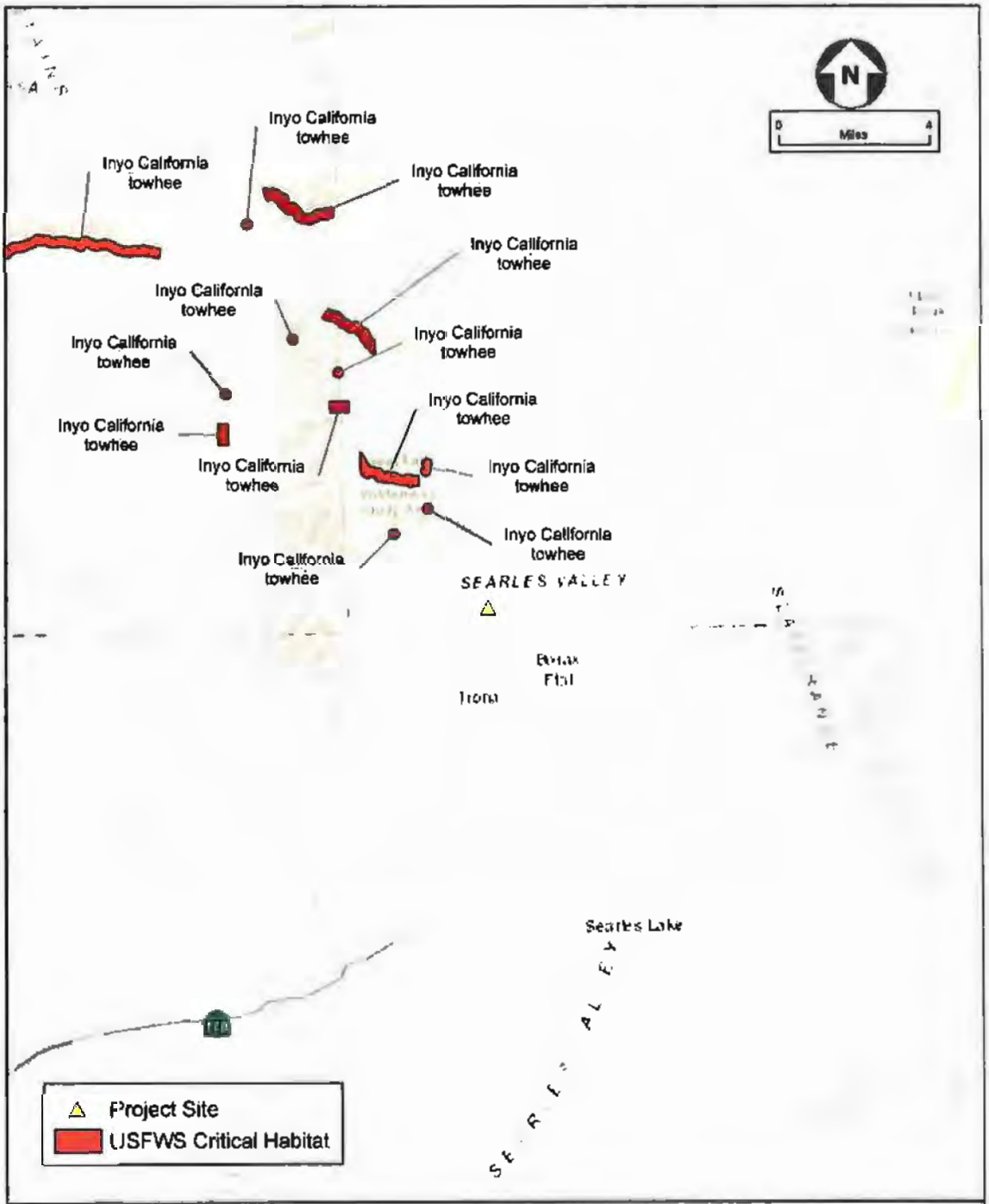

Figure 4-1
Mapped Critical Habitat in the Project Vicinity
Trona 4 and 7 Solar Project,
Inyo County, California

SECTION 5 - POTENTIAL PROJECT IMPACTS

The purpose of this section is to present an evaluation of the potential for Project-related impacts to sensitive biological resources to occur resulting from Project construction activities. Although the potential for impacts of the Project is anticipated to be minor because the Project site is highly disturbed, there are some risks of Project impacts. These are discussed below.

5.1 - Potential Impacts to Sensitive Vegetation Communities

No sensitive vegetation communities occur within the BSA. The Project would not impact sensitive natural communities.

5.2 - Potential Impacts to Special-Status Plant Species

No special-status plant species occur within the BSA and there is no suitable habitat for any special-status plant species on or near the BSA. The Project would not impact any special-status plant species.

5.3 - Potential Impacts to Special-Status Wildlife Species

Two special-status wildlife species, desert kit fox, and nesting birds were determined to have potential to occur within the BSA as transients. Available habitat within the BSA fulfilling the foraging requirements of these species is limited to none. No potential desert kit fox dens were observed within the BSA and the potential for future habitation by foxes is limited due to the highly disturbed condition of the site. There was no diagnostic sign of nesting birds or raptors during the survey; however, existing transmission and utility poles are located outside the BSA, which would not be affected by the Project, could provide suitable stick nest building structures for nesting birds.

Any special-status species that use the Project as a movement corridor could be indirectly impacted by Project activities, though little wildlife was observed in or near BSA during the reconnaissance survey conducted for the Project.

5.4 - Potential Impacts to Nesting Birds and Raptors

No nests were observed within the BSA. There is potential for birds to forage and nest within the BSA in existing structures, and in tress and utility poles in the surrounding urban areas. If there are active nests present during Project activities, nests could be destroyed, and Project activities could interfere with normal breeding behaviors, which could discourage breeding or lead to nest abandonment or failure.

5.5 - Potential Impacts to Critical Habitat, Movement Corridors and Linkages

5.5.1 - Potential Impacts to Critical Habitat

The Project would not impact any designated critical habitat.

5.5.2 - Potential Impacts to Movement Corridors and Linkages

Project activities would not impact any movement corridors or habitat linkages.

5.6 - Potential Impacts to Wetlands and Waters

As noted previously, there is one record of a jurisdictional wetland feature within the BSA, as defined by the NWI (USFWS 2023c). However, this feature was not observed during the survey, and it is not currently present on the Project site. There were no other visible signs of waters or wetland features within the BSA, and there would be no impacts to wetland resources.

SECTION 6 - RECOMMENDATIONS

The Project is anticipated to have no impacts to sensitive natural communities, special-status plants, wetlands and water features, Critical Habitat, or migratory corridors. There is a low potential for Project activities to desert kit fox and nesting and foraging birds and raptors. To avoid or minimize impacts to these species and incidental impacts to other common, non-sensitive wildlife species, we recommend that the following measures be implemented as Best Management Practices (BMPs) during Project construction activities:

- A pre-activity survey of the Project and a 250-foot buffer for desert kit fox and nesting migratory birds and a 500-foot buffer for nesting raptors surrounding the Project footprint should be conducted. The survey should occur no less than 14 days prior to the start of construction activities and no more than 30 days prior to the start of construction activities. If construction is delayed beyond 30 days from the time of the survey, then another survey would need to be conducted. The survey should be conducted by a qualified biologist with adequate training and experience conducting surveys for special-status wildlife species.
- If dens or burrows that could support desert kit fox are discovered during the pre-activity survey, appropriate avoidance buffers, as outline in Table 6-1, should be established. No work should occur within these buffers unless a qualified biologist approves and monitors the activity.

Table 6-1
Disturbance Buffers for Desert Kit Fox Dens

Sensitive Resource	Buffer Zone from Disturbance (feet)
Potential desert kit fox den	50
Known desert kit fox den	100
Natal desert kit fox den	500

- A Worker Environmental Awareness Training Program should be prepared and presented to all workers that will be on-site during construction activities to minimize or eliminate impacts to sensitive biological resources.
- Project-related vehicles should observe a 20-mph speed limit in all Project areas, except on county roads and state and federal highways; this is particularly important at night when kit foxes, and other animals are most active. To the extent possible, nighttime construction should be minimized. Off-road traffic outside of designated project areas should be prohibited.
- To prevent inadvertent entrapment of kit foxes, and other wildlife species during work activities, the contractor should cover all excavated, steep-walled holes or trenches more than 2 feet deep at the close of each working day with plywood or similar materials or provide one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, the contractor should thoroughly inspect them for trapped wildlife.

- Kit foxes and other wildlife species are attracted to den-like structures such as pipes and may enter stored pipes, becoming trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the designated biologist has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved once to remove it from the path of construction activity until the fox has escaped.
- All trash and food items that attract wildlife should be discarded into closed containers and properly disposed of at the end of each workday.
- To prevent harassment or mortality of listed species, no pets should be permitted on the Project site.

To protect nesting migratory birds and raptors, it is recommended that:

- If Project activities are scheduled during the breeding bird season, from February 1 through September 15, then a preconstruction survey for nesting birds should be conducted within the Project site and within a 500-foot radius surrounding the Project site for active nesting sites. Construction activities should not be conducted within 250 feet of an active bird nest and within 500 feet of an active raptor nest. These avoidance distances may be reduced if the qualified biologist determines that activities are not affecting the breeding success of the nesting birds.

SECTION 7 - SUMMARY AND CONCLUSIONS

Land within the Project site is highly disturbed and contains no habitat that would support special-status plant species or sensitive natural communities. There are no designated Critical Habitats, movement corridors, wetlands, or water features that would be impacted by the Project.

Based on the literature and database searches and results of the site survey, there is potential for special-status species to occur on the site: desert kit fox and nesting birds. Due to the disturbed nature of the Project, surrounded by residential development, a main roadway and urban uses, and the lack of a suitable prey base, impacts to the desert kit fox are not anticipated to occur. Desert kit foxes would likely be only transient visitors to the Project site. If nesting birds were to nest in the vicinity of the Project, impacts to the species could occur. Implementation of the recommended BMPs and avoidance measures outlined in Section 6 would minimize any Project impacts to these species.

This BRE has been performed in accordance with professionally accepted biological investigation practices conducted at this time and in this geographic area. The findings and opinions conveyed in this report are based on findings derived from specified historical and literary sources and a biological survey of the Project site and surrounding area. The biological investigation was limited by the scope of work performed. The biological survey was also limited by the environmental conditions present at the time of the survey. In addition, general biological (or protocol) surveys do not guarantee that the organisms are not present and would not be discovered in the future within the site. Mobile wildlife species could occupy the site on a transient basis or re-establish populations in the future. No other guarantees or warranties, expressed or implied, are provided.

SECTION 8 - REFERENCES

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APPENDIX A

SPECIAL-STATUS SPECIES DATABASE SEARCH RESULTS

TRONA 4 AND 7 SOLAR PROJECT

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Query Criteria: Quad IS (Homewood Canyon (3511784) OR Skute Range Crossing (3511783) OR Manly Fell (3511782) OR Trona East (3511773) OR Trona West (3511774) OR Copper Queen Canyon (3511772) OR Westend (3511764) OR Searles Lake (3511763) OR Layton Spring (3511762))

Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Amargosa beardtongue *Penstemon fruticiformis var. amargosae*	PDSCR1L2F2	None	None	G4T3	S2	1B.3
Booth's evening-primrose *Eremothera boothii ssp. boothii*	PDONA03052	None	None	G5T4	S3	2B.3
burrowing owl *Athene cunicularia*	ABNSB10010	None	None	G4	S3	SSC
Clokey's cryptantha *Cryptantha clokeyi*	PDBOR0A3M0	None	None	G3	S3	1B.2
Darwin Mesa milk-vetch *Astragalus atratus var. mensanus*	PDFABQF0Z3	None	None	G4G5T2	S2	1B.1
desert bighorn sheep *Ovis canadensis nelsoni*	AMALE04013	None	None	G4T4	S3	FP
desert tortoise *Gopherus agassizii*	ARAAF01012	Threatened	Threatened	G3	S2S3	
Emory's crucifixion-thorn *Castela emoryi*	PDSIM03030	None	None	G3G4	S2S3	2B.2
Inyo California towhee *Melozone crissalis eremophilus*	ABPBX74071	Threatened	Endangered	G4G5T2	S2	
Le Conte's thrasher *Toxostoma lecontei*	ABPBK06100	None	None	G4	S3	SSC
long-eared owl *Asio otus*	ABNSB13010	None	None	G5	S3?	SSC
Mohave ground squirrel *Xerospermophilus mohavensis*	AMAFB05150	None	Threatened	G3	S2	
Morrison bumble bee *Bombus morrisoni*	IIHYM24480	None	None	G3	S1S2	
pallid bat *Antrozous pallidus*	AMACC10010	None	None	G4	S3	SSC
Panamint alligator lizard *Elgaria panamintina*	ARACB01050	None	None	G3	S3	SSC
prairie falcon *Falco mexicanus*	ABNKD06090	None	None	G5	S4	WL
Ripley's alicella *Alicella ripleyi*	PDPLM041E0	None	None	G3	S2	2B.3
Townsend's big-eared bat *Corynorhinus townsendii*	AMACC08010	None	None	G4	S2	SSC
western mastiff bat *Eumops perotis californicus*	AMACD02011	None	None	G4G5T4	S3S4	SSC
western small-footed myotis *Myotis ciliolabrum*	AMACC01230	None	None	G5	S3	
western snowy plover *Charadrius nivosus nivosus*	ABNNB03031	Threatened	None	G3T3	S3	SSC

Record Count: 21

CNPS Rare Plant Inventory

CALIFORNIA NATIVE PLANT SOCIETY

Search Results

12 matches found. Click on scientific name for details

Search Criteria: 9-Quad Include [3511773:3511772:3511764:3511762:3511783:3511764:3511762:3511763:3511774]

▲ SCIENTIFIC NAME	COMMON NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	CA ENDEMIC	DATE ADDED	PHOTO
Aliciella ripleyi	Ripley's aliciella	Polemoniaceae	perennial herb	May-Jul	None	None	G3	S2	2B.3		1974-01-01	 © 2020 Joey Maitane
Astragalus atratus var. mensanus	Darwin Mesa milk-vetch	Fabaceae	perennial herb	Apr-Jun	None	None	G4G5T2	S2	1B.1	Yes	1980-01-01	No Photo Available
Astragalus lentiginosus var. borreganus	Borrego milk-vetch	Fabaceae	annual herb	Feb-May	None	None	G5T5?	S4	4.3		1974-01-01	No Photo Available
Coeloneurum emoryi	Emory's crucifixion-thorn	Simaroubaceae	perennial deciduous shrub	(Apr)Jun-Jul(Sep-Oct)	None	None	G3G4	S2S3	2B.2		1974-01-01	No Photo Available
Cordylanthus eremicus ssp. eremicus	desert bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	Jul-Oct	None	None	G3T3	S3	4.3	Yes	1980-01-01	No Photo Available
Cryptantha clokeyi	Clokey's cryptantha	Boraginaceae	annual herb	Apr	None	None	G3	S3	1B.2	Yes	1994-01-01	No Photo Available
Diplacus rupicola	Death Valley monkeyflower	Phrymaceae	perennial herb	Feb-Jun	None	None	G4	S4	4.3	Yes	1974-01-01	 © 2015 James Morefield
Eremothera boothii ssp. boothii	Booth's evening-primrose	Onagraceae	annual herb	Apr-Sep	None	None	G5T4	S3	2B.3		1980-01-01	No Photo Available
Lycium torreyi	Torrey's box-thorn	Solanaceae	perennial shrub	(Jan-Feb)Mar-Jun(Sep-Nov)	None	None	G4G5	S3	4.2		2015-05-05	No Photo Available
Penstemon fruticiformis var. amargosae	Amargosa beardtongue	Plantaginaceae	perennial herb	Apr-Jun	None	None	G4T3	S2	1B.3		1980-01-01	 Steve Matson 2017

Bryhnia hyperborea	wire-colored tufa moss	Bryaceae	moss		None	None	G3G4	S3S4	4.2	2014-06-10	No Photo Available
Yucca brevifolia						CC	GNR	SNR	CBR	2011-12-13	No Photo Available

Showing 1 to 12 of 12 entries

Suggested Citation:

California Native Plant Society, Rare Plant Program. 2023. Rare Plant Inventory (online edition, v9-5). Website http://www.rareplants.cnps.org [accessed 8 May 2023]

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901

In Reply Refer To:
Project Code: 2023-0079069
Project Name: Trona

May 08, 2023

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A biological assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a biological assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a biological assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found at the Fish and Wildlife Service's Endangered Species Consultation website at:

https://www.fws.gov/endangered/what-we-do/faq.html

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts see https://www.fws.gov/birds/policies-and-regulations.php.

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures see https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds.php.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/birds/policies-and-regulations/executive-orders/e0-13186.php.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
(760) 431-9440

PROJECT SUMMARY

Project Code: 2023-0079069
Project Name: Trona
Project Type: New Constr - Above Ground
Project Description: Trona Project
Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@35.80623905,-117.350854358784,14z

Counties: Inyo County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 4 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries[1], as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. NOAA Fisheries, also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

BIRDS

NAME	STATUS
California Condor *Gymnogyps californianus* Population: U.S.A. only, except where listed as an experimental population There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8193	Endangered
Inyo California Towhee *Pipilo crissalis eremophilus* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3912	Threatened

REPTILES

NAME	STATUS
Desert Tortoise *Gopherus agassizii* Population: Wherever found, except AZ south and east of Colorado R., and Mexico There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4481	Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency:	QK, Inc.
Name:	Karissa Denney
Address:	5080 California Avenue
Address Line 2:	Suite 220
City:	Bakersfield
State:	CA
Zip:	93309
Email	karissa.denney@qkinc.com
Phone:	6616162600

APPENDIX B

REPRESENTATIVE PHOTOGRAPHS OF THE TRONA 4 AND 7 SOLAR PROJECT

Photograph 1: Northeast corner of the Project site, facing south.
GPS Coordinates: 35.807173, -117.348633.
Photograph taken by Eric Madueno on May 8, 2023.

Photograph 2: Northwest corner of the Project site, facing east.
GPS Coordinates: 35.806347, -117.350748.
Photograph taken by Eric Madueno on May 8, 2023.

Photograph 3: Center of the Project site, facing south.
GPS Coordinates: 35.805690, -117.351008.
Photograph taken by Eric Madueno on May 8, 2023.

Photograph 4: Southeast corner of the Project site, facing west.
GPS Coordinates: 35.805503, -117.348542.
Photograph taken by Eric Madueno on May 8, 2023.

Photograph 5: Southwest corner of the Project site, facing east.
GPS Coordinates: 35.805426, -117.353007.
Photograph taken by Eric Madueno on May 8, 2023.

Photograph 6: Southwest portion of the Project site, facing north.
GPS Coordinates: 35.804793, -117.354196.
Photograph taken by Eric Madueno on May 8, 2023.

Photograph 7: Northern portion of the Project site, facing north.
GPS Coordinates: 35.807118, -117.349915.
Photograph taken by Eric Madueno on May 8, 2023.

APPENDIX C

PLANT AND WILDLIFE SPECIES OBSERVED

TRONA 4 AND 7 SOLAR PROJECT

Table C - 1
Plant and Wildlife Species Observed within the BSA

Scientific Name	Common Name	Status
Plants		
Ambrosia salsola	cheesebush	None
Chaenactis sp.	pincushion	None
Chylismia claviformis	brown eyes	None
Cryptantha sp.	cryptantha	None
Descurainia pinnata	western tansymustard	None
Grayia spinosa	spiny hopsage	None
Larrea tridentata	creosote	None
Lepidium flavum	yellow pepper grass	None
Loeseliastrum matthewsii	desert calico	None
Malacothrix glabrata	desert dandelion	None
Salsola sp.	Russian thistle	None
Suaeda nigra	bush seepweed	None

APPENDIX C

SESPE
CONSULTING, INC.
A Trinity Consultants Company

374 Poli Street, Suite 200 • Ventura, California 93003
Office (805) 275-1515 • Fax (805) 667-8104

MEMORANDUM

Date: June 21, 2023

To: Valley Wide Engineering & Construction Services

From: Graham Stephens; and, Andre Almeida, P.E. – Sespe Consulting, Inc.

Re: **CEQA Air Quality and Greenhouse Gas Analysis Memorandum for the Barker Photovoltaic Solar Project in Inyo County, California**

Sespe Consulting, Inc. ("Sespe") has prepared the following memorandum to evaluate the potential air quality and greenhouse gas impacts resulting from the construction and operation of two proposed photovoltaic (PV) solar facilities located in Inyo County, California. Valley Wide Engineering & Construction Services (the "Applicant") is proposing to develop the PV solar facilities on two separate parcels of land, specifically a 15-acre property referred to as the Trona 4 site, and a 5-acre property referred to as the Trona 7 site (collectively referred to herein as the "Project"). See Figure 1 in Attachment A which shows the Project Area boundaries, and the surrounding environmental setting.

The California Environmental Quality Act (CEQA) requires an environmental analysis, including those related to air quality and greenhouse gases (GHG), for projects requiring discretionary approval by a local lead agency with land use authority, which in this case is Inyo County (the "County"). Therefore, pursuant to CEQA, this memorandum describes and analyzes the proposed Project's estimated air and GHG emissions and associated impacts. Potential air toxics emissions and associated health risks are also evaluated. Table 1 below summarizes the applicable CEQA Appendix G – Environmental Checklist Form questions that are used as criteria against which to evaluate the significance of the Project impacts related air quality and GHG resources, as well as the corresponding significance thresholds determinations.

Table 1: Summary of CEQA Significance Determinations

CEQA Threshold	Impact Determination
AIR QUALITY-1: Would the Project conflict with or obstruct implementation of the applicable air quality plan?	Less Than Significant
AIR QUALITY-2: Would the Project 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?	Less Than Significant
AIR QUALITY-3: Would the Project expose sensitive receptors to substantial pollutant concentrations?	Less Than Significant
AIR QUALITY-4: Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less Than Significant

CEQA Threshold	Impact Determination
GREENHOUSE GAS EMISSIONS-1: Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less Than Significant
GREENHOUSE GAS EMISSIONS-2: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact

PROJECT SUMMARY

The Project is located on contiguous County parcels (assessor's parcel numbers [APNs] 038-330-32, 038-330-33, 038-330-34 and 038-330-46), located north of the unincorporated town of Trona, California. The Project consists of two separate applications for renewable energy permits, one covering approximately 15 acres (referred to as the Trona 4 site) and the other covering approximately 5 acres (referred to as the Trona 7 site). Both the Trona 4 and Trona 7 solar arrays will connect to the existing Southern California Edison (SCE) 33-kilovolt (kV) transmission line that passes through the Project area with separate connections.

The Trona 7 PV solar facility would consist of approximately 2,300 single-axis tracker solar panels that will produce approximately 1.2 megawatts (MW) of electricity. The Trona 4 site would also generate approximately 3.0 MW of electricity utilizing approximately 6,000 single-axis tracker solar panels. Both sites are currently graded and highly disturbed with little to no natural vegetation, habitat, water features or structures. A private dirt track and a junk yard also existed within the western portion of the Trona 4 site, but both features have been recently removed.

The Project Area is located approximately 3.0 miles north of the unincorporated Trona community, and approximately 1.0 mile west of the Trona Airport. Surrounding areas are generally undeveloped, flat or gently sloped, graded and without significant vegetation. The Project Area is bordered by an existing solar facility to the south, scattered residential homes to the west, and miscellaneous abandoned vehicles, local trash and debris. Access to the site is provided by dirt roads connecting to Trona Wildrose Road to the east of the site. See Figure 1 (Attachment A) which shows the Project Area and adjacent land uses.

Project Construction

Project construction will involve minor land disturbance, consisting of minor leveling, digging of shallow trenches for placing underground conduits, and installation of a 20-foot by 20-foot concrete pad for a transformer. Site preparation will require approximately two days using a grader and a backhoe. Water trucks will also be utilized as needed to control dust throughout the construction phase. In addition to regular watering using the mobile water trucks, further dust controls will include the placement of crushed limestone on the ground, and the application of a non-toxic clay polymer compound, such as EarthGlue, to provide further dust suppression as needed. Stabilized construction entrance and exits will also be installed and maintained at driveways to reduce sediment track-out onto the adjacent public roadway.

Following the trenching and leveling, metal pole supports will be installed on which the solar panels will be mounted. Poles will be driven directly into the ground using a compact, lightweight pile driver. A forklift may also

be used onsite during this construction phase. Installation of the mounting poles, solar panels and related infrastructure (transformer, connection to adjacent SCE lines, etc.) will take approximately two months. Regular watering, limestone base, and chemical binders (e.g., EarthGlue) will continue to be used onsite to control dust during this phase of construction. Once operational, onsite control of fugitive dust is critical to solar operations, as solar panels coated by dust do not function at full capacity. As such, dust controls such the limestone base and/or EarthGlue binder will remain in place and be maintained post-construction.

Once installed, the solar panels will reach a maximum height of 12-feet above the ground surface (or less, as the panels change slightly in height as they rotate slowly throughout the day to track the sun). The solar panels will also feature anti-reflective coatings to minimize daytime glare and reflectivity. Both the Trona 4 and 7 sites will be fenced and gated to prevent unauthorized access.

Per information provided by the Applicant, Table 2 below summarizes the types of equipment that would operate onsite during the Project's construction phase, as well as the activity levels. This information is utilized to quantify the Project's air emissions resulting from onsite construction activities.

Table 2: Project Construction Equipment List and Activity Level

Equipment	Engine Tier	Total Duration of Operations		Onsite Location
		Total Weeks	Total Hours	
Grader	Tier 4	2	40	Trona 4 (former track area)
Bulldozer	Tier 4	2	40	Trona 4 (former track area)
Water truck (4,000 gal.)	Tier 4	8	150	Throughout Site
Water truck (4,000 gal.)	Tier 4	8	150	Throughout Site
Forklift (Reach)	Tier 4	8	150	Throughout Site
PD5 Pile Driver	Tier 4	8	150	Throughout Site
Light-Duty Pickups	Tier 4	8	150	Throughout Site
Light-Duty Pickups	Tier 4	8	150	Throughout Site

Project Operations

After construction is complete, the PV solar facilities will be placed into commercial operation. Unlike construction, operation of the PV Solar Facilities will not require permanent onsite personnel, as control of the solar array would be automated and/or controlled remotely. At times, operations staff would come to the site to conduct routine maintenance and inspections, but these activities would be infrequent, and would only require one light-duty work vehicle travelling to and from the site (assume approximately 15 vehicle miles travelled round trip per site inspection). At most, it's assumed that up to one site inspection will occur per week during normal facility operations. Table 3 below summarizes the vehicle activity levels used to quantify operational emissions.

Table 3: Project Operations Vehicle Activity Level

Vehicle Type	Engine Tier	Roundtrips per Year	VMT's per Roundtrip	Notes / Assumptions
Light-Duty Pickup Truck	Tier 4	52	15	Assume vehicle would originate from nearby Ridgecrest (approximately 15 miles roundtrip). To conservatively estimate vehicle emissions, the analysis assumed up to one inspection/maintenance trip could occur per week (in reality, periodic inspections would most likely be far less).

Note that in addition to fuel combustion in off-road construction equipment and on-road vehicles, electricity consumption is also considered an indirect source of GHG emissions under CEQA. However, because the Project involves PV solar facilities, it would therefore be a net producer of renewable electricity, and the Project would therefore not produce indirect GHG's as a result of electricity consumption. See the discussion below for additional detail.

APPLICABLE CEQA METHODOLOGIES AND SIGNIFICANCE THRESHOLDS

The Project Area is located in the Great Basin Valleys Air Basin (GBVAB), and is within the jurisdictional boundaries of the Great Basin Unified Air Pollution Control District (GBUAPCD). While the GBUAPCD has regulatory authority over stationary air emissions sources and administers permits limiting emissions of criteria air pollutants and toxic air contaminants (TACs) within the GBVAB, they have yet to establish numerical significance thresholds or publish guidance for evaluating air quality and GHG impacts under CEQA. Similarly, Inyo County also has no established thresholds or CEQA guidance. Therefore, in lieu of appropriate local thresholds, numerical standards published by the Mojave Desert Air Quality Management District (MDAQMD) and the South Coast Air Quality Management District (SCAQMD) are utilized within this memorandum to determine the significance of Project impacts. Use of the MDAQMD and SCAQMD thresholds is also consistent with other CEQA documents certified by both the County and GBUAPCD, including the Environmental Impact Report (EIR) certified by the County in 2015 for their Renewable Energy General Plan Amendment (REGPA) (Inyo County, 2015).

MDAQMD's *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines* (MDAQMD, 2020) contains various significance thresholds that can be applied to the Project. Specifically, MDAQMD guidance states that a project would have a potentially significant air quality impact under CEQA if it:

1. Generates total emissions (direct and indirect) in excess of the thresholds given in Table 4;
2. Generates a violation of any ambient air quality standard when added to the local background;
3. Does not conform with the applicable attainment or maintenance plan(s)[1];
4. Exposes sensitive receptors to substantial pollutant concentrations, including those resulting in a cancer risk greater than or equal to 10 in a million and/or a Hazard Index (HI) (non-cancerous) greater than or equal to 1.

[1] A project is deemed to not exceed this threshold, and hence not be significant, if it is consistent with the existing land use plan. Zoning changes, specific plans, general plan amendments and similar land use plan changes which do not increase dwelling unit density, do not increase vehicle trips, and do not increase vehicle miles traveled are also deemed to not exceed this threshold (MDAQMD, 2020).

Table 4: MDAQMD CEQA Numeric Emissions Thresholds

Criteria Pollutant	Annual Threshold (short tons)	Daily Threshold (pounds)
Greenhouse Gases (CO_2e)	100,000	548,000
Carbon Monoxide (CO)	100	548
Oxides of Nitrogen (NO_x)	25	137
Volatile Organic Compounds (VOC)	25	137
Oxides of Sulfur (SO_x)	25	137
Particulate Matter (PM_{10})	15	82
Particulate Matter ($PM_{2.5}$)	12	65
Hydrogen Sulfide (H_2S)	10	54
Lead (Pb)	0.6	3

In addition to the MDAQMD thresholds summarized above, additional guidance and thresholds published by the SCAQMD are also utilized. Specifically, SCAQMD's health risk screening tool is utilized to address CEQA Guidelines Appendix G, Air Quality Threshold Criteria (c) below.

With respect to GHG emissions, most requirements for sources and projects to reduce GHG emissions in California originate from the Assembly Bill (AB) 32 Scoping Plan (the "Scoping Plan") and associated programs administrated by the California Air Resources Control Board (CARB). The Scoping Plan is the State's blueprint for how GHG reductions will be achieved. Local jurisdictions may have requirements as well, but the overall effort is centralized with CARB. Therefore, potential GHG impacts under CEQA can be determined based on whether a specific project may conflict with the current Scoping Plan.

In addition to the state-wide Scoping Plan, in 2008 the SCAQMD adopted the Interim GHG Significance Threshold which takes a tiered approach whereby individual projects can be "screened-out" and found to have less than significant CEQA GHG impacts by one of the following five methods: exemption from CEQA, GHG emissions already analyzed in GHG budgets from in approved regional plans, having emissions less than the 10,000 metric tons of CO_2 equivalent emissions per year (MT CO_2e/year) screening level for industrial projects, meeting best performance standards, or purchase GHG emissions offsets by funding projects or buying them outright. Projects with incremental increases less than these thresholds can be screened out of further analysis and are not cumulatively considerable.

In the decade since the SCAQMD adopted this Interim GHG Significance Threshold, several new laws and executive orders were adopted that require additional reductions in years after 2020. For instance, Senate Bill 32 (Lara, 2016) requires that GHG emissions be 40% less than 1990 levels by 2030. Senate Bill 100 (de Leon, 2018), which was signed by the Governor, requires 100% zero-carbon electricity by 2045. On the day SB 100 was signed into law, the Governor also signed Executive Order B-55-18 which commits California to total, economy-wide carbon neutrality by 2045.

For these reasons, Project's GHG emissions levels and the use of the MDAQMD and SCAQMD screening threshold presented below are for disclosure purposes as well as CEQA compliance, because this impact analysis for the Project follows the approach certified by SCAQMD for other projects. The approach used by SCAQMD to assess GHG impacts from those project recognized that consumers of electricity and transportation fuels are, in effect, regulated by requiring providers and importers of electricity and fuel to participate in the GHG Cap-and-Trade Program and other state/sector-wide programs (e.g., low carbon fuel standard, renewable portfolio standard, etc.). Each such sector-wide program exists within the framework of AB 32 and its descendant laws the purpose of which is to achieve GHG emissions reductions consistent with the AB 32 Scoping Plan.

EMISSIONS QUANTIFICATION METHODOLOGIES

This assessment incorporates the following methodologies in the quantification of criteria pollutant, toxic air contaminant (TAC) and GHG emissions during the Project's construction and operation phases. Additionally, health risk screening was performed as outlined in this section. Detailed emissions calculations can be found in Attachment B, and documentation related to the health risk screening can be found in Attachment C.

Onsite Project construction phase emissions were determined using CARB's California Emissions Estimator Model (CalEEMod®) and the equipment and activity levels summarized in Table 2 above. Attachment D contains the CalEEMod output results and documentation for the Project. Off-site construction phase vehicle exhaust emissions were calculated separately, assuming up to ten contractors would drive 15 miles round trip per day, for up to 25 total days of construction. Similarly, operation phase vehicle exhaust emissions were calculated assuming up to one employee trip per day, travelling a total of 15 miles to and from the site, as well as 1 mile within the site boundaries. Employee truck emissions were estimated using CARB's Emissions Factors (EMFAC) 2021 model, assuming each employee would utilize a "light-duty truck (LDT2)" with a diesel engine vehicle. Lastly, road dust emissions from onsite vehicle traffic were calculated using the unpaved road emissions factor outlined in AP-42 Section 13.2.2 published by the Environmental Protection Agency (EPA). TACs from road dust emissions were quantified using San Diego Air Pollution Control District (SDAPCD) speciation profile R01 – *Haul Roads, General* (SDAPCD, 2021).

Health risk screening was performed using the SCAQMD Risk Tool V1.105 (the "Risk Tool"). A Tier 2 analysis was performed per SCAQMD Risk Assessment Procedures version 8.1. The analysis represents a highly conservative risk assessment used to determine if more complex assessment (i.e., modeling) is necessary. Per SCAQMD Risk Assessment Procedures version 8.1:

> *Tier 2 is a screening risk assessment, which includes procedures for determining the level of risk from a source for concer risk, cancer burden, HIA, HIC8, and HIC. If the estimated risk from Tier 2 screening is below Rule 1401 limits, then a more detailed evaluation is not necessary.*

In order to perform health risk screening for each risk type (e.g., cancer, chronic, and acute impacts) over the course of the Project, the screening analysis for the Project was divided into four phases as outlined in Table 5 below. Also see Attachment C for additional detail.

Table 5: Screening Health Risk Assessment Phases

Health Risk Screening Phase Title	Project Phase	Risk Type Assessed	Model Duration (Years)
Screen 1	Construction	Acute	2
Screen 2a	Construction	Cancer/Chronic	2
Screen 2b	Operation	Cancer/Chronic	30
Screen 3	Operation	Acute	2

Notes: Total Project cancer risk is determined by combining risk from Screen 2a and Screen 2b. Attachment B contains TAC emissions quantified by Project phase. Attachment C contains SCAQMD Risk Tool output documentation.

Model duration used in the health screening was conservatively chosen based on the available model duration options. Although onsite construction activities would not last longer than a single year (i.e., estimate to take approximately 2 months total), in the Risk Tool two years is the shortest duration available, and 30 years is the longest. Project health risk emissions were conservatively modeled using a point source in the Tier 2 analysis. Meteorological data from the "Desert Hot Springs Airport" was used in the risk tool, as the climate in Desert Hot

Springs area is similar to that of Inyo County. Residential receptor distance was set to 130 meters (i.e., 425-feet) and commercial distance was set to 1,000 meters (i.e., 3,280-feet).

CEQA IMPACT ANALYSIS

The following section summarizes the Project's potential impacts with respects to air quality and GHGs, which address the specific impact statements outlined in the current CEQA Guidelines Appendix G Environmental Checklist Form (California Code of Regulations, Title 14). As discussed above, this analysis primarily uses the MDAQMD approved methods and thresholds to quantify the impacts associated with the Project. Methods or guidance provided by the SCAQMD were also used in certain cases to supplement MDAQMD guidance when applicable.

Air Quality

Air Quality-1: *Would the Project conflict with or obstruct implementation of the applicable air quality plan?* (CEQA Guidelines Appendix G, Air Quality Threshold Criteria (a))

The Project would be required to comply with regional air quality rules promulgated by the GBUAPCD and participate in reducing air pollutant emissions. As the local air district with jurisdiction over the Project, the GBUAPCD is the applicable agency tasked with implementing programs and regulations required by the Clean Air Act (CAA) and the California Clean Air Act (CCAA). In that capacity, the GBUAPCD has prepared plans to attain Federal and State ambient air quality standards. Pursuant to the CAA, the GBUAPCD is required to reduce emissions of criteria pollutants for which the GBVAB is in nonattainment. While portions of Inyo County are in nonattainment for particulate matter (i.e., PM_{10}), the Project Area is located within the Coso Junction PM_{10} State Implementation Plan (SIP) (GBUAPCD, 2021), which was redesignated as in attainment by the EPA in 2010 per the National Ambient Air Quality Standards (NAAQS). While the Project is not located in a nonattainment area for PM_{10}, the GBUAPCD still maintains established thresholds of significance for criteria pollutant emissions for any new stationary source or modification of an existing stationary source as part of their "New Source Review Requirements for Determining Impact on Air Quality" (Rule 216).

As discussed above, the Project proposes to develop PV solar facilities on an approximately 20-acre Project Area, located north of the town of Trona. Project contractors and operators would be required to comply with regional air quality rules promulgated by the GBUAPCD, and participate in reducing air pollutant emissions, including those required under their new source review requirements. Further, development of renewable solar projects in Inyo County was contemplated as part of the County's REGPA, and the Project would comply with applicable goals and policies outlined in the REGPA that are meant to reduce air emissions during construction and operation.

The primary air emissions associated with the Project would be fugitive dust emissions during facility construction, and to a lesser extent fugitive dust due to vehicles travelling on unpaved roadways during facility operations. Fugitive dust is addressed under GBUAPCD Rules 401 and 402, and the Applicant would be required to comply with applicable provisions found therein. While some grading and clearing would be required to prepare the site for installation of the solar panels, because the site is already relatively flat, and because much of the site has already been prepared, only minimal grading would be required. In accordance with GBUAPCD rules, mobile water trucks will also be used onsite throughout the entirety of the construction phase to control fugitive dust. Limestone base materials and/or soil binders such as EarthGlue will also be used onsite to control dust emissions, and will remain on certain portions of the site to reduce dust once the facility is put into normal operation. Note,

implementation of these dust control measures is consistent with applicable GBUAPCD rules, as well as the standard mitigations measures described within the EIR prepared by Inyo County in support of the REGPA.

Through compliance with GBUAPCD's new source review for stationary sources, and through implementation of onsite fugitive dust control measures consistent with GBUAPCD's Rule 401 and 402 requirements, as well as the programmatic mitigations described within the EIR prepared by the County for their REGPA, the Project would be consistent with applicable air quality plans adopted by the GBUAPCD. Therefore, the Project would not obstruct implementation of applicable air quality plans, and impacts would therefore be less than significant with no mitigation required.

Air Quality-2: *Would the Project result in a cumulotively 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?* (CEQA Guidelines Appendix G, Air Quality Threshold Criteria (b))

CEQA defines cumulative impacts as two or more individual effects which, when considered together, are either significant or "cumulatively considerable", meaning they add considerably to a significant environmental impact. An adequate cumulative impact analysis considers a project over time and in conjunction with other past, present, and reasonably foreseeable future projects whose impacts might compound those of the project being assessed.

By its very nature, air pollution is largely a cumulative impact, and is a result of past and present development. Similarly, the application of thresholds of significance for criteria pollutants, such as those promulgated by the MDAQMD, is also relevant to the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

A CEQA lead agency, in this case Inyo County, may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program, including but not limited to an air quality attainment or maintenance plan that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located (CCR §15064(h)(3)).

Thus, if project emissions (i.e., change from baseline) exceed the MDAQMD thresholds for carbon monoxide (CO), Oxides of Nitrogen (NOx), Volatile Organic Compounds (VOC), Oxides of Sulfur (SOx), and particulate matter (PM_{10} or $PM_{2.5}$), hydrogen sulfide (H_2S), or lead (Pb), summarized previously in Table 4 above, then a project would potentially result in a cumulatively considerable net increase of a criteria pollutant. The applicable MDAQMD significance criteria as well as the Project's worst-case annual and daily emissions are presented in Table 6 and Table 7 below. Note that the Project year and day with the maximum amount of emissions were compared to the applicable thresholds to determine the potential significance of Project criteria pollutant emissions. See the emissions summaries in Attachment B, as well as the CalEEMod output files in Attachment D, for additional detail.

Table 6: Project Criteria Pollutant Increase (Annual Emissions)

Pollutant	Maximum Project Emissions (tons/year)	Significance Threshold (tons/year)	Exceeds Criteria?
Carbon Monoxide (CO)	0.4	100	No
Oxides of Nitrogen (NO_x)	0.2	25	No
Volatile Organic Compounds (VOC)	0.009	25	No
Oxides of Sulfur (SO_x)	0.001	25	No
Particulate Matter (PM_{10})	0.13	15	No
Particulate Matter ($PM_{2.5}$)	0.028	12	No
Hydrogen Sulfide (H_2S)	0	10	No
Lead (Pb)	3.0E-06	0.6	No

Note, none of the Project's construction or operational emissions sources would emit Hydrogen Sulfide (H_2S).

Table 7: Project Criteria Pollutant Increase (Daily Emissions)

Pollutant	Maximum Project Emissions (pounds/day)	Significance Threshold (pounds/day)	Exceeds Criteria?
Carbon Monoxide (CO)	32	548	No
Oxides of Nitrogen (NO_x)	16	137	No
Volatile Organic Compounds (VOC)	0.8	137	No
Oxides of Sulfur (SO_x)	0.1	137	No
Particulate Matter (PM_{10})	0.001	82	No
Particulate Matter ($PM_{2.5}$)	0.5	65	No
Hydrogen Sulfide (H_2S)	0	54	No
Lead (Pb)	0.0001	3	No

Note, none of the Project's construction or operational emissions sources would emit Hydrogen Sulfide (H_2S).

Table 6 and Table 7 above show that the Project's estimated daily and annual emissions are well below established MDAQMD thresholds. Therefore, the Project would not 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, and impacts would be less than significant with no mitigation required.

Air Quality-3: *Would the Project expose sensitive receptors to substantial pollutant concentrations?* (CEQA Guidelines Appendix G, Air Quality Threshold Criteria (c))

Determination of whether project emissions would expose receptors to substantial pollutant concentrations is a function of assessing potential health risks. Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants. Hospitals, schools, convalescent facilities, and residential areas are examples of sensitive receptors. When evaluating whether a project has the potential to result in localized impacts, the nature of the air pollutant emissions, the proximity between the emitting facility and sensitive receptors, the direction of prevailing winds, and local topography must be considered.

A Health Risk Screening was performed to evaluate the effects of TACs, including diesel particulate matter (DPM) from vehicle engines, and various substances found in fugitive dust emissions (i.e., metals and respirable crystalline silica). Health risks associated with the Project are presented in Table 8, which shows impacts are well

below applicable SCAQMD screening thresholds. Therefore, there would be no new or significant health risk impacts from the Project, with no mitigation required. See the health risk screening results in Attachment C for additional detail.

Table 8: Project Health Risk Screening Results

Health Risk Screening Phase	Risk Type Assessed	Risk Units	Maximum Risk Value	Risk Threshold	Threshold Exceeded?
Screen 1	Acute	Hazard Index	0.0003	1.0	No
Screen 2a	Chronic	Hazard Index	0.0009	1.0	No
	Cancer	MICR Per Million Exposed	1.9	10	No
Screen 2b	Chronic	Hazard Index	0.0006	1.0	No
	Cancer	MICR Per Million Exposed	0.009	10	No
Screen 2 (Total)	Cancer	MICR Per Million Exposed	1.9	10	No
Screen 3	Acute	Hazard Index	0.0007	1.0	No

Notes: See Attachment C for the risk tool output files. Values in the table above may differ slightly from the attached values due to rounding.
MICR = "Maximum Individual Cancer Risk".

Air Quality-4: *Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?* (CEQA Guidelines Appendix G, Air Quality Threshold Criteria (d))

Due to the subjective nature of odor impacts, the number of variables that can influence the potential for an odor impact, and the variety of odor sources, there are no quantitative or formulaic methodologies to determine the presence of a significant odor impact. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Substantial odor-generating operations generally include wastewater treatment facilities, composting facilities, agricultural operations, and heavy industrial operations. Note, the Project would not involve any activities with the potential to generate odor impacts. While diesel exhaust from mobile equipment/vehicles, such as those that would be used onsite during construction, has a slight odor, odor intensity would decrease rapidly with distance and is not expected to be frequently (or at all) detectable at locations outside of the Project Area boundaries. No other potential source of odors are associated with the Project construction activities or ongoing operations. Further, the Project would comply with GBUAPCD's nuisance rules, including those related to odor. As such, the Project will not result in other emissions (such as those leading to odors) that could adversely affect a substantial number of people, and therefore the Project impacts were determined to be less than significant with no mitigation required.

Greenhouse Gases

Greenhouse Gas Emissions-1: *Would the Project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* (CEQA Guidelines Appendix G, Greenhouse Gas Threshold Criteria (a))

In general, it is widely recognized that no single project could generate enough GHG emissions to noticeably change the global climate temperature; however, the combination of GHG emissions from past, present, and future projects could contribute substantially to global climate change. GHG emissions, and their associated contribution to climate change, are inherently a cumulative impact issue.

This concept is also reflected in California's *2022 Scoping Plan for Achieving Carbon Neutrality* (CARB, 2022). Specifically, regulations are implemented in order to reduce the cumulative impact of GHG emissions on a statewide level, and generally not at the project-level. Sources of GHG emission associated with the Project include fuel combustion within construction equipment and vehicles travelling to and from the site, and indirect GHG's emitted through electricity consumption. Fuel is regulated at a level in the supply chain above an individual project, such that any project has no choice but to purchase and use fuel energy in California which is already regulated. The Project therefore is simply a location in which GHG emissions are emitted by consuming fuel that was already regulated through Cap-and-Trade, applicable Low-Carbon Fuel Standards (GHG) and other applicable regulations higher up the supply chain.

To comply with CEQA, GHG emissions impacts from implementing the Project were calculated at the Project-specific level for construction and operations, and compared to applicable significance thresholds published by the MDAQMD and the SCAQMD. Impact analysis for the Project follows the approach certified by SCAQMD for other projects, which takes into account the cumulative nature of the energy industry and recognizes that consumers of electricity and diesel fuel are, in effect, regulated by higher level emissions restrictions on the producers of these energy sources. As shown in Table 9 below, the Project's worst case annual GHG emissions are well below the applicable MDAQMD and the SCAQMD screening thresholds.

Table 9: Project GHG Emissions

Source / Parameter	CO_2e (MT/year)
Total Project Emissions	63
MDAQMD Screening Threshold	100,000
Exceed?	No
SCAQMD Screening Threshold	10,000
Exceed?	No

For the reasons outlined above, the proposed Project would have a less than significant GHG impact, with no mitigation measures required.

Greenhouse Gas Emissions-2: *Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* (CEQA Guidelines Appendix G, Greenhouse Gas Threshold Criteria (b))

Project emissions of GHGs are presented in Table 9 above. The Project would emit GHGs from fuel burned in mobile equipment and vehicle engines; however, the quantity of fuel consumed would be minimal. Specifically, onsite construction activities would be temporary in nature (take approximately two months to complete). Similarly, because the facility would be monitored remotely once placed into operation, operational fuel consumption would also be minimal (estimate a maximum of up to one inspection per week). Transportation fuel suppliers and importers, such as the ones the Applicant would use during both construction and operation, are required to report emissions under the Cap-and-Trade which is designed to reduce GHG emissions as needed to achieve emissions reductions described in related planning documents, which primarily consists of the AB 32 Scoping Plan(s), described previously. Thus, the emissions reductions will occur at a level in the supply chain above

the Project which will have no choice but to use fuels with GHG intensities that are consistent with the CARB's Scoping Plan.

Furthermore, because the Project involves renewable PV solar facilities, development of the Project would help California meet their state-wide climate change goals by producing clean renewable electricity within Inyo County. Energy generated by the Project likely would replace energy produced by the burning of fossil fuels elsewhere in the region, thereby resulting in a net reduction of GHG emissions. For example, based upon data described within the EIR published for the County's REGPA, a renewable solar project with a capacity of 900 MW could offset up to 1 million MT of CO_2e per year. As noted above, collectively the Project would have a total capacity of approximately 4.2 MW, which would result in significant GHG offsets per the REGPA methodology.

In summary, the GHGs associated with the Project would be consistent with the AB 32 Scoping Plan and applicable County and GBUAPCD policies. Conversely, by generating sustainable solar electricity, the Project is expected to offset GHG emissions that would otherwise result due to the burning of fossil fuels at other power generating facilities, which would therefore result in a beneficial impact. Therefore, the Project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases, and there would be no impact.

CONCLUSIONS

In summary, the Project would generate a small amount of air quality and GHG emissions due to fuel combustion within offroad construction equipment and on-road vehicles. These impacts will be less than significant per the applicable CEQA guidance and significance thresholds. Specifically, onsite equipment and offsite vehicles travelling to and from the site during the Project's construction phase would generate minimal and short-term air emissions over an approximately two month period, and onsite construction emissions were found to be below applicable numeric thresholds.

Once the facility is constructed and put into operation, long-term air emissions would also be minimal and well below applicable CEQA thresholds. Because the solar facilities would be monitored remotely and would generally operate without the need for a permanent onsite staff, at most is estimated that a single-light duty truck would travel to and from the site no more than once per week to conduct routine inspections and maintenance. As such, air emissions associated with ongoing operations were also found to be less than significant.

In addition to combustion emissions, fugitive dust due to ground disturbing activities and vehicles/equipment travelling on unpaved roadways were also quantified. Water trucks will be utilized as needed throughout the Project construction phase to control dust, and crushed limestone and/or non-toxic clay polymer compounds will be applied to exposed surfaces during construction and operations to further ensure fugitive dust is sufficiently controlled. Stabilized entrance and exits will be installed and maintained at driveways to reduce sediment track-out onto the adjacent public roadway. As stated above, the control of fugitive dust is critical to solar operations, as panels coated by dust do not function at full capacity. Therefore, dust controls will remain in place throughout the life of the Project, which will in turn ensure impacts remain less than significant.

Lastly, because the proposed facility is a renewable energy project, the Project would have a beneficial impact related to GHG emissions and climate change. The County, through adoption of their REGPA, is promoting

renewable solar development to reduce GHG emissions and help the region and state meet their aggressive climate change goals. Once operational, the Project would provide a renewable source of electricity that would offset existing electrical generating facilities that rely upon the combustion of fossil fuels. As such, the Project would be consistent with the County's REGPA and would have a beneficial effect related to GHG.

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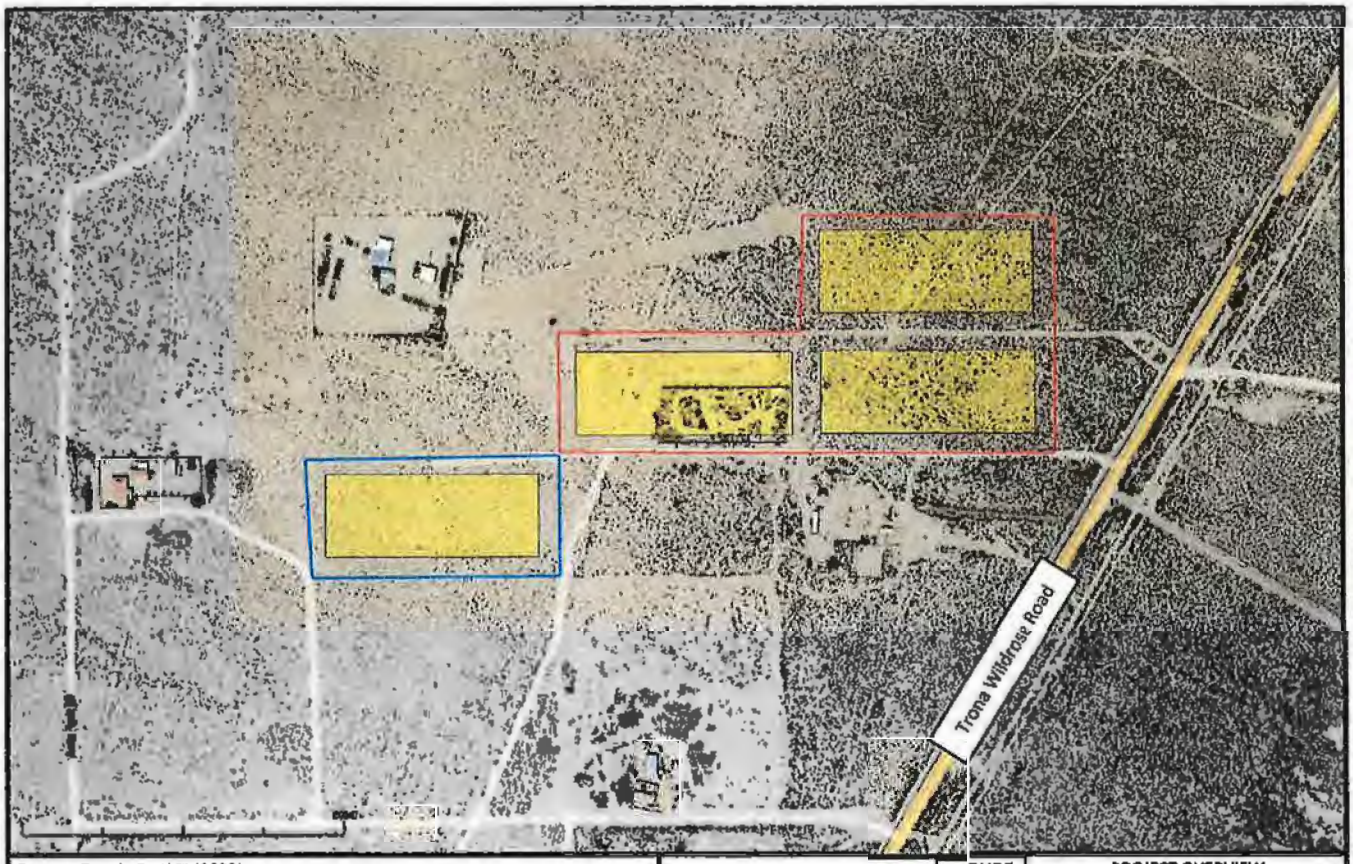
ATTACHMENTS

A. Figures
B. Project Emissions Summary (Construction and Operations)
C. SCAQMD's Health Risk Screening Tool Output File/Results
D. CalEEMod Output File/Results

ATTACHMENT A

Figures



Source: Google Earth™ (2023)

Project Site Boundary - Trona 4 (approx.)

Project Site Boundary - Trona 7 (approx.)

Proposed Solar Array Footprint/Construction Area (approx.)

N

SESPE CONSULTING, INC.

A Tetra Tech Company

FIGURE	PROJECT OVERVIEW		
1	Inyo County Solar Project Trona Wildrose Road Inyo County, California		
PROJECT #:	230510 0036	DATE:	6/5/25
SCALE	See Above	DRAWN BY:	GPS

ATTACHMENT B

Project Emissions Summary (Construction and Operations)

Summary of Project Emissions						
Criteria Pollutant	Annual Threshold (short tons) [A]	Maximum Year Project Emissions (short tons)	Annual Threshold Exceeded?	Daily Threshold (pounds) [A]	Max Day Project Emissions (pounds)	Daily Threshold Exceeded?
Greenhouse Gases (CO_2e)	100,000	63	No	548,000	6,388	No
Carbon Monoxide (CO)	100	0.4	No	548	32	No
Oxides of Nitrogen (NO_x)	25	0.2	No	137	16	No
Volatile Organic Compounds (VOC)	25	0.009	No	137	0.8	No
Oxides of Sulfur (SO_x)	25	0.001	No	137	0.1	No
Particulate Matter (PM_{10})	15	0.130	No	82	0.001	No
Particulate Matter ($PM_{2.5}$)	12	0.028	No	65	0.5	No
Hydrogen Sulfide (H_2S) [B]	10	0	No	54	0	No
Lead (Pb)	0.6	3.0E-06	No	3	0.0001	No

Footnotes:

A - Annual and daily thresholds taken from MDAQMD's *California Environmental Quality Act (CEQA) and Federal Conformity Guidelines* (February 2020).

B - Note, none of the Project's construction or operational emissions sources would emit Hydrogen Sulfide (H_2S).

Onsite Construction Phase Emissions (from CalEEMod)

2 Emissions Summary

2.1 Construction Emissions Compared Against Thresholds

	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	TOG	NOx	CO	SO_2	CO_2e
Daily, Winter (Max) Unmit. (lbs)	0.1150	0.1493	0.2643	0.1150	0.0350	0.1500	0.8172	16.0021	32.3832	0.0562	6282.57
Average Daily (Max) Unmit. (lbs)	0.0068	0.0088	0.0156	0.0068	0.0021	0.0089	0.0479	0.9551	1.9178	0.0033	371.23
Annual (Max) Unmit. (tons)	0.0012	0.0016	0.0028	0.0012	0.0004	0.0016	0.0087	0.1743	0.3500	0.0006	61.46

Offsite Construction Phase Emissions (Calculated)

Construction Emissions	PM10 (total)	PM10 (Dust)	Exhaust Emissions								
			PM10	PM2.5	NOx	CO2	N2O	ROG	TOG	CO	SOx
Offsite Emissions (lbs/day)	0.006865278	N/A	6.87E-03	0.003184657	0.01588079	105.8793324	0.000283472	0.016681332	0.006107986	0.006947844	0.0608884
Offsite Emissions (lbs/yr)	0.171631949	N/A	0.17163	0.07972	0.39702	2646.98331	0.00709	0.41703	0.15257	0.17370	1.52221

Off-site operation - LDT2 Miles Per Day: 150 [illegible]

Off-site operation - LDT2 Miles Per Year: 3750 [illegible]

Onsite and Offsite Operation Phase Emissions (Calculated)

Operation Emissions	PM10 (total)	PM10 (Dust)	Exhaust Emissions								
			PM10	PM2.5	NOx	CO2	N2O	ROG	TOG	CO	SOx
Onsite Emissions (lbs/hr)	2.6	2.6	4.58E-05	2.13E-05	1.06E-04	7.06E-01	1.89E-06	1.11E-04	4.07E-05	4.63E-05	4.06E-04
Onsite Emissions (lbs/day)	2.6	2.6	4.58E-05	2.12577E-05	0.00010587	0.705862216	1.88981E-06	0.000111209	4.06866E-05	4.6319E-05	0.0004059
Onsite Emissions (lbs/yr)	260	260	0.011899815	0.005527005	0.0275267	183.5241762	0.000491352	0.028914309	0.010578509	0.01204293	0.1055399
Offsite Emissions (lbs/day)	0.00069	N/A	6.87E-04	0.000318866	0.00156808	10.58733324	2.83472E-05	0.00166813	0.000610299	0.000694784	0.0060838
Offsite Emissions (lbs/yr)	0.18	N/A	0.178497227	0.082905075	0.41290054	2752.662643	0.007370273	0.43371463	0.15867764	0.180643944	1.5830982

Onsight operation - LDT2 Miles Per Day Traveled: 1

Off-site operation - LDT2 Miles Per Day Traveled: 15

Health Risk Screening Inputs

Onsite Pollutant Emissions	Construction Acute (Screen 1) Max Day Emissions Rate - Construction (lbs/hr)	Cancer/Chronic (Screen 2a) Max Year Average Emissions Rate - Construction (lbs/hr)	Cancer/Chronic (Screen 2b) Max Year Average Emissions Rate - Operation (lbs/hr)	Operation Acute (Screen 3) Max Day Emissions Rate - Construction (lbs/hr)
Arsenic and Compounds (Inorganic)	3.73317E-07	7.34124E-09	2.73973E-07	5.16022E-05
Beryllium and Compounds	1.86658E-08	3.67062E-10	1.36986E-08	2.58011E-06
Cadmium and Compounds	1.86658E-08	3.67062E-10	1.36986E-08	2.58011E-06
Copper and Compounds	1.86658E-06	3.67062E-08	1.36986E-06	0.000258011
Lead and Compounds (Inorganic)	9.33292E-07	1.83531E-08	6.84932E-07	0.000129006
Manganese and Compounds	9.33292E-06	1.83531E-07	6.84932E-06	0.001290055
Nickel and Compounds	3.73317E-07	7.34124E-09	2.73973E-07	5.16022E-05
Selenium and Compounds	9.33292E-08	1.83531E-09	6.84932E-08	1.29005E-05
Diesel Particulate (PM)	0.016372816	0.000283404	1.35843E-06	4.58E-05

Screen 1 - Acute risk assessment max hour [illegible]

Screen 2a - Cancer/Chronic risk assessment hourly emissions [illegible]

Screen 2b - Cancer risk assessment hourly emissions calculated based on average annual operation emissions.

Screen 3 - Acute risk assessment [illegible] calculated above.

On-Road Vehicle Emissions Factors (EMFAC DATA):
Source: EMFAC2021 (v1.0.2) Emissions Inventory
Region Type: Sub-Area
Region: Inyo (GBV)
Calendar Year: 2024
Season: Annual
Vehicle Classification: EMFAC202x Categories
Units: miles/day for CVMT and EVMT, trips/day for Trips, kWh/day for Energy Consumption, tons/day for Emissions, 1000 gallons/day for Fuel Consumption

Region	Calendar Year	Vehicle Categor	Model Year	Speed	Fuel	Population	Total VMT	CVMT	EVMT	Trips	Energy Consumption
Inyo (GBV)	2024	LDT2	Aggregate	Aggregate	Diesel	50.6969863	2134.2364	2134.2364	0	241.24064	0

NOx_TOTEX	PM2.5_TOTAL	PM10_TOTAL	CO2_TOTEX	CH4_TOTEX	N2O_TOTEX	ROG_TOTAL	TOG_TOTAL	CO_RUNEX	CO_TOTEX	SOx_TOTEX	NH3_RUNEX
0.000112978	2.26845E-05	4.88404E-05	0.7532384	2.017E-06	0.00011867	4.3417E-05	4.943E-05	0.0004332	0.0004332	7.137E-06	7.29304E-06

Calculated Emissions Factors (lb/vmt)

PM10	PM2.5	NOx	CO2	N20	ROG	TOG	CO	SOx
4.57685E-05	2.12577E-05	0.000105872	0.7058622	1.89E-06	0.00011121	4.0687E-05	4.632E-05	0.0004059

Haul Road Fugitive Dust Factors

Fugitive Dust Speciation Profile

Pollutant	Concentration (ppm)	Concentration
Arsenic	20	0.00002
Beryllium	1	0.000001
Cadmium	1	0.000001
Copper	100	0.0001
Lead	50	0.00005
Manganese	500	0.0005
Nickel	20	0.00002
Selenium	5	0.000005
Zinc	200	0.0002

Source: San Diego APCD Table R01 - HAUL ROADS, GENERAL, PAVED & UNPAVED, WITH DEFAULT TRACE METAL COMPOSITION

Note: The table above includes toxic air contaminants presented in both the SDAPCD speciation profile, and the SCAQMD Risk Tool

Unpaved Road Emission Factors

Unpaved Road emissions factor from AP42 Section 13.2.2

EF (lb/VMT)= $4.9 * (S/12)^{0.7} * (W/3)^{0.45}$

	On-Road Light Truck	
	PM10	PM2.5
S = silt content (%) =	4.8	
W = avg truck weight	3	
EF (lb/VMT) =	2.58	0.55
Control Efficiency =	0%	0%
Emission Factor (lb/VMT) =	**2.58**	**0.55**

Silt content based on mean Sand and Gravel Processing from AP-42 Table 13.2.2-1.

PM2.5 emissions are 21.2% of PM10 for unpaved roads (SCAQMD *Updated CEIDARS Table*)

ATTACHMENT C

SCAQMD's Health Risk Screening Tool Output

TIER 1/TIER 2 SCREENING RISK ASSESSMENT DATA INPUT

(Procedure Version 8.1 & Package N, September 1, 2017) - Risk Tool V1.105

Application Deemed Complete Date	06/08/23
A/N	N/A
Facility Name	HTHJ Inyo Solar

1. Stack Data	Input	Units
Hours/Day	24	hrs/day
Days/Week	7	days/wk
Weeks/Year	52	wks/yr
Control Efficiency	0.000	
Does source have T-BACT?	NO	
Source type (Point or Volume)	P	P or V
Stack Height or Building Height	20	feet
	5000	
Distance-Residential	130	meters
Distance-Commercial	1000	meters
Meteorological Station	Desert Hot Springs Airport	
Project Duration (Short term options: 2, 5, or 9 years; Else 30 years)	2	years

Conversion Units (select units

From

1 feet

To

0.3048 meter

Source Type	Other
Screening Mode (**NO** = Tier 1 or Tier 2; **YES** = Tier 3)	NO

FOR SOURCE TYPE OTHER THAN BOILER, CREMATORY, ICE, PRESSURE WASHER, OR SPRAY BOOTH, FILL IN THE USER DEFINED TABLE BELOW

Fac Name: HTHJ Inyo Solar A/N: N/A

TAC Code	Compound	Emission Rate (lbs/hr)	Molecular Weight	R1 - Uncontrolled (lbs/hr)	Efficiency Factor (Fraction range 0-1)	R2-Controlled (lbs/hr)
A11	Arsenic and Compounds (Inorganic)	3.73E-07	74.92	3.73E-07	0.00000	3.73317E-07
B8	Beryllium and Compounds	1.87E-08	9.012	1.87E-08	0.00000	1.86658E-08
C1	Cadmium and Compounds	1.87E-08	112.41	1.87E-08	0.00000	1.86658E-08
C23	Copper and Compounds	1.87E-06	63.55	1.87E-06	0.00000	1.86658E-06
L1	Lead and Compounds (Inorganic)	9.33E-07	207.2	9.33E-07	0.00000	9.33292E-07
M2	Manganese and Compounds	9.33E-06	54.938	9.33E-06	0.00000	9.33292E-06
N12	Nickel and Compounds	3.73E-07	58.71	3.73E-07	0.00000	3.73317E-07
S1	Selenium and Compounds	9.33E-08	78.96	9.33E-08	0.00000	9.33292E-08
P1	Particulate Emissions from Diesel-Fueled Engines	1.44E-02	350	1.44E-02	0.00000	0.014372816

6. Hazard Index Summary

A/N: N/A

Application deemed complete date: 06/08/23

HIA = [Q(lb/hr) * (X/Q)max * MWAF] / Acute REL

HIC = [Q(ton/yr) * (X/Q) * MP * MWAF] / Chronic REL

HIC 8-hr = [Q(ton/yr) * (X/Q)8 * WAF * MWAF] / 8-hr Chronic REL

Target Organs	Acute	Chronic	8-hr Chronic	Acute Pass/Fail	Chronic Pass/Fail	8-hr Chronic Pass/Fail
Alimentary system (liver) - AL		6.97E-05		Pass	Pass	Pass
Bones and teeth - BN				Pass	Pass	Pass
Cardiovascular system - CV	2.53E-04	4.27E-02	4.85E-04	Pass	Pass	Pass
Developmental - DEV	2.53E-04	4.32E-02	4.85E-04	Pass	Pass	Pass
Endocrine system - END				Pass	Pass	Pass
Eye				Pass	Pass	Pass
Hematopoietic system - HEM		5.19E-04		Pass	Pass	Pass
Immune system - IMM	2.53E-04	5.19E-05	1.21E-04	Pass	Pass	Pass
Kidney - KID		3.59E-05		Pass	Pass	Pass
Nervous system - NS	2.53E-04	4.47E-02	1.55E-03	Pass	Pass	Pass
Reproductive system - REP	2.53E-04	4.32E-02	4.85E-04	Pass	Pass	Pass
Respiratory system - RESP	2.53E-06	9.93E-02	6.06E-04	Pass	Pass	Pass
Skin		4.27E-02	4.85E-04	Pass	Pass	Pass

TIER 1/TIER 2 SCREENING RISK ASSESSMENT DATA INPUT

(Procedure Version 8.1 & Package N, September 1, 2017) - Risk Tool VI.105

Application Deemed Complete Date	06/08/23
A/N	N/A
Facility Name	HTHJ Inyo Solar

1. Stack Data	Input	Units
Hours/Day	24	hrs/day
Days/Week	7	days/wk
Weeks/Year	52	wks/yr
Control Efficiency	0.000	
Does source have T-BACT?	YES	
Source type (Point or Volume)	P	P or V
Stack Height or Building Height	20	feet
	5000	ft
Distance-Residential	130	meters
Distance-Commercial	1000	meters
Meteorological Station	Desert Hot Springs Airport	
Project Duration (Short term options: 2, 5, or 9 years; Else 30 years)	2	years

Conversion Units (select units

From: 1 feet

To: 0.3048 meter

Source Type	Other
Screening Mode (**NO** = Tier 1 or Tier 2; **YES** = Tier 3)	NO

FOR SOURCE TYPE OTHER THAN BOILER, CREMATORY, ICE, PRESSURE WASHER, OR SPRAY BOOTH, FILL IN THE USER DEFINED TABLE BELOW

Fac Name: HTHJ Inyo Solar A/N: N/A

TAC Code	Compound	Emission Rate (lbs/hr)	Molecular Weight	R1 - Uncontrolled (lbs/hr)	Efficiency Factor (Fraction range 0-1)	R2-Controlled (lbs/hr)
A11	Arsenic and Compounds (Inorganic)	7.34E-09	74.92	7.34E-09	0.00000	7.34124E-09
B8	Beryllium and Compounds	3.67E-10	9.012	3.67E-10	0.00000	3.67062E-10
C1	Cadmium and Compounds	3.67E-10	112.41	3.67E-10	0.00000	3.67062E-10
C23	Copper and Compounds	3.67E-08	63.55	3.67E-08	0.00000	3.67062E-08
L1	Lead and Compounds (Inorganic)	1.84E-08	207.2	1.84E-08	0.00000	1.83531E-08
M2	Manganese and Compounds	1.84E-07	54.938	1.84E-07	0.00000	1.83531E-07
N12	Nickel and Compounds	7.34E-09	58.71	7.34E-09	0.00000	7.34124E-09
S1	Selenium and Compounds	1.84E-09	78.96	1.84E-09	0.00000	1.83531E-09
P1	Particulate Emissions from Diesel-Fueled Engines	2.83E-04	350	2.83E-04	0.00000	0.000283404

5a. MICR

MICR Resident = CP (mg/(kg-day))^-1 * Q (ton/yr) * (X/Q) Resident * CEF Resident * MP Resident * 1e-6 * MWAF

MICR Worker = CP (mg/(kg-day))^-1 * Q (ton/yr) * (X/Q) Worker * CEF Worker* MP Worker* WAF Worker* 1e-6 * MWAF

Compound	Residential	Commercial
Arsenic and Compounds (Inorganic)	6.99E-09	6.70E-13
Beryllium and Compounds	1.87E-11	5.42E-15
Cadmium and Compounds	3.34E-11	9.67E-15
Copper and Compounds		
Lead and Compounds (Inorganic)	7.12E-11	7.62E-15
Manganese and Compounds		
Nickel and Compounds	4.05E-11	6.17E-14
Selenium and Compounds		
Particulate Emissions from Diesel-Fueled En	1.89E-06	5.48E-10
Total	1.90E-06	5.48E-10
	PASS	PASS

5b. Is Cancer Burden Calculation Needed (MICR >1E-6)? **YES**

New X/Q at which $MICR_{TOP}$ is one-in-a-million [(µg/m³)/(tons/yr)]:	9.54E-01
New Distance, interpolated from X/Q table using New X/Q (meter):	264.01
Zone Impact Area (km²):	2.53E-01
Zone of Impact Population (7000 person/km²):	1.77E+03
Cancer Burden:	8.29E-03
Cancer Burden is less than or equal to 0.5	**PASS**

6. Hazard Index Summary A/N: N/A Application deemed complete date: 06/08/23

HIA = [Q(lb/hr) * (X/Q)max * MWAF]/ Acute REL
HIC = [Q(ton/yr) * (X/Q) * MF * MWAF] / Chronic REL
HIC 8-hr= [Q(ton/yr) * (X/Q) * WAF * MWAF] / 8-hr Chronic REL

Target Organs	Acute	Chronic	8-hr Chronic	Acute Pass/Fail	Chronic Pass/Fail	8-hr Chronic Pass/Fail
Alimentary system (liver) - AL		1.37E-06		Pass	Pass	Pass
Bones and teeth - BN				Pass	Pass	Pass
Cardiovascular system - CV	4.98E-06	8.40E-04	9.52E-06	Pass	Pass	Pass
Developmental - DEV	4.98E-06	8.50E-04	9.53E-06	Pass	Pass	Pass
Endocrine system - END				Pass	Pass	Pass
Eyes				Pass	Pass	Pass
Hematopoietic system - HEM		1.02E-05		Pass	Pass	Pass
Immune system - IMM	4.98E-06	1.02E-06	2.38E-06	Pass	Pass	Pass
Kidney - KID		2.06E-07		Pass	Pass	Pass
Nervous system - NS	4.98E-06	8.79E-04	3.06E-05	Pass	Pass	Pass
Reproductive system - REP	4.98E-06	8.50E-04	9.53E-06	Pass	Pass	Pass
Respiratory system - RESP	4.98E-08	1.96E-03	1.19E-05	Pass	Pass	Pass
Skin		8.30E-04	9.53E-06	Pass	Pass	Pass

TIER 1/TIER 2 SCREENING RISK ASSESSMENT DATA INPUT

(Procedure Version 8.1 & Package N, September 1, 2017) - Risk Tool V1.105

Application Deemed Complete Date	06/08/23
A/N	N/A
Facility Name	HTHJ Inyo Solar

1. Stack Data	Input	Units
Hours/Day	24	hrs/day
Days/Week	7	days/wk
Weeks/Year	52	wks/yr
Control Efficiency	0.000	
Does source have T-BACT?	NO	
Source type (Point or Volume)	P	P or V
Stack Height or Building Height	20	feet
Building Area		
Distance-Residential	1000	meters
Distance-Commercial	1000	meters
Meteorological Station	Desert Hot Springs Airport	
Project Duration (Short term options: 2, 5, or 9 years; Else 30 years)	30	years

Conversion Units (select units

From: 1 feet

To: 0.3048 meter

Source Type	Other
Screening Mode (**NO** = Tier 1 or Tier 2; **YES** = Tier 3)	NO

FOR SOURCE TYPE OTHER THAN BOILER, CREMATORY, ICE, PRESSURE WASHER, OR SPRAY BOOTH, FILL IN THE USER DEFINED TABLE BELOW

Fac Name: HTHJ Inyo Solar A/N: N/A

TAC Code	Compound	Emission Rate (lbs/hr)	Molecular Weight	R1 - Uncontrolled (lbs/hr)	Efficiency Factor (Fraction range 0-1)	R2-Controlled (lbs/hr)
A11	Arsenic and Compounds (Inorganic)	2.74E-07	74.92	2.74E-07	0.00000	2.73973E-07
B8	Beryllium and Compounds	1.37E-08	9.012	1.37E-08	0.00000	1.36986E-08
C1	Cadmium and Compounds	1.37E-08	112.41	1.37E-08	0.00000	1.36986E-08
C23	Copper and Compounds	1.37E-06	63.55	1.37E-06	0.00000	1.36986E-06
L1	Lead and Compounds (Inorganic)	6.85E-07	207.2	6.85E-07	0.00000	6.84932E-07
M2	Manganese and Compounds	6.85E-06	54.938	6.85E-06	0.00000	6.84932E-06
N12	Nickel and Compounds	2.74E-07	58.71	2.74E-07	0.00000	2.73973E-07
S1	Selenium and Compounds	6.85E-08	78.96	6.85E-08	0.00000	6.84932E-08
P1	Particulate Emissions from Diesel-Fueled Engines	1.36E-06	350	1.36E-06	0.00000	1.35843E-06

5a. MICR

MICR Resident = CP (mg/(kg-day))^-1 * Q (ton/yr) * (X/Q) Resident * CEF Resident * MP Resident * 1e-6 * MWAF

MICR Worker = CP (mg/(kg-day))^-1 * Q (ton/yr) * (X/Q) Worker * CEF Worker* MP Worker* WAF Worker* 1e-6 * MWAF

Compound	Residential	Commercial
Arsenic and Compounds (Inorganic)	8.50E-09	3.26E-10
Beryllium and Compounds	3.06E-11	2.53E-12
Cadmium and Compounds	5.47E-11	4.51E-12
Copper and Compounds		
Lead and Compounds (Inorganic)	8.74E-11	3.68E-12
Manganese and Compounds		
Nickel and Compounds	6.64E-11	5.47E-12
Selenium and Compounds		
Particulate Emissions from Diesel-Fueled Eng	3.98E-10	3.28E-11
Total	**9.14E-09**	**3.75E-10**
	PASS	**PASS**

5b. Is Cancer Burden Calculation Needed (MICR >1E-6)? **NO**

New X/Q at which $MICR_{30yr}$ is one-in-a-million [(µg/m³)/(tons/yr)]:
New Distance, interpolated from X/Q table using New X/Q (meter):
Zone Impact Area (km²):
Zone of Impact Population (7000 persons/km²):
Cancer Burden:

6. Hazard Index Summary **A/N:** N/A **Application deemed complete date:** 06/08/23

HIA = [Q(lb/hr) * (X/Q)max * MWAF]/ Acute REL
HIC = [Q(ton/yr) * (X/Q) * MP * MWAF] / Chronic REL
HIC 8-hr = [Q(ton/yr) * (X/Q) * WAF * MWAF] / 8-hr Chronic REL

Target Organs	Acute	Chronic	8-hr Chronic	Acute Pass/Fail	Chronic Pass/Fail	8-hr Chronic Pass/Fail
Alimentary system (liver) - AL		1.03E-06		Pass	Pass	Pass
Bones and teeth - BN				Pass	Pass	Pass
Cardiovascular system - CV	3.67E-06	6.32E-04	7.18E-06	Pass	Pass	Pass
Developmental - DEV	3.67E-06	6.40E-04	7.18E-06	Pass	Pass	Pass
Endocrine system - END				Pass	Pass	Pass
Eye				Pass	Pass	Pass
Hematopoietic system - HEM		7.69E-06		Pass	Pass	Pass
Immune system - IMM	3.67E-06	7.69E-07	1.80E-06	Pass	Pass	Pass
Kidney - KID		5.32E-07		Pass	Pass	Pass
Nervous system - NS	3.67E-06	6.62E-04	2.30E-05	Pass	Pass	Pass
Reproductive system - REP	3.67E-06	6.40E-04	7.18E-06	Pass	Pass	Pass
Respiratory system - RESP	3.67E-06	6.41E-04	8.98E-06	Pass	Pass	Pass
Skin		6.32E-04	7.18E-06	Pass	Pass	Pass

TIER 1/TIER 2 SCREENING RISK ASSESSMENT DATA INPUT

(Procedure Version 8.1 & Package N, September 1, 2017) - Risk Tool V1.105

Application Deemed Complete Date	06/08/23
A/N	N/A
Facility Name	HTHJ Inyo Solar

1. Stack Data	Input	Units
Hours/Day	24	hrs/day
Days/Week	7	days/wk
Weeks/Year	52	wks/yr
Control Efficiency	0.000	
Does source have T-BACT?	NO	
Source type (Point or Volume)	P	P or V
Stack Height or Building Height	20	feet
Building Area		
Distance-Residential	1000	meters
Distance-Commercial	1000	meters
Meteorological Station	Desert Hot Springs Airport	
Project Duration (Short term options: 2, 5, or 9 years; Else 30 years)	2	years

Conversion Units (select unit

From: 1 feet

To: 0.3048 meter

Source Type	Other
Screening Mode (**NO** = Tier 1 or Tier 2; **YES** = Tier 3)	NO

FOR SOURCE TYPE OTHER THAN BOILER, CREMATORY, ICE, PRESSURE WASHER, OR SPRAY BOOTH, FILL IN THE USER DEFINED TABLE BELOW

Fac Name: HTHJ Inyo Solar A/N: N/A

TAC Code	Compound	Emission Rate (lbs/hr)	Molecular Weight	R1 - Uncontrolled (lbs/hr)	Efficiency Factor (Fraction range 0-1)	R2-Controlled (lbs/hr)
A11	Arsenic and Compounds (Inorganic)	5.16E-05	74.92	5.16E-05	0.00000	5.16022E-05
B8	Beryllium and Compounds	2.58E-06	9.012	2.58E-06	0.00000	2.58011E-06
C1	Cadmium and Compounds	2.58E-06	112.41	2.58E-06	0.00000	2.58011E-06
C23	Copper and Compounds	2.58E-04	63.55	2.58E-04	0.00000	0.000258011
L1	Lead and Compounds (Inorganic)	1.29E-04	207.2	1.29E-04	0.00000	0.000129005
M2	Manganese and Compounds	1.29E-03	54.938	1.29E-03	0.00000	0.001290055
N12	Nickel and Compounds	5.16E-05	58.71	5.16E-05	0.00000	5.16022E-05
S1	Selenium and Compounds	1.29E-05	78.96	1.29E-05	0.00000	1.29005E-05
P1	Particulate Emissions from Diesel-Fueled Engines	4.58E-05	350	4.58E-05	0.00000	4.57685E-05

6. Hazard Index Summary A/N: N/A Application deemed complete date: 06/09/23

HIA = [Q(lb/hr) * (X/Q)max * MWAF]/ Acute REL
HIC = [Q(lb/yr) * (X/Q) * MP * MWAF] / Chronic REL
HIC 8-hr= [Q(lb/yr) * (X/Q) * WAF * MWAF] / 8-hr Chronic REL

Target Organs	Acute	Chronic	8-hr Chronic	Acute Pass/Fail	Chronic Pass/Fail	8-hr Chronic Pass/Fail
Alimentary system (liver) - AL		1.94E-04		Pass	Pass	Pass
Bones and teeth - BN				Pass	Pass	Pass
Cardiovascular system - CV	6.91E-04	1.19E-01	1.35E-03	Pass	Pass	Pass
Developmental - DEV	6.91E-04	1.20E-01	1.35E-03	Pass	Pass	Pass
Endocrine system - END				Pass	Pass	Pass
Eye				Pass	Pass	Pass
Hematopoietic system - HEM		1.45E-03		Pass	Pass	Pass
Immune system - IMM	6.91E-04	1.45E-04	3.38E-04	Pass	Pass	Pass
Kidney - KID		1.00E-04		Pass	Pass	Pass
Nervous system - NS	6.91E-04	1.25E-01	4.34E-03	Pass	Pass	Pass
Reproductive system - REP	6.91E-04	1.20E-01	1.35E-03	Pass	Pass	Pass
Respiratory system - RESP	6.91E-06	1.21E-01	1.69E-03	Pass	Pass	Pass
Skin		1.19E-01	1.35E-03	Pass	Pass	Pass

A/N: N/A Application deemed complete date: 06/08/23

6a. Hazard Index Acute - Resident

HIA = [Q(lb/hr) * (X/Q)max resident * MWAF] / Acute REL

	HIA - Residential								
Compound	AL	CV	DEV	EYE	HEM	IMM	NS	REP	RESP	SKIN
Arsenic and Compounds (Inorganic)		6.91E-04	6.91E-04				6.91E-04	6.91E-04		
Beryllium and Compounds										
Cadmium and Compounds										
Copper and Compounds									6.91E-06	
Lead and Compounds (Inorganic)										
Manganese and Compounds										
Nickel and Compounds						6.91E-04				
Selenium and Compounds										
Particulate Emissions from Diesel-Fueled Eng										
Total		6.91E-04	6.91E-04			6.91E-04	6.91E-04	6.91E-04	6.91E-06	

ATTACHMENT D

CalEEMod Output Files

Inyo Solar Summary Report

Table of Contents

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Inyo Solar
Construction Start Date	1/1/2024
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	3.70
Precipitation (days)	9.60
Location	100 Moses Ln, Trona, CA 93562, USA
County	Inyo
City	Unincorporated
Air District	Great Basin UAPCD
Air Basin	Great Basin Valleys
TAZ	3013
EDFZ	10
Electric Utility	Southern California Edison
Gas Utility	—
App Version	2022.1.1.14

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
User Defined Industrial	20.0	User Defined Unit	20.0	0.00	0.00	—	—	—

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.82	0.81	16.0	32.4	0.06	0.11	0.15	0.26	0.11	0.04	0.15	—	6,260	6,260	0.25	0.06	0.02	6,283
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.05	0.05	0.98	1.92	< 0.005	0.01	0.01	0.02	0.01	< 0.005	0.01	—	370	370	0.02	< 0.005	0.02	371
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	0.01	0.01	0.17	0.35	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	61.2	61.2	< 0.005	< 0.005	< 0.005	61.5

6. Climate Risk Detailed Report

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	1	0	0	N/A
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A

Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	0	0	0	N/A
Air Quality Degradation	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	N/A	N/A	N/A	N/A
Extreme Precipitation	1	1	1	2
Sea Level Rise	N/A	N/A	N/A	N/A
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	1	1	1	2
Air Quality Degradation	N/A	N/A	N/A	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures

7. Health and Equity Details

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	46.0

Healthy Places Index Score for Project Location (b)	51.0
Project Located In a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	Yes
Project Located In a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

EXHIBIT 3

INYO COUNTY RENEWABLE ENERGY GENERAL PLAN AMENDMENT PROGRAM ENVIRONMENTAL IMPACT REPORT

Mitigation Monitoring and Reporting Program

Prepared for:

County of Inyo
168 N. Edwards Street
Independence, CA 93526

Prepared by:

HELIX Environmental Planning, Inc.
11 Natoma Street, Suite 155
Folsom, CA 95630

March 2015

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The California Environmental Quality Act (CEQA), Public Resources Code Section 21081.6, requires that a Mitigation Monitoring and Reporting Program (MMRP) be established upon completing findings. CEQA stipulates that "the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation."

This MMRP has been developed in compliance with Section 21081.6 of CEQA. The County of Inyo (County) is the lead agency for the project under CEQA and will administer and implement the MMRP. The County is responsible for review of all monitoring reports, enforcement actions, and document disposition. The County will rely on information provided by the project site observers/monitors (e.g., construction manager, project manager, biologist, archaeologist, etc.) as accurate and up-to-date and will provide personnel to field check mitigation measure status, as required.

The mitigation measures in this MMRP are derived from the Program Environmental Impact Report (PEIR) for the proposed Renewable Energy General Plan Amendment (REGPA) project (proposed project) dated November 2014. To sufficiently track and document the status of mitigation measures for the proposed project, a mitigation matrix (Table 1) has been prepared and includes the following items:

- Mitigation Measure Number
- Mitigation Measure (text)
- Phase of Implementation / Mitigation Timing
- Frequency and/or Duration of Required Monitoring
- Enforcement or Reporting Agency / Action Notes
- Record Document Location

Mitigation measure timing has been noted in several specific timing increments, the most common being:

- During the design phase
- Prior to permit issuance
- During construction
- At completion of construction

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Table 1
INYO COUNTY RENEWABLE ENERGY GENERAL PLAN AMENDMENT PEIR
MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
AESTHETICS				
AES-1: Prepare visual studies that include existing views, scenic vistas, and visual resources and evaluate the potential impacts to existing visual resources. Site-specific visual studies shall be prepared to assess potential visual impacts for all proposed solar energy projects greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources within the individual SEDAs and the OVSA. The visual study shall include assessment of the existing visual environment, including existing views, scenic vistas, and visual resources, and evaluate the potential of the proposed solar energy project to adversely impact resources and degrade the visual character or quality of the site and its surroundings. The study shall include assessment of public views from key observation points, the locations of which shall be determined in consultation with County staff and, if applicable, other public agencies with jurisdiction over the project site (e.g., BLM). Visual simulations shall be prepared to conceptually depict post-development views from the identified key observation points. The analysis and results of the study shall be documented in a memorandum that will include: (1) an assessment of the existing visual environment, including existing views, scenic vistas, and visual resources and (2) an evaluation of the potential of the proposed solar energy project to adversely impact resources and degrade the visual character or quality of the site and its surroundings. Applicable recommendations from the project-specific visual analysis shall be incorporated into the associated individual project design to address identified potential visual impacts.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department, and/or other applicable agencies.	

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Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
AESTHETICS (cont.)				
AES-2: Reduce potential effects of glare by preparing site-specific glare studies that inform project design. Site-specific glare studies shall be prepared for all proposed solar energy projects greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources within the individual SEDAs and the OVSA to assess potential glare impacts. Applicable results and recommendations from the project specific glare study shall be incorporated into the associated individual project designs to address identified potential visual impacts.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department	
AES-3: Minimize visual contrast using colors that blend with surrounding landscape and do not create excessive glare. For proposed solar energy projects that are greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources, the surfaces of structures and buildings that are visible from public viewpoints shall be treated so that (1) their colors minimize visual contrast by blending with the surrounding landscape and (2) their colors and finishes do not create excessive glare. Surface color treatments shall include painting or tinting in earth tone colors to blend in with the surroundings desert and mountains. Materials, coatings, or paints having little or no reflectivity shall be used.	Prior to / during construction	Prior to construction	Inyo County Planning Department and/or other applicable agencies.	
AES-4: Install natural screens to protect ground-level views into the project. For all proposed solar energy projects greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources within the individual SEDAs and the OVSA, and where existing screening topography and vegetation are absent or minimal, natural-looking earthwork landforms (such as berms or contour slopes), vegetative, or architectural screening shall be installed to screen ground-level views into the project site. The	Prior to / during construction	Prior to construction	Inyo County Planning Department	

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shape and height of the earthwork landforms shall be context sensitive and consider distance and viewing angle from nearby public viewpoints.				
AES-5: Prepare lighting plan using BMPs consistent with the Renewable Energy Action Team's (REAT's) Best Management Practices and Guidance Manual (REAT 2010) to reduce night lighting during construction and operation. The project applicant shall prepare a lighting plan for all proposed solar energy projects greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources within the individual SEDAs and the OVSA that documents how project lighting would be designed and installed to minimize night sky impacts during construction and operation. The lighting plan shall include, at minimum, the following lighting design parameters: • Lighting shall be of the minimum necessary brightness consistent with operational safety and security requirements. • Lighting shall incorporate fixture hoods/shielding with light directed downward and toward the area to be illuminated. • Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security. • Project lighting shall be kept off when not in use whenever feasible and consistent with safety and security requirements.	Prior to construction	Prior to construction	Inyo County Planning Department	
AES-6: Treat PV solar panel glass with anti-reflective coating. For proposed PV facilities greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources within the individual SEDAs and the OVSA, glass used to cover solar panels shall be treated with an anti-reflective coating to further decrease reflection and increase the transmission of light through the glass to the cells.	Prior to / during construction	Prior to construction	Inyo County Planning Department	

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AES-7: Coordinate with the Federal Aviation Administration when considering the use of audio visual warning systems. For projects requiring aircraft warning lights, the project applicant shall coordinate with the Federal Aviation Administration (FAA) to consider the use and installation of audio visual warning systems technology on tower structures. If the FAA denies a permit for the use of audio visual warning systems, the project applicant shall limit lighting to the minimum required to meet FAA safety requirements.	Prior to / during construction	Prior to construction	Inyo County Planning Department and/or other applicable agencies.	
AES-8: Projects on federal land will comply with the respective federal agency's visual guidelines and policies. Solar energy projects proposed on federal land within individual SEDAs and the OVSA shall be coordinated with the federal agency that is responsible for the management of the land and shall comply with the respective federal agency's visual guidelines and policies.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	
AES-9: The project will implement BMPs and measures during construction to reduce the visual and aesthetic effects of the construction site. The following measures shall be implemented for all proposed solar energy projects greater than 20 MW (utility scale) and for proposed solar energy projects that are commercial scale or community scale that have been determined by a qualified County planner to have the potential to impact visual resources within the individual SEDAs and the OVSA during construction: • Construction boundaries and staging areas shall be clearly delineated and where appropriate fenced to prevent encroachment onto adjacent natural areas. • Construction staging and laydown areas visible from nearby roads, residences, and recreational areas shall be visually screened using temporary fencing. Fencing shall be of an appropriate design and color to visually blend with the site's surroundings. • Existing native vegetation shall be preserved to the greatest extent possible. • Project grading shall utilize undulating surface edges and contours	During construction	During construction	Inyo County Planning Department Inyo County Department of Public Works	

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that repeat the natural shapes, forms, textures, and lines of the surrounding landscape. • Exposed soils shall be restored to their original contour and vegetation. • Stockpiled topsoils shall be reapplied to disturbed surfaces.				
AES-10: Projects requiring overhead electrical transmission connections will consider design and installation techniques that reduce visual impacts. For projects that require overhead electrical transmission connections to existing transmission lines and for the potential off-site transmission corridor to serve the Trona, Chicago Valley, and Charleston View SEDAs, the following shall be considered in the design and alignment of the transmission line connections: • Avoid placing transmission towers and structures along ridgelines, peaks, or other locations where skylining effects would occur such that they would silhouette against the sky. • Place transmission corridor connection alignments along edges of clearings or at transition areas (i.e., natural breaks in vegetation or topography). • To the extent practicable, treat transmission towers and structures with color and surfaces to reduce visual contrast with the surrounding visual landscape. Alternative methods to reduce visual impacts may be considered for structures that cannot use conventional methods of painting without impeding electrical conveyance or without causing long-term environmental impacts through the constant reapplication of paint. These methods may include, but shall not be limited to, galvanizing or similar factory-applied conductive non-paint treatments. • Use of appropriate and context-sensitive transmission tower types (i.e., lattice structures compared to monopoles) to reduce visual contrast with the surrounding visual landscape.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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AGRICULTURE AND FORESTRY RESOURCES				
AG-1: Review development proposals for potential impacts to agricultural operations. The County Agricultural Commissioner shall be responsible for reviewing new development proposals adjacent to agricultural operations to ensure they do not significantly impact agricultural operations.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Agriculture Commissioner/ Planning Department/	
AG-2: Conduct site-specific investigations for agricultural lands. Site-specific agricultural resource investigations shall be completed for proposed solar development projects within the individual SEDAs and the OVSA that are located on lands utilized for agricultural operations prior to final project design approval. If agricultural operations are identified within the project area, alternative designs should be implemented to avoid and/or minimize impacts to those resources. This may include mitigating conversion of agricultural lands based on the mitigation ratios identified in consultation with affected agencies at the cost of the project applicant to the satisfaction of the County. Mitigation ratios and impact fees assessed, if any, shall be outlined in the Renewable Energy Development Agreement, Renewable Energy Permit, or Renewable Energy Impact Determination.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department Inyo County Agriculture Commissioner	
AG-3: Invasive plant species or noxious weeds. To prevent the introduction and spread of noxious weeds, a project-specific integrated weed management plan shall be developed for approval by the permitting agencies, which would be carried out during all phases of the project. The plan shall include the following measures, at a minimum, to prevent the establishment, spread, and propagation of noxious weeds: • The area of vegetation and/or ground disturbance shall be limited to the absolute minimum and motorized ingress and egress shall be limited to defined routes. • Project vehicles shall be stored onsite in designated areas to minimize the need for multiple washings of vehicles that re-enter the project site. • Vehicle wash and inspection stations shall be maintained onsite and the types of materials brought onto the site shall be closely monitored.	Prior to approval and/or issuance of Major Use Permits / prior to construction / during operation	Prior to approval and/or issuance of Major Use Permits / prior to construction / during operation	Inyo County Planning Department and/or other applicable agencies.	

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• The tires and undercarriage of vehicles entering or re-entering the project site shall be thoroughly cleaned. • Native vegetation shall be re-established as quickly as practicable on disturbed sites. • Weed Monitor and quickly implement control measures to ensure early detection and eradication of weed invasions. • Use certified weed-free straw, hay bales, or equivalent for sediment barrier installations.				
AIR QUALITY				
AQ-1: Prepare site-specific air quality technical report. Prior to issuance of Major Use Permits for solar energy projects, a site-specific air quality technical report shall be prepared and approved by the County, which will verify compliance with County and Great Basin Unified Air Pollution Control District standards during construction and operation of the solar project. Mitigation Measures AQ-2 and AQ-3, as defined below, will be incorporated into the site-specific technical report, and will be implemented during construction and operation of future projects. These measures require implementation of dust control practices during construction activities and solar project operations.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	
AQ-2: Reduce fugitive dust and particulate matter emissions during construction. To control emissions of particulate matter, and to ensure compliance with Great Basin Unified Air Pollution Control District Rules 401 and 402 as well as applicable best management practices (BMP)s from the Renewable Energy Action Team's (REAT's) Best Management Practices and Guidance Manual (REAT 2010), solar projects shall implement fugitive dust and particulate matter emissions control measures including, but not limited to the following: • Water and/or coarse rock all active construction areas as necessary and indicated by soil and air conditions; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least two feet of freeboard;	During construction	During construction	Inyo County Planning Department and/or other applicable agencies.	

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• Pave or apply (non-toxic) soil stabilizers on all unpaved access roads; • Sweep daily (with water sweepers) all paved access roads; Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets; • Suspend excavation and grading activity when sustained winds make reasonable dust control difficult to implement, e.g., for winds over 25 miles per hour (mph). • Limit the speed of on-site vehicles to 15 mph.				
AQ-3: Implement dust control measures during operation. To control emissions of particulate matter, and to ensure compliance with Great Basin Unified Air Pollution Control District Rule 401 and 402 as well as applicable BMPs from REAT's Best Management Practices and Guidance Manual (REAT 2010), solar projects shall incorporate feasible dust control measures into the site design including, but not limited to, the following: • Incorporate perimeter sand fencing into the overall design to prevent migration of exposed soils into the surrounding areas. The perimeter fence is intended to provide long-term protection around vulnerable portions of the site boundary; it is also intended to prevent off-road site access and sand migration across site boundaries and the associated impacts. • Incorporate wind deflectors intermittently across solar project sites. The solar panels themselves, especially where installed to transverse primary wind direction, will provide some measure of protection of the ground surface. Wind deflectors enhance this effect by lifting winds that may otherwise jet beneath panels, thereby disrupting long wind fetches, and reducing surface wind velocities and sand migration. • Orient infrastructure/solar panels perpendicular to primary wind directions. • Adjust panel operating angles to reduce wind speeds under panels. • Perform revegetation in areas temporarily denuded during construction. These areas would be replanted with native plant species that exist on the site presently. Irrigation would be applied temporarily during the plant establishment period (typically multiple	During operation	During operation	Inyo County Planning Department and/or other applicable agencies.	

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years), but after establishment it is expected that these areas would require little or no maintenance. Vegetation provides dust control by protecting and preventing threshold wind velocities at the soil surface. Studies have shown that an 11 to 54 percent vegetation cover on a site can provide up to 99 percent PM10 control efficiency (GBUAPCD 2008). • As the installation of solar panels and associated equipment progresses, each area that is completed (i.e. where no further soil disturbance is anticipated) will be treated with a dust palliative to prevent wind erosion. CARB certifications indicate that the application of dust suppressants can reduce PM10 emissions by 84 percent or more (CARB 2011).				
BIOLOGICAL RESOURCES				
BIO-1: Prepare project level biological resources evaluation and mitigation and monitoring plan. Prior to the approval of any solar development projects or related infrastructure under the REGPA with the potential to impact biological resources as determined by a qualified biologist (defined as a biologist with documented experience or training related to the subject species), a project level biological resource evaluation shall be prepared by a qualified biologist for the project. The biological resource evaluation shall include field reconnaissance and focused surveys as determined necessary by a qualified biologist to identify special status species and natural communities present or having the potential to occur on the site, an evaluation of the extent of those habitats, an evaluation of the potential for impacts to each special status species and/or habitat, and shall prescribe specific mitigation measures to avoid impacts to biological resources to the maximum extent practicable. The qualifications of any biologists conducting special status species surveys or focused habitat assessments will be submitted to CDFW prior to conducting fieldwork. The level of biological resource analysis will be based on factors such as the size of the proposed project, the extent of impacts to biological resources, and the sufficiency of existing data to determine impacts. An evaluation of the potential for off-site impacts to special status species and sensitive habitats will be included in the biological resources	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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evaluation, especially for projects involving groundwater pumping. Chapter 2 of the Basin Plan protects beneficial uses for groundwater with respect to groundwater recharge and freshwater replenishment and beneficial uses for wildlife habitats and flora and fauna including cold freshwater habitat, warm freshwater habitat, wildlife habitat, rare, threatened, or endangered species, spawning, reproduction, and development, preservation of biological habitats of special significance, and migration of aquatic organisms (RWQCB 1995). A project-specific evaluation of potential impacts to beneficial uses for groundwater as specified in the Basin Plan will be included in the biological resources evaluation. For projects in the Chicago Valley or Charleston View SEDAs, potential impacts to special status species and/or riparian and other groundwater dependent habitat in the Amargosa Watershed will be evaluated. If any solar development projects are proposed in the Laws SEDA that would require groundwater pumping, a hydrologic study shall be conducted to determine the potential for impacts to the hydrology of Fish Slough and/or populations of Fish Slough milk-vetch. USFWS and CDFW shall be contacted during preparation of the biological resources evaluation to obtain the best available scientific data on such potential impacts including existing hydrologic studies (e.g., the unpublished State of the Basin Report-2014 prepared by Zdon and Associates, Inc.). For projects with the potential to impact on- or off-site special status species or habitats as determined in the biological resources evaluation, a project-specific biological resources mitigation and monitoring plan shall be prepared that meets the approval of permitting agencies. The plan shall be implemented during all phases of the project and shall identify appropriate mitigation levels to compensate for significant direct, indirect, and cumulative impacts, including habitat, special status plant, and wildlife species losses as well as impacts to groundwater dependent vegetation or off-site impacts to special status species or sensitive habitats due to groundwater pumping. The plan shall address at a minimum: • Biological resource avoidance and minimization measures and mitigation, monitoring and compliance measures required by federal, state, and local applicable permitting agencies.				

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• Documentation (based on surveys) of sensitive plant and wildlife expected to be affected by all phases of the project (project construction, operation, abandonment, and decommissioning). Agencies may request additional surveying, based on the documentation or past experience working with the resources. Include measures to avoid or minimize impacts to species and habitat. • A detailed description of measures to minimize or mitigate permanent and temporary disturbances from construction activities. • All locations on a map, at an approved scale, of sensitive plant and wildlife areas subject to disturbance and areas requiring temporary protection and avoidance during construction. • Aerial photographs or images, at an approved scale, of areas to be disturbed during project construction activities. • Duration for each type of monitoring and a description of monitoring methodologies and frequency. • Performance standards and criteria to be used to determine if/when proposed mitigation is or is not successful. • All standards and remedial measures to be implemented if performance standards and criteria are not met. • A closure/decommissioning or abandonment plan, including a description of funding mechanism(s). • A process for proposing plan modifications to the County project manager. • All locations on a map, at an approved scale, of sensitive plant and wildlife areas subject to disturbance and areas requiring temporary protection and avoidance during construction. • Aerial photographs or images, at an approved scale, of areas to be disturbed during project construction activities. • Duration for each type of monitoring and a description of monitoring methodologies and frequency. • Performance standards and criteria to be used to determine if/when proposed mitigation is or is not successful. • All standards and remedial measures to be implemented if performance standards and criteria are not met. • A closure/decommissioning or abandonment plan, including a				

Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
description of funding mechanism(s). • A process for proposing plan modifications to the County project manager.				
BIO-2: Minimize impacts to special status plants. • Prior to the approval of any solar development projects or related infrastructure under the REGPA, a CDFW-approved botanist shall evaluate the potential for special status plant species to occur on the site and conduct surveys, if necessary, to determine presence or infer absence of special status plants on the site following the November 24, 2009 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* or the most current guidelines. When special status plants are found on a site, the project shall be redesigned or modified to avoid direct and indirect impacts on special status plants, to the maximum extent feasible, as determined by the County. In order to avoid direct and indirect impacts to special status plants, the projects should be re-sited or re-configured to provide an avoidance buffer of at least 0.25 mile from special status plant populations to account for the physical and biological processes that provide these species with their habitat and pollinator needs. If special status plants are identified in the project area and complete avoidance of direct and indirect impacts is not feasible as determined by the County, the following measures shall be implemented to avoid and minimize impacts on special status plants: • If feasible, when special status plants are found on a site, the project shall be redesigned or modified to avoid direct and indirect impacts on special status plants, as determined by the County. In order to avoid direct and indirect impacts to special status plants, the projects should be re-sited or re-configured to provide an avoidance buffer of at least 0.25 mile from special status plant populations to account for the physical and biological processes that provide these species with their habitat and pollinator needs. For projects that are determined to have the potential to result in "take" of state or federally-listed plant species, consultation shall be conducted with CDFW or USFWS	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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respectively prior to project commencement, and appropriate mitigation measures developed if necessary. • When individuals of a special status species occur within an area proposed for construction and take cannot be avoided, mitigation shall be developed in coordination with USFWS and/or CDFW to reduce impacts on the local population of the special status species. Mitigation measures approved by USFWS and/or CDFW may include transplantation under the direction of a CDFW-approved botanist if transplantation of such species is deemed likely to succeed, or seed shall be collected prior to destruction of the plants and dispersed in suitable habitats not impacted by construction, if such habitats exist and seed collection is deemed likely to be successful by a CDFW-approved botanist with experience propagating the species in question. In all cases, CDFW will be notified at least 10 days prior to removal of any special status plant to allow transplantation or collection of seed at their discretion. If transplanting is proposed, the botanist shall coordinate with the appropriate resource agencies and local experts to determine whether transplantation is feasible. If the agencies concur that transplantation is a feasible mitigation measure, the botanist shall develop and implement a transplantation plan through coordination with the appropriate agencies. The special status plant transplantation plan shall involve identifying a suitable transplant site; moving some or all of the plant material and seed bank to the transplant site; collecting seed material and propagating it in a nursery (in some cases it is appropriate to keep plants onsite as nursery plants and sources for seed material); and monitoring the transplant sites to document recruitment and survival rates. Monitoring shall be conducted for a period of five years and transplantation shall be considered successful if an 80 percent survival rate has been achieved by the end of the five-year monitoring period. • A mitigation and monitoring plan shall be developed by a qualified botanist/ restoration ecologist and submitted to CDFW for approval prior to approval of the proposed project. The mitigation and monitoring plan will dictate appropriate avoidance and minimization measures, compensatory mitigation, and monitoring requirements as				

Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
pertinent to the specific species and level of impact(s). Mitigation shall include, but is not limited to 1) protection of special status plant populations not directly impacted by construction or implementation of the project as stated above; 2) transplantation and/or collection of seed from impacted plants if feasible, as stated above; and 3) the preservation in perpetuity of an equivalent or larger off-site population for every individual or population of special status plant impacted including sufficient land surrounding the preserved population to ensure its survival in perpetuity as determined by a qualified botanist/ restoration ecologist. The qualified botanist/ restoration ecologist shall include plans to restore and enhance the preserved populations to the extent feasible. • If any solar development projects are proposed in the Laws SEDA that would require groundwater pumping, a hydrologic study shall be conducted to determine the potential for impacts to the hydrology of Fish Slough and/or populations of Fish Slough milk-vetch, pursuant to Mitigation Measure HYD-2 in Section 4.9, Hydrology and Water Quality. If any solar development projects are proposed in the Chicago Valley or Charleston View SEDAs that would require groundwater pumping, a hydrologic study shall be conducted to determine the potential for down-watershed impacts to the habitats for special status plants in the Amargosa Watershed including the portion of the Amargosa River that has been designated by Congress as "Wild and Scenic." If such studies conclude that any project has the potential to result in indirect impacts to the hydrology of off-site habitat for special status plant species (e.g., Fish Slough, marshes, riparian areas, alkaline flats in the Amargosa Watershed and the portion of the Amargosa River that has been designated by Congress as "Wild and Scenic"), a management plan will be prepared in coordination with the County and submitted to the appropriate resource agency with oversight for the species or habitat in question. The plan shall describe any appropriate monitoring, such as vegetation and/or water table monitoring, and prescribe mitigation to offset the impacts of the project on off-site habitat for special status plants such as preservation of suitable habitat or funding of activities to restore, enhance or conserve habitat within the County.				

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BIO-3: Minimize impacts to special status wildlife. Prior to the approval of any solar development projects or related infrastructure under the REGPA with the potential to impact special status wildlife as determined by a qualified biologist, a CDFW-approved wildlife biologist shall conduct a survey to document the presence or absence of suitable habitat for special status wildlife in the project site. The following steps shall be implemented to document special status wildlife and their habitats for each project, as determined by the CDFW-approved wildlife biologist: • Review Existing Information. The wildlife biologist shall review existing information to develop a list of special status wildlife species that could occur in the project area or be impacted by the proposed project, either directly or indirectly (e.g., groundwater pumping could result in indirect impacts to off-site habitats for special status wildlife). The following information shall be reviewed as part of this process: the USFWS special status species list for the project region, CDFW's CNDDB, previously prepared environmental documents, and USFWS issued biological opinions for previous projects. If the project is taking place on BLM or state administered lands (e.g., BLM, State Trust Lands), the list of special status wildlife from that land managing agency shall be obtained and reviewed in addition to the lists previously mentioned. • Coordinate with State and Federal Agencies. The wildlife biologist shall coordinate with the appropriate agencies (CDFW, USFWS, BLM) to discuss wildlife resource issues in the project region and determine the appropriate level of surveys necessary to document special status wildlife and their habitats. • Conduct Field Studies. The wildlife biologist shall evaluate existing habitat conditions and determine what level of biological surveys may be required. The type of survey required shall depend on species richness, habitat type and quality, and the probability of special status species occurring in a particular habitat type. Depending on the existing conditions in the project area and the proposed construction activity, one or a combination of the following	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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levels of survey may be required: • Habitat Assessment. A habitat assessment determines whether suitable habitat is present. The wildlife biologist shall conduct project-specific habitat assessments consistent with protocols and guidelines issued by responsible agencies for certain special status species (e.g., USFWS' 2004 Protocol for Evaluating Bald Eagle Habitat and Populations in California). Habitat assessments are used to assess and characterize habitat conditions and to determine whether return surveys are necessary. If no suitable habitat is present for a given special status species, no additional species-focused or protocol surveys shall be required. • Species-Focused Surveys. Project-specific species-focused surveys (or target species surveys) shall be conducted if suitable habitat is present for special status wildlife and if it is necessary to determine the presence or absence of the species in the project area. The wildlife biologist shall conduct project-specific surveys focusing on special status wildlife species that have the potential to occur in the region. The surveys shall be conducted during a period when the target species are present and/or active. • Protocol-Level Wildlife Surveys. The wildlife biologist shall conduct project specific protocol level surveys for special status species with the potential to be impacted by the proposed project. The surveys shall comply with the appropriate protocols and guidelines issued by responsible agencies for the special status species. USFWS and CDFW have issued survey protocols and guidelines for several special- status wildlife species that could occur in the project region, including (but not limited to): bald eagle, burrowing owl, golden eagle, Swainson's hawk, least Bell's vireo, willow flycatcher, desert tortoise, and desert kit fox. The protocols and guidelines may require that surveys be conducted during a particular time of year and/or time of day when the species is present and active. Many survey protocols require that only a USFWS- or CDFW-approved biologist perform the surveys. The project proponent shall coordinate with the appropriate state or federal agency biologist before the initiation of protocol-level surveys to				

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ensure that the survey results would be valid. Because some species can be difficult to detect or observe, multiple field techniques may be used during a survey period and additional surveys may be required in subsequent seasons or years as outlined in the protocol or guidelines for each species. • Habitat Mapping. The wildlife biologist shall map special status wildlife or suitable habitat identified during the project-specific field surveys. • A Scientific Collecting Permit is required to take, collect, capture, mark, or salvage, for scientific, educational, and non-commercial propagation purposes, mammals, birds and their nests and eggs, reptiles, amphibians, fishes and invertebrates (Fish and Game Code Section 1002 and Title 14 Sections 650 and 670.7). All biologists will be required to obtain a Scientific Collecting Permit that may be required to handle any live or dead animals during construction or operation of a project. In addition, the following measures should be implemented to avoid and minimize impacts on special status species and their habitats if they occur within a site: • For projects that are determined to have the potential to result in "take" of state or federally-listed animal species, consultation shall be conducted with CDFW or USFWS respectively and appropriate mitigation measures developed as necessary, and take authorization shall be obtained prior to project commencement, if relevant. • If ground disturbing activities are required prior to site mobilization, such as for geotechnical borings or hazardous waste evaluations, a CDFW-approved biologist shall be present to monitor any actions that could disturb soil, vegetation, or wildlife. • In areas that could support desert tortoise or any other sensitive wildlife species, a qualified biologist with the appropriate CDFW and/or USFWS approvals for the species being relocated shall be onsite and respond accordingly should an animal need to be relocated...				

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• Vehicular traffic during project construction and operation shall be confined to existing routes of travel to and from the project site, and cross country vehicle and equipment use outside designated work areas shall be prohibited. Vehicles shall not exceed 25 mph on the project site. Vehicles shall abide by posted speed limits on paved roads. • A CDFW-approved biologist shall be designated to oversee compliance with biological resources avoidance and minimization measures during mobilization, ground disturbance, grading, construction, operation, and closure/decommissioning, or project abandonment, particularly in areas containing or known to have contained sensitive biological resources, such as special status species and unique plant assemblages. The CDFW-approved biologist shall perform biological monitoring during all grading, clearing, grubbing, trenching, and construction activities. The boundaries of all areas to be disturbed (including staging areas, access roads, and sites for temporary placement of spoils) shall be delineated with stakes and flagging prior to construction activities in consultation with the biological monitor. Spoils shall be stockpiled in disturbed areas lacking native vegetation and which do not provide habitat for special status species. Parking areas, staging and disposal site locations shall also be located in areas without native vegetation or special status species habitat. All disturbances, vehicles, and equipment shall be confined to the flagged areas. The CDFW-approved biologist shall be responsible for actions including, but not limited to, the following: o Clearly marking sensitive biological resource areas and inspecting the areas at appropriate intervals for meeting regulatory terms and conditions. o Inspecting, daily, active construction areas where wildlife may have become trapped (for example, trenches, bores, and other excavation sites that constitute wildlife pitfalls outside the permanently fenced area) before beginning construction. At the end of the day, conducting wildlife inspections of installed structures that would entrap or not allow escape during periods of construction inactivity. Periodically inspecting areas with				

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high vehicle activity (such as parking lots) for wildlife in harm's way. o Periodically inspect stockpiled material and other construction material and equipment (including within the fenced areas) throughout the day as some species such as desert kit fox may enter the project site at any time. o Overseeing special status plant salvage operations. o Immediately recording and reporting hazardous spills immediately as directed in the project hazardous materials management plan. o Coordinating directly and regularly with permitting agency representatives regarding biological resources issues, and implementation of the biological resource avoidance and minimization measures. o Maintaining written records regarding implementation of the biological resource avoidance and minimization measures, and providing a summary of these records periodically in a report to the appropriate agencies. o Notifying the project owner and appropriate agencies of non-compliance with biological resource avoidance and minimization measures. o At the end of each work day, the biological monitor shall ensure that all potential wildlife pitfalls (trenches, bores, and other excavations) have been backfilled or if backfilling is not feasible, the biological monitor shall ensure that all trenches, bores, and other excavations are sloped at a 3:1 ratio at the ends to provide wildlife escape ramps, or covered completely to prevent wildlife access, or fully enclosed with desert tortoise-exclusion fencing. All trenches, bores, and other excavations outside the areas permanently fenced with desert tortoise exclusion fencing shall be inspected periodically, but no less than three times, throughout the day and at the end of each workday by the CDFW-approved biologist. Should a tortoise or other wildlife become trapped, the CDFW and USFWS-approved desert tortoise biologist shall remove and relocate the individual as described in the project's Desert Tortoise Relocation/Translocation Plan. Any wildlife encountered during				

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the course of construction shall be allowed to leave the construction area unharmed. o Any construction pipe, culvert, or similar structure with a diameter greater than 1 inch, stored less than 8 inches aboveground, and within desert tortoise habitat (i.e., outside the permanently fenced area) for one or more nights, shall be inspected by the biological monitor for desert tortoises or other special status species such as fringe-toed lizard, before the material is moved, buried, or capped. As an alternative, all such structures may be capped before being stored outside the fenced area, or placed on pipe racks. These materials would not need to be inspected or capped if they are stored within the permanently fenced area after the clearance surveys have been completed. • Access roads, pulling sites, storage and parking areas outside of the fenced solar facility area shall be designed, installed, and maintained with the goal of minimizing impacts to native plant communities and sensitive biological resources. Transmission lines and all electrical components shall be designed, installed, and maintained in accordance with the APLIC Suggested Practices for Avian Protection on Power Lines (APLIC 2006) and Mitigating Bird Collisions with Power Lines (APLIC 2004) to reduce the likelihood of bird electrocutions and collisions. • Facility lighting shall be designed, installed, and maintained to direct light downwards towards the project site and avoid light spillover to wildlife habitat. • Construction and operation related noise levels shall be minimized to minimize impacts to wildlife. • All vertical pipes shall be capped to prevent the entrapment of birds and other wildlife. • All vehicles and equipment shall be maintained in proper working condition to minimize the potential for fugitive emissions of motor oil, antifreeze, hydraulic fluid, grease, or other hazardous materials. The biological monitor shall be informed of any hazardous spills immediately. Hazardous spills shall be immediately cleaned up and				

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the contaminated soil properly disposed of at a licensed facility. Servicing of construction equipment shall take place only at a designated area. Service/maintenance vehicles shall carry a bucket and pads to absorb leaks or spills. • Road surfacing and sealants as well as soil bonding and weighting agents used on unpaved surfaces shall be non-toxic to wildlife and plants. Anticoagulants shall not be used for rodent control. Pre-emergents and other herbicides with documented residual toxicity shall not be used. Herbicides shall be applied in conformance with federal, state, and local laws and according to the guidelines for wildlife- safe use of herbicides in BIO 24 (Weed Management Plan). • The following measures shall be implemented to minimize attractants to wildlife: o If the application of water is needed to abate dust in construction areas and on dirt roads, use the least amount needed to meet safety and air quality standards and prevent the formation of puddles, which could attract wildlife to construction sites. The biological monitor shall patrol these areas to ensure water does not puddle and attract desert tortoise, common ravens, and other wildlife to the site and shall take appropriate action to reduce water application where necessary. o Water shall be prohibited from collecting or pooling for more than 24 hours after a storm event within the project retention basin. Standing water within the retention basin shall be removed, pumped, raked, or covered. Alternative methods or the timeframe for allowing the water to pool may be modified with the approval of the biological monitor. o Dispose trash and food-related items in self-closing, sealable containers with lids that latch to prevent wind and wildlife from opening containers. Empty trash containers daily and remove from the project site those associated with construction when construction is complete. o To avoid attracting insectivorous birds and bats, prepare a facility vector (such as mosquitoes or rodents) control plan, as appropriate, that meets the permitting agency approval and				

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would be implemented during all phases of the project. • Workers or visitors, while on project property, shall be prohibited from feeding wildlife, bringing domestic pets to the project site, collecting native plants, or harassing wildlife. • To reduce the potential for the transmission of fugitive dust the project proponent shall implement dust control measures. These shall include: o The project proponent shall apply non-toxic soil binders, equivalent or better in efficiencies than the CARB- approved soil binders, to active unpaved roadways, unpaved staging areas, and unpaved parking area(s) throughout construction to reduce fugitive dust emissions. o Water the disturbed areas of the active construction sites at least three times per day and more often if uncontrolled fugitive dust is noted. Enclose, cover, water twice daily, and/or apply non-toxic soil binders according to manufacturer's specifications to exposed piles with a 5 percent or greater silt content. Agents with known toxicity to wildlife shall not be used. o Establish a vegetative ground cover (in compliance with biological resources impact mitigation measures above) or otherwise create stabilized surfaces on all unpaved areas at each of the construction sites within 21 days after active construction operations have ceased. o Increase the frequency of watering, if water is used as a soil binder for disturbed surfaces, or implement other additional fugitive dust mitigation measures, to all active disturbed fugitive dust emission sources when wind speeds (as instantaneous wind gusts) exceed 25 mph. • A project-specific worker environmental awareness program (WEAP) shall be developed and carried out during all phases of the project (site mobilization, ground disturbance, grading, construction, operation, closure/decommissioning, or project abandonment, and restoration/reclamation activities). The WEAP shall include the biological resources present and the measures for minimizing impacts				

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to those resources. Interpretation for non-English speaking workers shall be provided, and all new workers shall be instructed in the WEAP. The project field construction office files will contain the names of onsite personnel (for example, surveyors, construction engineers, employees, contractors, contractor's employees/ subcontractors) who have participated in the education program. All employees and contractors shall be trained to carry out the WEAP and on their role in ensuring the effectiveness of implementing the Plan. At a minimum, the WEAP shall including the following: o Photos and habitat descriptions for special status species that may occur on the project site and information on their distribution, general behavior, and ecology. o Species sensitivity to human activities. o Legal protections afforded the species. o Project measures for protecting species. o State and federal law violation penalties. o Worker responsibilities for trash disposal and safe/ humane treatment of special status species found on the project site, associated reporting requirements, and specific required measures to prevent taking of threatened or endangered species. o Handout materials summarizing the contractual obligations and protective requirements specified in project permits and approvals. o Project site speed limit requirements and penalties. • A project specific restoration, re-vegetation, and reclamation plan that meets the approval of permitting agencies shall be prepared and carried out for all projects. The plan shall address at a minimum: o Minimizing natural vegetation removal and the consideration of cutting or mowing vegetation rather than total removal, whenever possible. o Salvage and relocation of cactus and yucca from the site before beginning construction. o Identification of protocols to be used for vegetation salvage. o Reclaiming areas of temporarily disturbed soil using certified weed free native vegetation and topsoil salvaged from				

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excavations and construction activities. o Restoration and reclamation of temporarily disturbed areas, including pipelines, transmission lines, staging areas, and temporary construction-related roads as soon as possible after completion of construction activities. The actions are recommended to reduce the amount of habitat converted at any one time and promote recovery to natural habitats. o Specifying proper seasons and timing of restoration and reclamation activities to ensure success. • If any solar development projects are proposed that would require groundwater pumping, a hydrologic study shall be conducted to determine the potential for indirect off-site impacts to special status wildlife species and/or their habitats. If such studies conclude that any project has the potential to result in indirect impacts to the hydrology of off-site habitat for special status wildlife species (e.g., Amargosa vole, Ash Meadows naucorid), a management plan will be prepared in coordination with the County and submitted for approval to the appropriate resource agency with regulatory oversight for the species or habitat in question. The plan shall describe any appropriate monitoring, such as vegetation and/or water table monitoring, and prescribe mitigation to offset the impacts of the project on off-site habitat for special status wildlife such as preservation of suitable habitat or funding of activities to restore, enhance or conserve habitat within the County.				
BIO-4: Minimize impacts to special status fish. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect special status fish, a project-specific groundwater impact analysis will be conducted to address potential impacts to habitat for special status fish. In addition, consultation with USFWS shall be conducted for projects with the potential to impact federally listed species including Owens pupfish or Owens tui chub and coordination with CDFW will be conducted for projects with the potential to impact state listed species or CDFW species of special concern including Owens sucker and Owens	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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speckled dace. For projects that are determined to have the potential to result in "take" of state or federally listed fish species, consultation shall be conducted with CDFW or USFWS respectively and take authorization obtained prior to project commencement. For all projects proposed in the Charleston View and Chicago Valley SEDAs, an analysis of potential down-watershed impacts to special-status fish species in the Amargosa Watershed will be conducted prior to project approval, if the project involves impacts to groundwater and/or requires pumping of groundwater (e.g. solar thermal projects). If the project is determined to have the potential to result in down-watershed impacts that could alter the hydrology of habitats for special-status fish species, a mitigation and monitoring plan will be prepared by the applicant to address potential impacts to groundwater and down-watershed biological resources and submitted to USFWS and CDFW for approval prior to project implementation. Mitigation measures will be developed in coordination with USFWS and CDFW to offset these impacts. Mitigation measures should include but are not limited to 1) a requirement for the project applicant to purchase and retire currently exercised water rights along the same flowpath as the water being used by the facility at a minimum 1:1 ratio; 2) hydrological and biological monitoring of the impacts of groundwater pumping on the groundwater system and the sensitive habitats down-watershed; and 3) adaptive management to increase the ratio of water rights purchased and retired and restore habitats down-watershed if hydrological and biological monitoring indicates that the projects groundwater pumping is having detrimental effects to sensitive biological resources (e.g., special status species or sensitive natural communities as designated by USFWS, CDFW, or CNPS) within the watershed as determined by a qualified hydrologist/hydrogeologist or biologist in coordination with USFWS and/or CDFW.				
BIO-5: Minimize impacts to amphibians. The following measures shall be implemented for any solar development project(s) or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect special status amphibians.	Prior to approval and/or issuance of Major Use Permits / during construction	Prior to approval and/or issuance of Major Use Permits / during construction	Inyo County Planning Department and/or other applicable agencies.	

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• Surveys for special status amphibians including but not limited to northern leopard frog, Owens Valley web-toed salamander, and Inyo Mountains slender salamander shall be conducted by a CDFW-approved biologist with experience surveying for and/or handling these species. If construction is scheduled to commence during the optimal period of identification for these species, then surveys shall be conducted within two weeks prior to the commencement of construction. If construction is not scheduled to commence during the optimal period of identification for these species, then surveys shall be conducted during the optimal period of identification for these species (in the calendar year prior to construction) and again within two weeks prior to the commencement of construction. • If any of these species are found on a project site during the surveys, CDFW shall be contacted and avoidance and mitigation measures appropriate to the species will be developed. Avoidance measures could include actions such as waiting to begin construction until the animal passively disperses from the project site, active relocation of the animal, or allowing construction to begin with the institution of an appropriate no disturbance buffer until the animal has passively dispersed. Mitigation measures could include restoration of temporarily disturbed habitats. • If federal or state-listed amphibians not discussed above are determined to have the potential to occur on a project site or otherwise be impacted by the project, consultation shall be conducted with USFWS and CDFW respectively to determine the survey protocol and mitigation measures appropriate to the species. For projects that are determined to have the potential to result in "take" of state or federally-listed amphibian species, consultation shall be conducted with CDFW or USFWS respectively and take authorization shall be obtained prior to project commencement.				
BIO-6: Minimize impacts to desert tortoise. The following measures shall be implemented for any solar development project(s) or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure	Prior to approval and/or issuance of Major Use Permits / during construction	Prior to approval and/or issuance of Major Use Permits / during construction	Inyo County Planning Department and/or other applicable agencies.	

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BIO-1) to have the potential to affect desert tortoise in order to avoid, minimize, and mitigate for impacts: • Consultation shall be conducted with CDFW and USFWS for any projects where desert tortoise or signs of their presence is found on the site and/or the project is determined by a CDFW-approved biologist to have the potential to impact desert tortoise. In such cases, permits under Section 2080 of the Fish and Game Code and Section 7/10 of FESA authorizing incidental take of desert tortoise will be obtained from CDFW and USFWS respectively prior to implementation of the project, including any project-related ground disturbing activities. All requirements of the 2081/2080.1 permit and the Biological Opinion shall be implemented. • The project proponent shall fully mitigate for habitat loss and potential take of desert tortoise. The project specific mitigation shall be developed in coordination with CDFW and USFWS, and would be reflective of the mitigation measures described in the Biological Opinion prepared by the USFWS for the project. • The project developer shall provide funds for regional management of common ravens through the payment of a per-acre fee as determined in consultation with the USFWS. The fee shall be commensurate with current per-acre fees (at the time of project approval) required by the BLM and the CEC for development projects in the desert with the potential to provide subsidies to common ravens such as shelter, perching sites, and food. The fee shall be used by the Desert Managers Group to manage common ravens in the California desert with the goal of reducing their predation on desert tortoises. • Projects shall not be sited within areas identified for desert tortoise recovery or conservation according to the Revised Recovery Plan for the Mojave Population of the Desert Tortoise (*Gopherus agassizii*) (USFWS 2011) (such as designated critical habitat, Areas of Critical Environmental Concern, Desert Wildlife Management Areas, Priority Connectivity Areas, and other areas or easements managed for desert tortoises).				

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• On project sites containing desert tortoise, consultation shall be conducted with USFWS and CDFW to determine the need for and/or feasibility of conducting desert tortoise translocation (changing location or position) to minimize the taking of the tortoises, if they are observed within the proposed project area. See http://www.fws.gov/ventura/speciesinfo/protocols_guidelines/ for federal translocation plan guidance. Translocation plan development and implementation may require, but not be limited to: additional surveys of potential recipient sites; translocated and resident tortoise disease testing and health assessments; monitoring protocols; and consideration of climatic conditions at the time of translocation. Due to the potential magnitude of proposed renewable energy project impacts on desert tortoises, USFWS and CDFW must evaluate translocation efforts on a project by project basis in the context of cumulative effects. • A desert tortoise authorized biologist approved by CDFW and USFWS shall be contracted to oversee and be responsible for ensuring compliance with desert tortoise avoidance and minimization measures before initiation of and during ground-disturbing activities. The desert tortoise biologist shall conduct clearance surveys, tortoise handling, artificial burrow construction, egg handling, and other procedures in accordance with the Guidelines for Handling Desert Tortoise During Construction Projects (Desert Tortoise Council 1999) or the most current USFWS guidance. The desert tortoise biologist shall be present on site from March 15 through October 31 (active season) during ground-disturbing activities in areas outside the tortoise exclusion fencing. It is recommended that the biologist be on call from November 1 to March 14 (inactive season) and checks such construction areas immediately before construction activities begin. • Refer to the Ventura Fish and Wildlife Office website <http://www.fws.gov/ventura/endangered/species/surveys-protocol.html> for desert tortoise authorized biologist and monitor responsibilities and qualifications, and survey and translocation guidance, and refer to the Nevada Fish and Wildlife Office (desert				

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tortoise recovery office) website <http://www.fws.gov/nevada/desert_tortoise/dtro/.html> for desert tortoise federal recovery plan documents. Methods for clearance surveys, fence specification and installation, tortoise handling, artificial burrow construction, egg handling and other procedures shall be consistent with those described in the 2013 USFWS Desert Tortoise Field Manual available at the Ventura Fish and Wildlife Office website listed above, or more current guidance provided by CDFW and USFWS. All terms and conditions described in the Biological Opinion for the project prepared by the USFWS shall be implemented. • The project owner shall undertake appropriate measures to manage the construction site and related facilities in a manner to avoid or minimize impacts to desert tortoise. These measures include, but are not limited to, the following: o The project applicant shall notify the USFWS and CDFW prior to project commencement and prior to the commencement of any ground disturbing activities. o Before starting project ground disturbing activities, the project proponent shall avoid potential desert tortoise harm by incorporating desert tortoise exclusion fencing into permanent fencing surrounding the proposed facility, and installing desert tortoise exclusion fencing around temporary project construction areas such as staging area, storage yards, excavations, and linear facilities. The tortoise exclusion fencing shall be constructed consistent with the USFWS 2010 Desert Tortoise Exclusion Fence Specifications or the most current guidance provided by USFWS and CDFW, and should be constructed in late winter or early spring to minimize impacts to desert tortoise and accommodate subsequent tortoise surveys. o Within 24 hours before starting tortoise exclusion fence construction, the desert tortoise biologist shall survey the fence alignment and utility right-of-way alignments and clear desert tortoises from the area. The surveys and relocation methods shall be conducted using techniques approved by the CDFW and USFWS. Following construction of the tortoise exclusion fence,				

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the desert tortoise biologist shall conduct clearance surveys within the fenced area to ensure as many desert tortoises as possible have been removed from the site. Burrows and tortoises identified within the project area shall be handled according to the 2013 USFWS Desert Tortoise Field Manual, and tortoises requiring relocation shall be handled in accordance with the project Desert Tortoise Relocation/Translocation Plan. o Heavy equipment may enter the project site following the completion of project area desert tortoise clearance surveys by the desert tortoise biologist. Monitoring initial clearing and grading activities by the biologist will help ensure that tortoises missed during the initial clearance survey are moved from harm's way. o The desert tortoise biologist shall be responsible for appropriate documentation and reporting to the permitting agencies for desert tortoises handled, in accordance with the project Desert Tortoise Relocation/Translocation Plan. o Security gates shall be designed with minimal ground clearance to deter ingress by tortoises. The gates shall be kept closed, except for the immediate passage of vehicles, to prevent desert tortoise passage into the project area. o Following installation of the desert tortoise exclusion fencing – both the permanent site fencing and temporary fencing in the utility corridors – the fencing shall be regularly inspected by the biological monitor. The biological monitor shall ensure that damage to the permanent or temporary fencing is immediately blocked to prevent tortoise access and permanently repaired within 72 hours between March 15 and October 31, and within 7 days between November 1 and March 14. The biological monitor shall inspect permanent fencing quarterly and after major rains to ensure fences are intact and there is no ground clearance under the fence that would allow tortoises to pass. The biologist shall inspect construction pipes, culverts, or similar structures: (a) with a diameter greater than 3 inches, (b) stored for one or more nights, (c) less than 8 inches aboveground, and (d) within desert tortoise habitat (outside the permanently fenced area), before the materials are moved, buried, or capped. As an				

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alternative, the materials may be capped before storing outside the fenced area or placing on pipe racks. Inspection or capping is not necessary if the materials are stored within the permanently fenced area after completing desert tortoise clearance surveys. o The project proponent shall ensure vehicular traffic does not exceed 25 miles per hour within the delineated project areas or on access roads in desert tortoise habitat. On unpaved roads suppress dust and protect air quality by observing a 10-mile per hour speed limit. o To avoid vehicle impacts to desert tortoise, workers shall be responsible for inspecting the ground under the vehicle for the presence of desert tortoise any time a vehicle or construction equipment is parked in desert tortoise habitat outside the permanently fenced area. If a desert tortoise is seen, it may move on its own. If it does not move within 15 minutes, the desert tortoise biologist may remove and relocate the animal to a safe location. • The project proponent shall develop and implement a Desert Tortoise Relocation/Translocation Plan that is consistent with current USFWS approved guidelines. The goal of the plan will be to safely exclude desert tortoises from within the fenced project area and relocate/translocate them to suitable habitat capable of supporting them, while minimizing stress and potential for disease transmission. The plan shall be developed in consultation with the USFWS to ensure the document does not conflict with conditions issued under an Incidental Take Statement. The plan will utilize the most recent USFWS guidance on translocation that includes siting criteria for the translocation site and control site, methods for translocation/relocation including the holding pen, and post translocation/relocation monitoring. Development and implementation of a translocation plan may require, but may not be limited to, additional surveys of potential recipient sites; disease testing and health assessments of translocated and resident tortoises; and consideration of climatic conditions at the time of translocation. The plan shall designate a relocation site as close as possible to the disturbance site that provides suitable conditions for long term				

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survival of the relocated desert tortoise and outline a method for monitoring the relocated tortoise. • The Desert Tortoise Relocation/Translocation Plan must be approved by the County, CDFW and USFWS prior to any project-related ground disturbing activity. • Within 30 days after initiation of relocation and/or translocation activities, the Designated Biologist shall provide to the Project Manager for review and approval, a written report identifying which items of the plan have been completed, and a summary of all modifications to measures made during implementation of the plan. Written monthly progress reports shall be provided to the Project Manager for the duration of the plan implementation. • The project proponent shall design and implement a Raven Monitoring, Management, and Control Plan that is consistent with the most current USFWS raven management guidelines. The goal of the plan shall be to minimize predation on desert tortoises by minimizing project-related increases in raven abundance. The plan shall be approved by the County, CDFW and USFWS prior to the start of any project-related ground disturbing activities.				
BIO-7: Minimize impacts to special status reptiles (except desert tortoise). The following measures shall be implemented for any solar development project(s) or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect special status reptiles (with the exception of desert tortoise which has separate mitigation measures): • Surveys for special status reptiles including but not limited to northern sagebrush lizard, Panamint alligator lizard, and Mojave fringe-toed lizard shall be conducted by a CDFW-approved biologist with experience surveying for and/or handling these species. If construction is scheduled to commence during the optimal period of identification for these species, then surveys shall be conducted within two weeks prior to the commencement of construction. If	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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construction is not scheduled to commence during the optimal period of identification for these species, then surveys shall be conducted during the optimal period of identification for these species (in the calendar year prior to construction) and again within two weeks prior to the commencement of construction. • If any of these species are found on a project site during the surveys, CDFW will be contacted and avoidance and mitigation measures appropriate to the species will be developed. Avoidance measures could include actions such as waiting to begin construction until the animal passively disperses from the project site, active relocation of the animal, or allowing construction to begin with the institution of an appropriate no disturbance buffer until the animal has passively dispersed. Mitigation measures could include restoration of temporarily disturbed habitats. • If federal or state-listed reptiles not discussed above are determined to have the potential to occur on a project site or otherwise be impacted by the project, consultation shall be conducted with USFWS and CDFW respectively to determine the survey protocol and mitigation measures appropriate to the species.				
BIO-8: Minimize impacts to Swainson's hawk. The following measures shall be implemented for any solar development project(s) or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (mitigation measure BIO-1) to have the potential to affect Swainson's hawk: • Surveys shall be conducted for Swainson's hawk by a CDFW-approved biologist according to the 2010 Swainson's Hawk Survey Protocols, Impact Avoidance, and Minimization Measures for Renewable Energy Projects in the Antelope Valley of Los Angeles and Kern Counties, California (California Department of Fish and Game [CDFG] 2010) or more recent guidance, unless otherwise directed by CDFW. This guidance dictates survey methods for detecting Swainson's hawk nesting in or in the vicinity of a project site and measure to avoid and/or reduce impacts to nesting Swainson's hawk if they are found. The project applicant shall be	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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responsible for coordinating with CDFW and ensuring that the CDFW guidance is implemented.				
BIO-9: Minimize impacts to burrowing owl. The following measures shall be implemented for any solar development project(s) or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect burrowing owl, unless otherwise directed by CDFW: • In the calendar year that construction is scheduled to commence, surveys will be conducted by a CDFW-approved biologist to determine presence/absence of burrowing owls and/or occupied burrows in the project site and accessible areas within 500 feet according to the *CDFW's Staff Report on Burrowing Owls* (CDFG 2012). A non-breeding season survey will be conducted between December 1 and January 31 and a breeding season survey will be conducted between April 15 and July 15 according to established protocols (CDFG 2012). Pre-construction surveys will also be conducted within 30 days prior to construction to ensure that no additional burrowing owls have established territories since the initial surveys. If no burrowing owls are found during any of the surveys, no further mitigation will be necessary. If burrowing owls are found, then the following measures shall be implemented prior to the commencement of construction: o During the non-breeding season (September 1 through January 31) burrowing owls should be evicted by passive relocation as described in the Staff Report on Burrowing Owls (CDFG 2012). o Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) occupied burrows shall not be disturbed and shall be provided with a 75-meter protective buffer unless a qualified biologist approved by CDFW verifies through non-invasive means that either: (1) the birds have not begun egg laying or (2) juveniles from the occupied burrows are foraging independently and are capable of independent survival.	Prior to approval and/or issuance of Major Use Permits / prior to construction	Prior to approval and/or issuance of Major Use Permits / prior to construction	Inyo County Planning Department and/or other applicable agencies.	

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o If on-site avoidance is required, the location of the buffer zone will be determined by a qualified biologist. The developer shall mark the limit of the 75-meter buffer zone with yellow caution tape, stakes, or temporary fencing. The buffer will be maintained throughout the construction period. o Where on-site avoidance is not possible, CDFW should be consulted regarding the appropriate avoidance and minimization measures to avoid impacts to this species.				
BIO-10: Minimize impacts to western snowy plover, western yellow-billed cuckoo, Inyo California towhee, and bank swallow. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect federally-listed bird species for which survey protocols have not been published, including the western snowy plover, Inyo California towhee, and bank swallow, the USFWS shall be contacted to develop project specific measures to determine the potential for presence/absence of the species in the project area and appropriate avoidance and mitigation measures. For projects in the desert portions of the County, contact the Palm Springs Fish and Wildlife Office. For projects in the forested portions of the County or the Owens Valley, contact the Nevada Fish and Wildlife Office. Mitigation measures shall include, but are not limited to, species specific habitat assessments and/or focused surveys to determine whether federally-listed bird species or their habitat are present in or adjacent to the project site, measures to avoid or minimize impacts to these species during construction and operation of the solar development, and compensatory mitigation for loss of habitat. For projects that are determined to have the potential to result in "take" of federally-listed bird species, consultation will be conducted with USFWS under either Section 7 or Section 10 of FESA and an Incidental Take Statement will be obtained prior to project commencement. Western yellow-billed cuckoo, Inyo California towhee, and bank swallow are also state-listed species. An Incidental Take Permit from CDFW will also be required if a project or any project-related activity during the life of the project is determined to have the potential to result in "take" of these species (as	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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defined by the Fish and Game Code).				
BIO-11: Minimize impacts to southwestern willow flycatcher. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect southwestern willow flycatcher, surveys shall be conducted according to Southwestern Willow Flycatcher Protocol Revision 2010 (http://www.fws.gov/mountain-prairie/endspp/protocols/SWWFReport.pdf) following the guidelines for the revised protocol for project-related surveys or the most recent guidance as determined in coordination with the USFWS Pacific Southwest Region Nevada Fish and Wildlife Office. For projects that are determined to have the potential to result in "take" of southwestern willow flycatcher, consultation will be conducted with USFWS under either Section 7 or Section 10 of FESA and an Incidental Take Statement will be obtained prior to project commencement. Southwestern willow flycatcher is also a state-listed species. An Incidental Take Permit from CDFW will also be required if a project or any project-related activity during the life of the project is determined to have the potential to result in "take" of this species (as defined by the Fish and Game Code). Mitigation measures shall be implemented and shall include, but are not limited to, species specific habitat assessments and/or focused surveys to determine whether federally-listed bird species or their habitat are present in or adjacent to the project site, measures to avoid or minimize impacts to these species during construction and operation of the solar development, and compensatory mitigation for loss of habitat.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	
BIO-12: Minimize impacts to bald and golden eagle. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (mitigation measure BIO-1) to have the potential to affect bald and golden eagles, the project proponent shall implement the following measures to avoid and offset impacts: • Site specific surveys and monitoring of known or suspected eagle nesting and foraging habitat in areas where eagles occur (i.e., all of California) shall be conducted to provide background information	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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related to bald eagle take permits (golden eagle is fully protected pursuant to Fish and Game Code and no permits may be issued for their take). Surveys shall be conducted using (at least) methods and qualified personnel as recommended by CDFW and USFWS. Surveys shall be conducted according to the USFWS 2010 Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations (available online at http://www.fws.gov/southwest/es/oklahoma/documents/te_species/wind%20power/usfws_interim_goea_monitoring_protocol_10march2010.pdf), the USFWS's 2004 Protocol for Evaluating Bald Eagle Habitat and Populations in California and CDFW's 2010 Bald Eagle Breeding Survey Instructions (both documents are available online at http://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html) or the most recent guidance regarding non-breeding season surveys for winter, migratory, and floating populations of eagles determined in coordination with CDFW and USFWS. • Where proposed projects may result in take of bald eagles, the USFWS shall be consulted to determine the standards and requirements for the permit titled "Eagle Take - Necessary to Protect Interests in a Particular Locality." Bald eagle take permits are performance based and will hinge on the merits of the application. The permit application form and related information are on the USFWS website: http://www.fws.gov/migratorybirds/baldeagle.htm. The final rule (Federal Register / Vol. 74, No. 175, September 11, 2009), Environmental Assessment (http://www.fws.gov/migratorybirds/CurrentBirdIssues/BaldEagle/FEA_EagleTakePer mit_Final.pdf), implementation and protocol documents, and consultations with USFWS will provide additional guidance. • Projects shall avoid, to the extent needed to comply with state and federal requirements, siting project facilities and infrastructure in a location or manner that would cause bald and golden eagle mortality, injury, and/or disturbance; i.e., locate facilities outside of eagle breeding home ranges as well as important breeding, wintering, and dispersal foraging areas, migration stopovers and corridors, and areas				

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used by eagles for thermal or orographic lift. • Projects shall avoid, to the extent needed to comply with state and federal requirements, siting project facilities and infrastructure in a location or manner that would cause bald and golden eagle mortality, injury, and/or disturbance; i.e., locate facilities outside of eagle breeding home ranges as well as important breeding, wintering, and dispersal foraging areas, migration stopovers and corridors, and areas used by eagles for thermal or orographic lift. • Projects shall incorporate actions to avoid eagle disturbance (refer to the USFWS National Bald Eagle Management Guidelines, May 2007 and Interim Golden Eagle Technical Guidance: Inventory and Monitoring Protocols; and Other Recommendations in Support of Golden Eagle Management and Permit Issuance, Attachment II) in consultation with the USFWS to obtain the most current guidance and measures.				
BIO-13: Minimize impacts to least Bell's vireo. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to contain habitat for least Bell's vireo on or adjacent to the site, surveys shall be conducted according to the USFWS's Least Bell's Vireo Survey Guidelines (http://www.fws.gov/pacific/ecoservices/endangered/recovery/documents/LBVireo.2001.protocol.pdf) or the most recent guidance as determined in coordination with the USFWS Pacific Southwest Region Nevada Fish and Wildlife Office. For projects that are determined to have the potential to result in "take" of least Bell's vireo, either on or off-site due to direct or indirect impacts, consultation will be conducted with USFWS under either Section 7 or Section 10 of FESA and an Incidental Take Statement will be obtained prior to project commencement. Least Bell's vireo is also a state-listed species. An Incidental Take Permit from CDFW will also be required if a project or any project-related activity during the life of the project is determined to have the potential to result in "take" of this species (as	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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defined by the Fish and Game Code). For projects with the potential to result in direct or indirect impacts to least Bell's vireo or its habitat, mitigation measures shall be developed in consultation with USFWS and CDFW and shall be implemented prior to project implementation. Such measures shall include, but are not limited to, species specific habitat assessments and/or focused surveys to determine whether federally-listed bird species or their habitat are present in or adjacent to the project site, measures to avoid or minimize impacts to these species during construction and operation of the solar development, habitat restoration, and compensatory mitigation for loss of habitat that may include implementation of captive breeding programs				
BIO-14: Minimize impacts to bighorn sheep. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (Mitigation Measure BIO-1) to have the potential to affect bighorn sheep, the project applicant shall retain a qualified biologist, approved by the USFWS and CDFW, to conduct preconstruction surveys for Sierra Nevada bighorn sheep and/or Peninsular and Mojave bighorn sheep depending on the location of the project. Due to low detection probabilities, the following data shall be used when evaluating potential projects impacts to the species: data relative to historic ranges of bighorn sheep; known and potential wildlife corridors (such as, those identified in the BLM Mojave and Colorado deserts land use plans); point location data; and existing literature. If bighorn sheep or their migration routes exist, are known or likely to occur on or in the vicinity of the project site, and may be affected by project-related activities, consultation shall be conducted with USFWS, CDFW, and other stakeholders, as appropriate, regarding avoidance, minimization, compensatory mitigation, or site abandonment.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	
BIO-15: Minimize impacts to Sierra Nevada red fox. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (mitigation measure BIO-1) to have the potential to affect Sierra Nevada red fox, CDFW shall be contacted to	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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develop project specific measures to determine the potential for presence/absence of this species in the project area and appropriate avoidance and mitigation measures. Mitigation measures shall include, but are not limited to, a species specific habitat assessment and/or focused surveys to determine whether Sierra Nevada red fox or its habitat is present in or adjacent to the project site, measures to avoid or minimize impacts to this species during construction and operation of the solar development, and compensatory mitigation for loss of habitat. For projects that are determined to have the potential to result in "take," consultation will be conducted with CDFW under the California Endangered Species Act and incidental take authorization will be obtained prior to project commencement.				
BIO-16: Minimize impacts to Mohave ground squirrel. Protocol Mohave ground squirrel surveys shall be required for projects that propose impacts to habitat with potential to support Mohave ground squirrel or are within or adjacent to the species' known range. Mohave ground squirrel surveys consist of a visual survey followed by 3 trapping sessions of 5 nights each (CDFW 2003). Each trapping session must be conducted during a specific time frame. The first session must be conducted between March 15 and April 30; the second between May 1 and May 31; and the third between June 15 and July 15. Trapping can be discontinued if a Mohave ground squirrel is trapped or observed, in which case the survey area is deemed to be occupied. If survey results are negative, the survey area will be deemed to be unoccupied for one year during which pre-construction surveys are not required. If survey results are positive, the project shall obtain an incidental take permit from CDFW under CESA Section 2081.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	
BIO-17: Minimize impacts to American badger and kit fox. Prior to the approval of any solar development projects or related infrastructure under the REGPA that is determined during the project level biological resource evaluation (mitigation measure BIO-1) to have the potential to affect American badger and/or kit fox, the following measures shall be implemented to avoid, minimize, and mitigate for impacts to these species:	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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• The project proponent shall prepare and implement an American badger and/or kit fox management plan. The plan shall be prepared in accordance with the most current CDFW guidelines for these species. The plan shall be approved by CDFW prior to implementation. The plan shall include the following components: o Preconstruction surveys and mapping efforts: biological monitors shall perform pre- construction surveys for badger and kit fox dens in the project area, including areas within 250 feet of all project facilities, utility corridors, and access roads. If dens are detected, each den shall be classified as inactive, potentially active, or definitely active, including characterization of den type for kit fox (natal, pupping, likely satellite, atypical) per CDFW guidance, and mapped along with major project design elements. o Inactive dens that would be directly impacted by construction activities shall be excavated by hand and backfilled to prevent reuse by badgers or kit fox. Excavation and filling activities shall be performed by a CDFW-approved biologist. Potentially and confirmed active dens shall not be disturbed during the whelping/pupping season (February 1 to September 30). o Monitoring requirements. Potentially and definitely active dens that would be directly impacted by construction activities shall be monitored by the CDFW-approved biologist for three consecutive nights (during weather conditions favorable for detection) using a tracking medium (such as diatomaceous earth or fire clay) and/or infrared camera stations at the entrance. If no tracks are observed in the tracking medium or no photos of the target species are captured after three nights, the den shall be excavated and backfilled by hand. If tracks are observed, the den shall be progressively blocked with natural materials (rocks, dirt, sticks, and vegetation piled in front of the entrance) for the next three to five nights to discourage the badger or kit fox from continued use. After verification that the den is unoccupied it shall then be excavated and backfilled by hand to ensure that no badgers or kit fox are trapped in the den. o Passive relocation strategies. The management plan shall contain, at a minimum, several strategies to passively relocate				

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animals from the site. These methods may entail strategic mowing, fencing, or other feasible construction methods to assist in moving animals offsite toward desirable land. The plan shall address location of preferred offsite movement of animals, based on CDFW data and land ownership. Even with permission from the landowner, private land is to be avoided to the maximum extent practicable. o Escape dens shall be installed along the perimeter fencing to reduce predation risk. o Kit fox disease prevention measures. The CDFW-approved biologist shall notify the County project manager and CDFW within 24 hours if a dead kit fox is found or appears sick. The plan must also detail a response to a kit fox injury, including a necropsy plan, reporting methods, and scope of adaptive methods in the event of a known or suspected outbreak. The project owner will pay for any necropsy work.				
BIO-18: Minimize impacts to other special status birds, raptors, migratory birds, nesting birds and bats. The following measures apply to all projects developed under the REGPA that are determined during the project level biological resource evaluation to have the potential to impact nesting birds and/or bats and shall be implemented to avoid, minimize, and mitigate for impacts to birds and bats. These measures are for bird species without established protocols and non-listed bird species that lack species-specific mitigation measures (not applicable to the common raven). For future development proposed to be located on or near land with old mines, specific survey protocols and mine closure considerations shall be developed. **Pre-Construction Bird Surveys and Avoidance Measures** If project construction occurs between roughly February 1 and August 31, a CDFW-approved biologist shall conduct preconstruction surveys for nesting birds. The biologist(s) conducting the surveys shall be experienced bird surveyors and familiar with standard nest-locating techniques. Surveys shall be conducted in accordance with the following guidelines: • CDFW and/or USFWS (depending on the avian species in question)	Prior to approval and/or issuance of Major Use Permits / prior to / during construction / during operation	Prior to approval and/or issuance of Major Use Permits / prior to / during construction / during operation	Inyo County Planning Department and/or other applicable agencies.	

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shall be contacted to obtain approval of pre-construction survey methodology prior to commencement of the surveys. • Surveys shall cover all potential nesting habitat in the project site and within 500 feet of the project site and linear facilities boundaries - inaccessible areas outside of the project boundary may be surveyed from within the project site or publicly accessible land with the aid of binoculars. • Vegetation removal or other ground disturbing activities should be avoided between February 1 and August 31; however if it cannot be avoided, the CDFW-approved biologist shall survey breeding/nesting habitat within the survey radius described within one week prior to the start of project activities. • CDFW and/or USFWS must provide concurrence with the survey findings prior to the start of construction. Site preparation and construction activities may begin after receiving the concurrence and if no breeding/nesting birds are observed. Additional follow up surveys shall be conducted if periods of construction inactivity exceed one week in any given area, an interval during which birds may establish a nesting territory and initiate egg laying and incubation. If active nests are detected during the survey, a no-disturbance buffer zone (protected area surrounding the nest, the size of which is to be determined by the project biologist in consultation with CDFW and/or USFWS) and a monitoring plan shall be developed. The nesting bird plan shall identify the types of birds that may nest in the project area, the proposed buffers, monitoring requirements, and reporting standards that will be implemented to ensure compliance with the MBTA and Fish and Game Codes 3505 and 3505.3. The CDFW-approved biologist shall monitor the nest until he or she determines that nestlings have fledged and dispersed. **Pre-Construction Bat Surveys and Avoidance Measures** Preconstruction bat surveys shall be conducted by a CDFW-approved biologist(s) familiar with standard bat survey techniques. If night or day roosting bats are identified in project structures they shall not be disturbed and a 100 foot non-disturbance buffer shall be placed between the roost and				

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the construction activities until a determination is made whether the roost is a maternity roost or a non-breeding roost. Maternity colonies shall not be disturbed until coordination with CDFW is conducted to determine appropriate measures including an appropriate no-disturbance buffer. If the CDFW-approved bat biologist determines roosting bats consist of a non-breeding roost, the individuals shall be safely evicted under the direction of a CDFW-approved bat biologist. CDFW shall be notified of any bat evictions within 48 hours. **Bat and Avian Protection Plan** A bird and bat conservation strategy (BBCS) shall be prepared to reduce potential project impacts on migratory birds. The BBCS shall describe proposed actions to avoid, minimize, and mitigate adverse effects to migratory birds protected under the MBTA during construction and operations of the proposed project. The BBCS shall be submitted to USFWS and CDFW for approval prior to the start of ground disturbing activities. The BBCS shall address buffer distances for specific bird species and include a robust, systematic monitoring protocol to document mortality and habitat effects to birds. The monitoring protocol should incorporate the following objectives at a minimum: (1) a minimum of weekly monitoring for mortality and immediate necropsy to determine cause of death, both during construction and throughout the life of the project; (2) systematic data collection and reporting of bird mortality including data on the following: species, date, time, how the animal died (e.g., exhaustion, trauma), as well as any information on what might be attracting animals to the photovoltaic cells (light, insects, etc.); (3) a method to estimate the overall annual avian mortality rate associated with the facility, including mortality associated with all the features of the project that are likely to result in injury and mortality (e.g., fences, ponds, solar panels); and (4) methods to determine whether there is spatial differentiation within the solar field in the rates of mortality (i.e., panels on the edge of the field versus interior of the field). Biologists performing this work would be required to have a Scientific Collecting Permit from CDFW. Standardized and systematic data on bird and bat mortalities will be collected to contribute to the improvement of the scientific communities' understanding of both baseline and photovoltaic related mortality that occurs in solar projects in the desert and is needed in order to identify improved methods				

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to minimize adverse effects on migrating birds and bats. In the absence of a permit from the USFWS, the temporary or permanent possession of protected migratory birds and their carcasses is a violation of the MBTA. Because of the need for carcass collection to adequately monitor avian impacts during BBCS implementation and to reduce the food subsidy that carcasses may provide to common ravens (Corvus corax) and other predators, developers shall be required to obtain a special purpose utility permit from the USFWS allowing the collection of migratory birds and/or their carcasses prior to implementation of the monitoring protocol. **General Bird Mortality Avoidance Measures** The following measures shall be implemented to minimize bird mortality from birds attracted to solar facilities: • All potential nesting vegetation (e.g., trees, shrubs) shall be removed within the fenced area of the facility to decrease attractive habitat. • The most current science regarding visual cues to birds that the solar panel is a solid structure shall be implemented. This may include but is not limited to UV-reflective or solid, contrasting bands spaced no further than 28 centimeters from each other. An adaptive management approach for reducing bird collisions with solar panels shall be implemented in coordination with the USFWS so that measures used are systematically tested and modified as appropriate. • Projects with documented avian mortality shall work with the USFWS to conduct additional research to test measures for reducing avian mortality. Such measures could include, but are not limited to, experimental lighting within the solar field and use of detection and deterrent technologies. • Developers of power tower operations shall implement adaptive management in consultation with the USFWS should mortality monitoring indicate that suspension of power tower operations during certain periods is necessary to reduce impacts on local or regional bird populations. Such measures may include, but are not limited to, suspending or reducing project operations during peak migration				

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seasons. • Vertical orientation of mirrors shall be avoided whenever possible (for example, mirrors shall be tilted during washing).Perch deterrent devices shall be placed on tower railings. • Exclusionary measures shall be employed to prevent bats from roosting in and around the facility. **Minimize Impacts from Solar Flux** The following mitigation measures shall be implemented in order to minimize avian impacts from solar flux: • Solar thermal developments utilizing solar power tower technologies shall be sited a minimum of 1,000 feet from Important Bird Areas, the OVSA, or riparian or other aquatic habitats including lakes, ponds, rivers, streams, and perennial wetland habitats unless potentially significant impacts are avoided, although the appropriate buffer distance shall be determined on a project-by-project basis as determined by the County in consultation with responsible and trustee agencies. This requirement generally does not apply to seasonal or ephemeral wetland habitats unless deemed necessary by a qualified biologist in light of the wetland's specific habitat value for bird species. • The County shall require developers proposing solar power tower technology to coordinate with the USFWS during project planning. As part of that coordination process, and in conjunction with the project's next tier of CEQA review, the USFWS will advise the County whether a Bird and Bat Conservation Strategy would be necessary for the project, and if required, would adequately reduce the effects of the project on migratory birds and bats. **Minimize Impacts from Open Evaporation Ponds** The following mitigation measures shall be implemented for projects that require the use of open evaporation ponds: • An evaporation pond management plan shall be prepared and submitted to CDFW for approval prior to project approval.				

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• If the use of open evaporation ponds is permitted for the project and especially if the water would be considered toxic to wildlife, ponds shall be designed to discourage bird and other wildlife use by properly netting or otherwise covering the pond. **Avoid Impacts from Electric Lines and Lights** The following design measures shall be implemented for applicable projects to minimize impacts to bats and birds: • Transmission lines and electrical components shall be installed and maintained in accordance with the Suggested Practices for Avian Protection on Power Lines: The State of the Art in 2006 (APLIC 2006) or the most recent guidance to reduce the likelihood of electrocutions of raptors and other large birds, . • Transmission lines and electrical components shall be installed and maintained in accordance with the APLIC's *Reducing Avian Collisions with Power Lines: The State of the Art in 2012* (Edison Electric Institute 2012) or the most recent guidance to reduce the likelihood of bird collisions. • Low and medium voltage connecting power lines shall be placed underground, if feasible. If burial of the lines is not feasible due to cost or other logistical reasons (for example in shallow bedrock areas) or may cause unacceptable impacts to biological habitats and their dependent species, overhead lines may be installed in compliance with the following requirements: o low and medium voltage overhead lines shall be sited away from high bird crossing locations, such as between roosting and feeding areas or between lakes, rivers, and nesting areas; and/or o low and medium voltage overhead lines shall be installed parallel to tree lines or be otherwise screened so that collision risk is reduced. • Permanent communication towers and permanent meteorological towers shall not be constructed with guy wires, if feasible. If guy wires are necessary for permanent or temporary towers, bird flight diverters or high visibility marking devices shall be used. In such				

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cases a monitoring plan shall be developed and carried out to determine the diverters'/devices' effectiveness in reducing bird and bat mortality. • Facility lighting shall be installed and maintained to prevent upward and side casting of light towards wildlife habitat and motion sensors shall be used. If the FAA requires turbine or tower lighting to alert aircraft, red or white strobe lights shall be used on the structures to minimize avian collision risks. The strobes shall be on for as brief of a period as possible and the time between strobe or flashes shall be the longest allowable. Strobes shall be synchronized so that a strobe effect is achieved and towers are not constantly illuminated. • Lights with sensors and switches shall be used to keep lights off when not required. • The use of high-intensity lighting, steady-burning, or bright lights such as sodium vapor or spotlights shall be minimized. **Compensatory Mitigation for the Cumulative Loss of Migratory Bird Habitat along the Pacific Flyway** The County shall require solar development projects implemented under the REGPA to mitigate for the loss of habitat by funding activities to restore, enhance, or conserve important habitat for migratory birds or to remove other mortality sources from the Pacific Flyway. Such funding may be directed to the Sonoran Joint Venture (http://sonoranjv.org), Central Valley Joint Venture (http://www.centralvalleyjointventure.org), or Intermountain West Joint Venture (bttp://iwjv.org), or other groups able to implement conservation of migratory birds within the Pacific Flyway. The amount of funding will be determined by the County in coordination with USFWS and shall be commensurate with the level of impact.				
BIO-19: Minimize impacts to special status natural communities and protected natural areas. Solar development authorized under the REGPA will not be sited within any special status natural communities or protected natural areas. If solar development is sited adjacent to any special status natural communities or protected natural areas or is determined to have the potential to impact any	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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off-site special status natural communities or protected natural areas during the project level biological resources evaluation (e.g., projects in the Laws SEDA could impact the hydrology of critical habitat for Fish Slough milk-vetch; projects in the Chicago Valley SEDA could negatively impact off-site mesquite bosque by altering drainage patterns or altering groundwater levels; projects in the Charleston View and Chicago Valley SEDAs could impact down-watershed habitats in the Amargosa Watershed (including habitats within the portion of the Amargosa River that has been designated by Congress as "Wild and Scenic."), a management plan will be developed in consultation with CDFW and/or USFWS. The management plan will address the potential offsite effects of the construction and on-going operations of the facility on special status species including but not limited to the effects of human disturbance, noise, nighttime maintenance activities, increased lighting, increased traffic on desert roads, and barriers to movement for special status species. The management plan will also address potential mechanisms of offsite habitat degradation such as introduction of invasive weeds, introduction or attraction of feral animals or other species attracted to areas with anthropogenic disturbance, hydrologic disruption due to groundwater impacts or alteration of surface drainage patterns, and increased risk of wildfires. The management plan will also outline the specific measures to be undertaken to avoid and/or minimize indirect effects of the solar development on the adjacent sensitive habitat and special status species and include a plan for long term monitoring of the adjacent habitat as well as an adaptive management plan. If riparian communities (other than water birch riparian scrub – a special status natural community that must be avoided) are present in a project area, impacts to riparian communities shall be avoided or minimized by implementing the following measures: • The project shall be redesigned or modified to avoid direct and indirect impacts on riparian communities, if feasible. • Riparian communities adjacent to the project site shall be protected by installing environmentally sensitive area fencing, if necessary, in coordination with the project biologist. • The potential for long term loss of riparian vegetation shall be				

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minimized by trimming vegetation rather than removing the entire shrub. Shrub vegetation shall be cut at least 1 foot above ground level to leave the root systems intact and allow for more rapid regeneration of the species. Cutting shall be limited to a minimum area necessary within the construction zone. This type of removal shall be allowed only for shrub species (all trees shall be avoided) in areas that do not provide habitat for sensitive species (e.g., willow flycatcher). • If riparian vegetation is removed as part of a project, the loss of riparian vegetation shall be mitigated to ensure no net loss of habitat functions and values. Compensation ratios shall be based on site-specific information and determined through coordination with state and federal agencies (including CDFW and USFWS). Compensation shall be provided at a minimum 1:1 ratio (1 acre restored or created for every 1 acre removed) and may be a combination of on-site restoration/creation, off-site restoration, or mitigation credits. A restoration and monitoring plan shall be developed and implemented that describes how riparian habitat shall be enhanced or recreated and monitored over a minimum period of time, as determined by the appropriate state and federal agencies.				
BIO-20: Minimize impacts to waters of the US/State, including wetlands. The following measures apply to all projects developed under the REGPA that are determined during the project level biological resource evaluation to have the potential to impact waters of the US or waters of the State, including wetlands, and shall be implemented to avoid, minimize, and mitigate for such impacts. These measures shall be incorporated into contract specifications and implemented by the construction contractor. In addition, the project proponent shall ensure that the contractor incorporates all state and federal permit conditions into construction specifications. • Wetlands and other waters of the US/state shall be delineated on the project site using both USACE and CDFW definitions of wetlands. USACE jurisdictional wetlands shall be delineated using the methods outlined in the USACE 1987 Wetlands Delineation Manual and the	Prior to approval and/or issuance of Major Use Permits / prior to / during construction	Prior to approval and/or issuance of Major Use Permits / prior to / during construction	Inyo County Planning Department and/or other applicable agencies.	

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Arid West Manual, or the most recent guidance. This information shall be mapped and documented as part of the CEQA documentation, as applicable, and in wetland delineation reports. All applicable permits shall be obtained prior to impacting waters of the US/State including CWA Section 404 and 401 permits from the USACE and the RWQCB respectively and a Streambed Alteration Agreement from CDFW. • The project shall be redesigned or modified to avoid direct and indirect impacts on waters of the U.S./State, if feasible. • Standard erosion control measures shall be implemented for all phases of construction and operation where sediment runoff from exposed slopes threatens to enter waters of the State and/or waters of the US. Sediment and other flow-restricting materials shall be moved to a location where they shall not be washed back into the stream. All disturbed soils and roads within the project site shall be stabilized to reduce erosion potential, both during and following construction. Areas of disturbed soils (access and staging areas) with slopes trending towards a drainage shall be stabilized to reduce erosion potential. • Wetland habitats that occur near the project site shall be protected by installing environmentally sensitive area fencing, if necessary, in coordination with the project biologist. • All construction vehicles and equipment shall use existing roadways to the extent feasible to avoid or reduce impacts to waters of the U.S./State. • Installation activities shall be avoided in saturated or ponded wetlands during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as use of padding or vehicles with balloon tires, shall be used. • Wetland habitats that occur near the project site shall be protected by installing environmentally sensitive area fencing at least 20 feet from the edge of the wetland. Depending on site-specific conditions and				

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permit requirements, this buffer may be wider than 20 feet in coordination with the project biologist. The location of the fencing shall be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications shall contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, and other surface-disturbing activities within the fenced environmentally sensitive area. • Installation activities shall be avoided in saturated or ponded wetlands during the wet season (spring and winter) to the maximum extent possible. Where such activities are unavoidable, protective practices, such as use of padding or vehicles with balloon tires, shall be used. • Where determined necessary by resource specialists, geotextile cushions and other materials (e.g., timber pads, prefabricated equipment pads, or geotextile fabric) shall be used in saturated conditions to minimize damage to the substrate and vegetation. • Exposed slopes and stream banks shall be stabilized immediately on completion of installation activities. Other waters of the US shall be restored in a manner that encourages vegetation to reestablish to its pre-project condition and reduces the effects of erosion on the drainage system. • In highly erodible stream systems, banks shall be stabilized using a non-vegetative material that will bind the soil initially and break down within a few years. If the project engineers determine that more aggressive erosion control treatments are needed, geotextile mats, excelsior blankets, or other soil stabilization products shall be used. • During construction, trees, shrubs, debris, or soils that are inadvertently deposited below the ordinary high-water mark of drainages shall be removed in a manner that minimizes disturbance of the drainage bed and bank. • If wetlands are filled or disturbed as part of the solar project, compensation will be implemented for the loss of wetland habitat to				

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ensure no net loss of habitat functions and values. Compensation ratios shall be based on site-specific information and determined through coordination with state and federal agencies (including CDFW, USFWS, and USACE). The compensation shall be at a minimum 1:1 ratio (1 acre restored or created for every 1 acre filled) and may be a combination of on site restoration/creation, off-site restoration, or mitigation credits. A restoration and monitoring plan shall be developed and implemented if onsite or offsite restoration or creation is chosen. The plan shall describe how wetlands shall be created and monitored for the duration established by the regulatory agency. • For solar projects proposing groundwater pumping, hydrological studies shall be performed to assess the potential for off-site impacts to jurisdictional waters that depend on groundwater. Projects shall be designed to avoid and/or minimize impacts to groundwater-dependent jurisdictional resources off-site, and all proposed impacts to such resources shall be reviewed by the agencies with jurisdiction over the affected resources, and mitigated according to those agencies' requirements.				
BIO-21: Minimize impacts to movement or migratory corridors or native wildlife nursery sites. The following mitigation measures will be implemented to minimize impacts to movement or migratory corridors or native wildlife nursery sites: • Solar development authorized under the REGPA shall not be sited in or within 1,000 feet of any areas determined by the County in consultation with responsible and trustee agencies to be Important Bird Areas, essential connectivity areas or linkages identified in the 2001 Missing Links in California's Landscape Project (Penrod et al. 2001), or tule elk and mule deer movement corridors unless potentially significant impacts are avoided. The appropriate buffer distance shall be determined on a project-by-project basis as determined by the County in consultation with responsible and trustee agencies. • Any proposed solar development projects in the OVSA shall be	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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required to study the potential impact of the project on tule elk and mule deer movement corridors prior to project approval. If a proposed project is determined to be located within an important tule elk and mule deer movement corridor, the applicant shall be responsible for the preparation of a plan to avoid and/or minimize impacts to such corridors in coordination with CDFW. • As stated in Mitigation Measure BIO-6, projects shall not be sited within areas identified for desert tortoise recovery or conservation according to the Draft Revised Recovery Plan for the Mojave Population of the Desert Tortoise (*Gopherus agassizii*) (USFWS 2011) (such as designated critical habitat, ACECs, DWMAs, priority connectivity areas, and other areas or easements managed for desert tortoises)				
BIO-22: Minimize impacts to invasive plant species or noxious weeds. For projects implemented under the REGPA that are determined during the project level biological resource evaluation to have the potential to result in the spread of invasive plant species or noxious weeds, the following mitigation measures shall be implemented. To prevent the introduction and spread of noxious weeds, a project-specific integrated weed management plan shall be developed for approval by the permitting agencies, which would be carried out during all phases of the project. The plan shall include the following measures, at a minimum, to prevent the establishment, spread, and propagation of noxious weeds: • The area of vegetation and/or ground disturbance shall be limited to the absolute minimum and motorized ingress and egress shall be limited to defined routes. • Project vehicles shall be stored onsite in designated areas to minimize the need for multiple washings of vehicles that re-enter the project site. • Vehicle wash and inspection stations shall be maintained onsite and the types of materials brought onto the site shall be closely monitored.	Prior to approval and/or issuance of Major Use Permits / prior to construction / during operation	Prior to approval and/or issuance of Major Use Permits / prior to construction / during operation	Inyo County Planning Department and/or other applicable agencies.	

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• The tires and undercarriage of vehicles entering or re-entering the project site shall be thoroughly cleaned. • Native vegetation shall be re-established quickly on disturbed sites. • Weed Monitor and quickly implement control measures to ensure early detection and eradication of weed invasions. • Use certified weed-free straw, hay bales, or equivalent for sediment barrier installations.				
BIO-23: Implement general design guidelines to minimize impacts to biological resources. All projects authorized under the REGPA will incorporate the following design guidelines as applicable in coordination with the County: • Design and site the project, in consultation with the permitting agencies, to avoid or minimize impacts to sensitive and unique habitats and wildlife species. Locate energy generation facilities, roads, transmission lines, and ancillary facilities in the least environmentally sensitive areas (such as away from riparian habitats, streams, wetlands, vernal pools, drainages, sand dunes, critical wildlife habitats, wildlife conservation, management, other protected areas, or unique plant assemblages). o Design facilities to use existing roads and utility corridors as much as possible to minimize the number and length/size of new roads, laydown, and borrow areas. o Design transmission line poles, access roads, pulling sites, storage, and parking areas to avoid special status species or unique plant assemblages adjacent to linear facilities. o Locate and/or design facilities to minimize or mitigate wildlife movement disruptions. o Locate and/or design facilities to minimize or mitigate wildlife movement disruptions. o Design facilities to discourage their use as bird perching, drinking, or nesting sites. o Design facility lighting to prevent side casting of light toward wildlife habitat and skyward protection of light that may	Prior to approval and/or issuance of Major Use Permits / prior to construction	Prior to approval and/or issuance of Major Use Permits / prior to construction	Inyo County Planning Department and/or other applicable agencies.	

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disorient night-migrating birds. o Avoid using or degrading high value or large intact habitat areas, such as areas identified as sensitive natural habitat, Wilderness Areas, Areas of Critical Environmental Concern, critical habitat; riparian, sand dunes. o Avoid severing movement and connectivity corridors. Consider existing conservation investments such as protected areas and lands held in trust for conservation purposes. o Locate facilities so they do not disrupt sand transport processes nor remove some or all of a sand source that contributes to sand dune systems harboring listed or otherwise sensitive species. Avoid armoring nearby dune system.				
BIO-24: Minimize impacts to groundwater dependent vegetation. Any solar development projects or related infrastructure implemented under the REGPA which are located on City of Los Angeles-owned land or which could affect City of Los Angeles-owned land shall comply with the terms of the Agreement. A qualified biologist/botanist with experience in Inyo County shall evaluate the potential for any project implemented under the REGPA to impact groundwater dependent vegetation or ecosystems located on City of Los Angeles-owned land. If the qualified biologist/botanist determines that the project has the potential to impact groundwater dependent vegetation or ecosystems, a groundwater dependent vegetation management plan will be prepared. The plan will include an evaluation of the potential impacts to groundwater dependent vegetation or ecosystems and appropriate measures to avoid or reduce the impacts to the extent feasible. The plan shall be prepared in coordination with the County and LADWP and should describe any appropriate monitoring, such as vegetation and/or water table monitoring, and prescribe mitigation to offset the impacts of the project on groundwater dependent vegetation or ecosystems as deemed appropriate by the qualified biologist in coordination with the County and LADWP. Projects that are likely to affect groundwater resources in a manner that would result in a substantial loss of riparian or wetland natural communities and/or habitat for sensitive flora and fauna associated with such habitats shall be avoided to the extent feasible and impacts shall be mitigated to a level determined to be acceptable by the County. The project and vegetation management plan	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department Inyo County Water Department and/or other applicable agencies.	

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shall be approved by both the County and LADWP prior to implementation.				
MM BIO-25: Minimize potential indirect impacts due to groundwater pumping. Mitigation measures for potential indirect impacts due to groundwater pumping are included in Mitigation Measure BIO-1, Mitigation Measure BIO-2, Mitigation Measure BIO-3, and Mitigation Measure BIO-4. Prior to approval of any project under the REGPA requiring groundwater pumping, the potential effects of the groundwater pumping on biological resources will be evaluated during preparation of the project-specific biological resources evaluation and will be based on the results of the hydrologic study conducted as a requirement of Mitigation Measure HYD-2 in Section 4.9, Hydrology and Water Quality. If groundwater pumping is determined to have the potential to result in off-site impacts to biological resources, measures will be included in the project-specific biological resources mitigation and monitoring plan to avoid, minimize, and mitigate for any such impacts. The measures will be commensurate with the resource and level of impact and may include but are not limited to vegetation and/or water table monitoring, preservation of suitable habitat or funding of activities to restore, enhance or conserve habitat within the County, and a requirement for the project applicant to purchase and retire currently exercised water rights along the same flowpath as the water being used by the facility at a minimum 1:1 ratio.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department Inyo County Water Department and/or other applicable agencies.	
CULTURAL RESOURCES				
CUL-1: Minimize impacts to cultural resources. Adverse effects to historical resources (CRHP-eligible cultural resources) would be resolved on a project-specific level. As part of this process, resource identification efforts including pedestrian surveys, formal government-to-government tribal consultation with state lead agencies, and engagement with Native American communities would be necessary. Examples of ways to resolve adverse effects include: • Plan ground disturbance to avoid cultural resources. • Deed cultural resources into permanent conservation easements. • Cap or cover archaeological resources with a layer of soil before building on the location.	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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• Plan parks, greenspace, or other open space to incorporate cultural resources. • Write synthetic documents summarizing the current understanding of the history and prehistory of the project area and vicinity. • Recover data for archaeological resources. • Develop interpretive material to correspond with recreational uses to educate the public about protecting cultural resources and avoiding disturbance of sensitive resources. • Develop partnerships to assist in the training of groups and individuals to participate in site stewardship programs. • Coordinate with visual resources staff to ensure visual management standards consider cultural resources and tribal consultation to include landmarks of cultural significance to Native Americans (e.g., TCPs, trails). • Measures to address visual impacts to the setting of built-environment resources include: o Existing mature plant specimens shall be used for screening during construction, operation, and decommissioning phases. The identification of plant specimens that are determined to be mature and retained shall occur as part of the design phase and mapped/identified by a qualified plant ecologist or biologist and integrated into the final design and project implementation. o Revegetation of disturbed areas within the project area shall occur as various activities are completed. Plans and specifications for revegetation shall be developed by a qualified plant ecologist or biologist before any extant vegetation is disturbed. The revegetation plan shall include specification of maintenance and monitoring requirements, which shall be implemented for a period of 5 years after project construction or after the vegetation has successfully established, as determined by a qualified plant ecologist or biologist. Plant material shall be consistent with surrounding native vegetation. o The color of the wells, pipelines, storage tanks, control structures, and utilities shall consist of muted, earth-tone colors that are consistent with the surrounding natural color palette. Matte finishes shall be used to prevent reflectivity. For example,				

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integral color concrete should be used in place of standard gray concrete. o The final revegetation and painting plans and specifications shall be reviewed and approved by an architect, landscape architect, or allied design professional licensed in the State of California to ensure that the design objectives and criteria are being met. o Specific impact identification and adjustments to finish specifications shall occur during project design. Implementation of the revegetation and coloration plans shall occur during oilfield development. Maintenance and monitoring requirements shall be implemented after initial project construction for a period of 5 years, or after the vegetation has successfully established, as determined by a qualified plant ecologist or biologist. • Protective measures and monitoring protocols can be implemented for built environment resources located in close proximity to a project but that are not anticipated to be directly impacted by demolition or development but which may be subject to other direct impacts such as change in historic setting, vibration, noise, or inadvertent damage include: o Historic Structures Reports (HSR) shall be prepared for buildings and structures adjacent to the project area for which detailed information is required to develop protection measures. Reports shall be completed for buildings and structures that appear to be in poor condition and, therefore, potentially sensitive to development-related activities such as vibration. These reports shall determine if predevelopment stabilization through temporary shoring and bracing of these buildings is warranted. o Predevelopment condition assessments shall be prepared for buildings and structures that qualify as historical resources that are adjacent to the project area and are structurally stable, but could be unintentionally damaged during development. Should there be any question as to whether the project caused damage, these condition assessments will provide confirmation of the predevelopment condition.				

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o Precautions to protect built environment historical resources from construction vehicles, debris, and dust may include fencing or debris meshing. Temporary mothballing, and fire and intrusion protection may be needed if the buildings are unoccupied during oil and gas field development. o Protective measures shall be field checked as needed during development by a qualified architectural historian with demonstrated experience conducting monitoring of this nature. Vibration monitoring may be required for buildings determined susceptible to vibration damage located in close proximity to development activities or machinery that cause vibration. o These measures are designed to avoid direct impacts such as vibration that may result in structural damage or inadvertent direct impacts. Structural damage or demolition would otherwise potentially result in a significant impact because character-defining features and aspects of historic integrity that convey the resource's significance could be materially impaired. o Redesign of relevant facilities shall be used to avoid destruction or damage where feasible. • For built resources that will be directly and significantly impacted, mitigation typically includes: o Historic American Building Survey (HABS), Historic American Engineering Record (HAER), and Historic American Landscape Survey (HALS) records will be prepared for historical resources that will be demolished. The HABS/HAER/HALS documentation will be prepared as appropriate for the impacted historical resource with HABS normally completed at Level II. These reports will include written and photographic documentation of the significant and character-defining features of these properties. While this documentation will not reduce impacts to a less than a significant level, it is needed to capture and preserve a description of the significant information and characteristics associated with the resource. o All HABS/HAER/HALS reports are subject to review and approval by the NPS. Following approval, the lead agencies will produce sufficient copies for distribution to identified				

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repositories, including the Library of Congress, the California State Library, the University of California Water Resources Center Archives, and any local repositories, as appropriate and agreed upon with the County Planning Department and interested parties. Distribution will ensure the formal documentation is retained and conveyed to a wide audience. o Deconstruction and salvage of materials from demolished buildings will be performed to the extent feasible to enable the restoration of similar buildings and structures outside of the area of direct impact. Deconstruction and salvage will not reduce impacts to a less than significant level, but will help to ensure that similar resources are restored and maintained in manner that will ensure that examples of the resource type are preserved. o Relocate historically significant resources for which demolition cannot be feasibly avoided by development. In such circumstances, relocation must meet the requirements for the Special Criteria Consideration for Moved Buildings, Structures, and Objects to ensure the significance of the building is retained. o Require that the preservation or reuse of an eligible structure follow Department of the Interior (DOI) Standards and Guidelines for Archeology and Historic Preservation. If the building is considered a historic resource under CEQA, the local building inspector must grant code alternatives under the State Historic Building Code. o In a case where HABS/HAER documentation does not provide adequate mitigation to reduce impacts to a less than significant level, projects would normally be required to take additional steps to capture the history and memory of the resource and share this information with the public using various methods such as Web media, static displays, interpretive signs, use of on-site volunteer docents, or informational brochures. • Avoidance and minimization are the preferred means by which the County would prevent potential impacts to cultural resources, including cultural landscapes. Preservation in place is the preferred manner to avoid and minimize impacts to historical and archaeological resources. All impacts to cultural resources that are				

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eligible or potentially eligible for listing on the CRHR shall be avoided, to the greatest extent possible. Preservation in place may be accomplished by, but is not limited to, the following: Avoidance of significant or potentially significant cultural resources through project redesign and the relocation of project element. • Following avoidance and minimization, measures to address impacts to cultural resources at a landscape scale should follow the guidance in *A Strategy for Improving Mitigation Policies and Practices of the Department of the Interior* (DOI 2014) and the National Park Service Preservation Brief 36 - Protecting Cultural Landscapes: Planning, Treatment and Management of Historic Landscapes, including but not limited to: o Document the individual landscape characteristics and features in the context of the landscape as a whole in a Cultural Landscape Report, including contributing and non-contributing features. o Develop compensatory mitigation. o Coordinate with other agencies. o Monitor and evaluate the progress of long-term mitigation. o Develop and maintain geospatial information systems for use in identifying existing and potential conservation strategies and development opportunities.				
CUL-1a: Designate project Cultural Resources Staff. <u>Project Cultural Resources Specialist.</u> Prior to the approval of a Renewable Energy Permit, Renewable Energy Development Agreement, or Renewable Energy Impact Determination by the County Planning Department, a cultural resources specialist whose training and background conforms to the US Secretary of Interior's Professional Qualifications Standards, as published in Code of Federal Regulations Title 36, part 61 shall be retained by the project owner to conduct a cultural resources inventory, evaluate any resources, produce a Cultural Resources Management and Treatment Plan and other related plans for the approved project and to implement any required plans and mitigation, as necessary as determined by the cultural resource specialist. Their qualifications shall be appropriate to the needs of	Prior to approval and/or issuance of Major Use Permits	Prior to approval and/or issuance of Major Use Permits	Inyo County Planning Department and/or other applicable agencies.	

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the project, and shall include local knowledge. If the project primarily impacts resources archaeological in nature, the cultural resources specialist shall have a background in archaeology, anthropology or cultural resource management. If the project impacts primarily built environment resources, the cultural resources specialist shall have a background in architectural history. Resumes of the proposed cultural resources staff shall be submitted to the County Planning Department or other CEQA lead agency for review and approval. The Monitoring and Treatment Plan (mitigation measure CUL-1c) shall be prepared and implemented under the direction of the cultural resources specialist and shall address and incorporate CUL-1a through CUL 1g. Additional Cultural Resources Staff. The project's cultural resources specialist may obtain the services of specialists, cultural resources monitors and field crew if needed, to assist in identification, evaluation, mitigation, monitoring, and curation activities. Cultural Resources Staff shall have a Bachelor's degree in anthropology, archaeology, history, architectural history or related field, and demonstrated field experience. These individuals must also meet local lead agency qualifications and their resumes must be reviewed and approved by local lead agency staff prior to beginning work.				
CUL-1b: Draft a Historical Resources Treatment Plan. To mitigate the potential impacts on historical resources identified during inventory of the project area, a treatment plan for historical resources shall be developed by, depending on the nature of the resources identified, an archaeologist and/or architectural historian who meets the Secretary of Interior's Professional Qualifications Standards. This treatment plan would include data recovery plans that would address National Register of Historic Places/California Register for Historic Resources-eligible cultural resources that would be impacted by the project by requiring some level of extracting the scientific value and analysis of the resources prior to development.	Prior to construction	Prior to construction / during inventory of the project area	Inyo County Planning Department and/or other applicable agencies.	

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CUL-1c: Draft a Monitoring and Treatment Plan. To mitigate the potential impacts related to inadvertent discovery of archaeological resources during construction, the project proponents shall have a Secretary of the Interior-qualified archaeologist implement a monitoring program and an unanticipated archaeological resource treatment plan. The qualified archaeologist will evaluate any resources uncovered during ground disturbing activities implement appropriate treatment as specified in the archaeological resource treatment plan. During all phases of the project that include ground disturbance, these ground-disturbing activities will be observed by an archaeological monitor, as determined necessary by the archaeologist. a. If, during the course of monitoring, a potentially significant resource is discovered, the qualified archaeologist will have the authority to stop or redirect ground disturbing activities away from the resource until it can be evaluated. b. If previously unknown cultural deposits are discovered during the course of construction, such as previously undiscovered stratified cultural deposits, a testing program will be implemented to evaluate the stratified cultural deposit. c. A separate Native American monitor shall be retained by the project proponent to monitor ground disturbing activities in and around archaeological resources. The Native American monitor shall be selected through consultation with Native American tribal groups. The Native American monitor shall work in conjunction with the qualified archaeologist.	Prior to / during construction	Prior to / during construction	Inyo County Planning Department and/or other applicable agencies.	
CUL-1d: Authority to halt project activities. Prior to the approval of a Renewable Energy Permit, Renewable Energy Development Agreement, or Renewable Energy Impact Determination by the County or the relevant CEQA lead agency, the project owner shall submit a written document granting authority to halt project related activities to the project's cultural resources specialist (as defined in mitigation measure CUL-1a) and cultural resources monitors in the event of a discovery or possible damage to a cultural resource. Redirection of project related activities shall be accomplished under the direction of the project supervisor in consultation with the cultural resources specialist. The details of this	During construction	During construction	Inyo County Planning Department and/or other applicable agencies.	

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agreement shall be stipulated in the Cultural Resources Management and Treatment Plan as required in mitigation measure CUL-1b.				
CUL-1e: Cultural Resources Worker Environmental Awareness Program. Prior to and for the duration of project activities, the project owner shall provide WEAP training to all new workers within their first week of employment at the project site. The training shall be prepared by the Project cultural resources specialist (as defined in CUL-1) in consultation with local Native Americans and shall incorporate the traditions and beliefs of local Native American groups into the presentation. The presentation may be conducted by any qualified cultural resources specialist and a Native American, if possible, and may be presented in the form of a video. A consulting fee or honorarium shall be negotiated with the local Native American consultants and presenter and paid to them for their participation. The training may be discontinued when project activities are completed or suspended, but must be resumed when project activities resume. The training shall include: 1. A discussion of applicable laws and penalties under the law; 2. Samples or visuals of artifacts that might be found in the project vicinity; 3. A discussion of what such artifacts may look like when partially buried, or wholly buried and then freshly exposed; 4. A discussion of what prehistoric and historical archaeological deposits look like at the surface and when exposed during ground-disturbance, and the range of variation in the appearance of such deposits; 5. A discussion of what local Native American beliefs are, how those beliefs are related to cultural resources that may be found in the area, and the appropriate respectful behavior towards sacred places and objects; 6. Instruction that all cultural resources specialists have the authority to halt ground disturbance in the area of a discovery to an extent sufficient to ensure that the resource is protected from further impacts, as determined by the project cultural resources specialist (as defined in CUL-1);	Prior to / during construction	Prior to / during construction / for the duration of project activities	Inyo County Planning Department and/or other applicable agencies.	

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7. Instruction that employees are to avoid areas flagged as sensitive for cultural resources; 8. Instruction that employees are to halt work on their own in the vicinity of a potential cultural resources discovery and shall contact their supervisor and the project cultural resources specialist (as defined in CUL-1), and that redirection of work would be determined by the project supervisor and the project cultural resources specialist; 9. An informational brochure that identifies reporting procedures in the event of a discovery; 10. An acknowledgement form signed by each worker indicating that they have received the training which shall be submitted to the County Planning Department and any other CEQA lead agency; and 11. A sticker that shall be placed on hard hats indicating that environmental training has been completed.				
CUL-1f: Conduct cultural resources reporting. The project cultural resources specialist shall document results in interim and final reports as necessary. The contents and timing of these reports shall be stipulated in the Cultural Resources Management and Treatment Plan (CUL-1b). Final reports for archaeological resources, human remains, and some landscapes, shall be written by or under the direction of a Secretary of the Interior qualified archaeologist or architectural historian as appropriate for the project. Reports shall be provided in the California Office of Historic Preservation's Archaeological Resource Management Reports: Recommended Contents and Format and local agency formats. Final documents shall report on all field activities including dates, times and locations, results, samplings, and analyses. All survey reports, Department of Parks and Recreation 523 series forms, data recovery reports, and any additional research reports not previously submitted to the California Historical Resource Information System and the State Historic Preservation Officer shall be included as appendices.	During construction	During construction	Inyo County Planning Department and/or other applicable agencies.	

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CUL-1g: Proper curation of cultural resources collections. All archaeological materials retained as a result of the cultural resources investigations (survey, testing, data recovery) shall be curated in accordance the California State Historical Resources Commission's *Guidelines for the Curation of Archaeological Collections*, into a retrievable storage collection in a public repository or museum. Additionally, all collection and retention of archaeological materials as a result of cultural resources investigations must comply with the regulations and policies of the land managing agency or property owner.	During construction	During construction	Inyo County Planning Department and/or other applicable agencies.	
CUL-2: Implement proper actions in the event of the incidental discovery of human remains. In accordance with Section 7050.5 of the California Health and Safety Code, if human remains are found, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby area reasonably suspected to overlie potential remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) within 24 hours. In accordance with Section 5097.98 of the California Public Resources Code, the NAHC must immediately notify those persons it believes to be the most likely descendant of the deceased Native American. The descendants shall complete their inspection within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the County, the disposition of the human remains. Should human remains be discovered at any time during construction of the project, construction in the vicinity would halt and the County Coroner would be contacted immediately. If the Coroner determines that the remains do not require an assessment of cause of death and are probably Native American, then the NAHC would be contacted to identify the Most Likely Descendant.	During construction	During construction	Inyo County Planning Department and/or other applicable agencies.	

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PALEO-1a: Protect paleontological resources. Project developers shall document in a paleontological resources assessment report whether paleontological resources exist in a project area on the basis of the following: the geologic context of the region and site and its potential to contain paleontological resources (including the fossil yield potential), a records search of institutions holding paleontological collections from California desert regions, a review of published and unpublished literature for past paleontological finds in the area, and coordination with paleontological researchers working locally in potentially affected geographic areas (or studying similar geologic strata). If paleontological resources are present at the site or if the geologic units to be encountered by the project (at the surface or the subsurface) have a high/very high or moderate/unknown fossil yield, a Paleontological Resources Management Plan shall be developed. The plan shall include the following types of requirements: 1. The qualifications of the principal investigator and monitoring personnel 2. Construction crew awareness training content, procedures, and requirements 3. Any measures to prevent potential looting, vandalism, or erosion impacts 4. The location, frequency, and schedule for on-site monitoring activities 5. Criteria for identifying and evaluating potential fossil specimens or localities 6. A plan for the use of protective barriers and signs, or implementation of other physical or administrative protection measures 7. Collection and salvage procedures 8. Identification of an institution or museum willing and able to accept any fossils discovered 9. Compliance monitoring and reporting procedures If the geologic units that would be affected by the project have been determined to have low fossil yield potential, paleontological resources shall	Prior to / during construction	Prior to / during construction	Inyo County Planning Department and/or other applicable agencies.	

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be included as an element in construction worker awareness training. The training shall include measures to be followed in the event of unanticipated discoveries, including suspension of construction activities in the vicinity. The Paleontological Resources Management Plan shall evaluate all of the construction methods proposed, including destructive excavation techniques. Where applicable, the principal investigator shall include in the plan an evaluation of the potential for such techniques to disturb or destroy paleontological resources, an evaluation of whether loss of such fossils would represent a significant impact, and discussion of mitigation or compensatory measures (such as recordation/recovery of similar resources elsewhere on the site) that are necessary to avoid or substantially reduce the impact.				
GEOLOGY AND SOILS				
GEO-1: Conduct site-specific geotechnical investigations. Site-specific geotechnical investigations will be completed for all applicable proposed development within the individual SEDAs and the OVSA, and the potential off-site transmission corridors associated with the Charleston View, Chicago Valley, and Trona SEDAs (if applicable), prior to final project design approval. These investigations will identify site-specific criteria related to considerations such as grading, excavation, fill, and structure/facility design. All applicable results and recommendations from the geotechnical investigations will be incorporated into the associated individual project design documents to address identified potential geologic and soil hazards, including but not necessarily limited to: ground rupture; ground acceleration (ground shaking); soil liquefaction (and related issues such as dynamic settlement and lateral spreading); landslides/slope instability; geologic and soil instability (including compressible/collapsible soils, subsidence, and corrosive soils); and expansive soils. The final project design documents will also encompass applicable standard design and construction practices from sources including the California Building Code (CBC), International Building Code (IBC), and County standards, as well as the results/recommendations of County plan review and on the-ground geotechnical observations and testing to be conducted during project excavation, grading and construction activities (with all related requirements to be included in applicable engineering/design drawings and construction contract specifications). A summary of the types of remedial measures	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department and/or other applicable agencies.	

Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
typically associated with identified potential geologic and soil hazards, pursuant to applicable regulatory and industry standards (as noted), is provided below. The remedial measures identified/recommended as part of the described site-specific geotechnical investigations will take priority over the more general types of standard regulatory/industry measures listed below.				
• Ground Rupture: (1) locate (or relocate) applicable facilities away from known active (or potentially active) faults and outside of associated CGS Earthquake Fault Zones; and (2) require appropriate (typically 50-foot) building exclusion buffers on either side of applicable fault traces. • Ground Acceleration (Ground Shaking): (1) incorporate applicable seismic loading factors (e.g., IBC/CBC criteria) into the design of facilities such as structures, foundations/slabs, pavement, utilities, manufactured slopes, retaining walls and drainage facilities; (2) use remedial grading techniques where appropriate (e.g., removing/replacing and/or reconditioning unsuitable soils); and (3) use properly engineered fill per applicable industry/regulatory standards (e.g., IBC/CBC), including criteria such as appropriate fill composition, placement methodology, compaction levels, and moisture content. • Liquefaction and Related Effects: 1) remove unsuitable soils and replace with engineered fill (as previously described), per applicable regulatory/industry standards (e.g., IBC/CBC); (2) employ measures such as deep soil mixing (i.e., introducing cement to consolidate loose soils) or use of subsurface structures (e.g., stone columns or piles) to provide support (i.e., by extending structures into competent underlying units); (3) use subdrains in appropriate areas to avoid or reduce near-surface saturation; and (4) design for potential settlement of liquefiable materials through means such as use of post-tensioned foundations and/or flexible couplings for utility connections. • Landslides/Slope Instability: (1) construct properly drained shear keys and/or replace susceptible deposits with manufactured buttress fills where appropriate; (2) employ applicable slope laybacks (i.e., shallower slopes) and/or structural setbacks; (3) incorporate structures such as retaining walls and stability fills where appropriate				

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to provide support; and (4) implement proper slope drainage and landscaping where applicable per established regulatory/industry standards (e.g., IBC/CBC). • Geologic and Soil Instability: (1) use standard efforts such as over-excavation and recompaction or replacement of unsuitable soils with engineered fill, and enhanced foundation design in applicable areas (e.g., post-tensioned or mat slab foundations); (2) use engineered fill, subdrains, surcharging (i.e., loading prior to construction to induce settlement) and/or settlement monitoring (e.g., through the use of settlement monuments) in appropriate areas; (3) implement groundwater withdrawal monitoring/restrictions per established legal/regulatory/industry standards (if applicable); and (4) remove unsuitable deposits and replace with non-corrosive fill, use corrosion-resistant construction materials (e.g., corrosion-resistant concrete and coated or non-metallic facilities), and install cathodic protection devices (e.g., use of a more easily corroded "sacrificial metal" to serve as an anode and draw current away from the structure to be protected) per established regulatory/industry standards (e.g., IBC/CBC). • Expansive Soils: (1) replace and/or mix expansive materials with non-expansive fill; and (2) cap expansive soils in place with an appropriate thickness of non-expansive fill per established regulatory/industry standards (e.g., IBC/CBC).				
GREENHOUSE GAS EMISSIONS				
GHG-1: Prepare site-specific Greenhouse Gas Report. Prior to approval of a Renewable Energy Permit, Renewable Energy Development Agreement, or Renewable Energy Impact Determination for a solar energy project, a site-specific greenhouse gas technical report will be prepared and approved by the County. The site-specific technical report will identify project-specific emissions to ensure compliance with the interim SCAQMD GHG thresholds, as well as measures to reduce operational greenhouse gas emissions. The technical report will be completed and approved by the County prior to the County's action.	Prior to approval of a Renewable Energy Permit, Renewable Energy Development Agreement, or Renewable Energy Impact Determination	Prior to approval of a Renewable Energy Permit, Renewable Energy Development Agreement, or Renewable Energy Impact Determination	Inyo County Planning Department	

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HAZARDS AND HAZARDOUS MATERIALS				
HAZ-1: Conduct site-specific Phase I ESA. Site-specific Phase I Environmental Site Assessments (ESAs) shall be completed for all proposed development projects within the nine individual SEDAs and the OVSA, as well as the potential off-site transmission corridors associated with the Trona, Chicago Valley, and Charleston View SEDAs (if applicable), prior to final project design approval. Specifically, Phase I ESA investigations shall be conducted for the noted areas to identify the potential occurrence of hazardous materials and Recognized Environmental Conditions, (RECs, as defined in ASTM International E1527-05, Section 1.1.1), potentially involving the presence of contaminated soil or groundwater, and/or structures or facilities containing hazardous materials such as asbestos insulation, lead-based paint and polychlorinated biphenyls. Phase I investigations shall include: (1) appropriate regulatory database records review; (2) site reconnaissance; (3) review of appropriate maps, aerial photographs and other pertinent documents; (4) interviews with current/previous property owners, local government/industry officials, and other individuals with knowledge of the property and/or local environmental conditions; (5) documentation of known or potential RECs; and (6) identification of recommendations to address RECs or other concerns, if applicable (including Phase II ESA investigations, as outlined below).	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department and/or other applicable agencies.	
Depending on the results of the described Phase I ESAs, one or more Phase II ESA investigations shall be conducted if identified as part of the Phase I recommendations. Phase II ESAs consist of "intrusive" investigations, in which original samples of soil, groundwater and/or building materials are collected and submitted for laboratory analysis to identify applicable contaminates. Based on the results of this testing, the Phase II ESAs shall identify the type and extent of REC (or other) contamination, and provide appropriate remedial measures to address associated hazards. Typical remedial measures may include efforts such as removal and proper disposal of contaminated materials (or on-site treatment and reuse, if applicable), or in situ treatments such as oxidation (use of aerobic bacteria to accelerate natural attenuation of organic contaminants) or bioremediation (e.g., using bacteria to remove contaminates from groundwater). All ESAs conducted for the proposed project shall be prepared in				

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conformance with applicable regulatory and industry standards, including ASTM International E1527-05 Standard Practice for Environmental Site Assessments, and Code of Federal Regulations Part 312, Standards and Practices for All Appropriate Inquiries. Applicable results and recommendations from the described Phase I and Phase II investigations shall be incorporated into the associated individual final project design documents to address identified potential hazardous material concerns.				
HAZ-2: Conduct site-specific Airport Safety Investigations. Site-specific Airport Safety Investigations shall be completed for all proposed development projects in the Laws, Trona, Charleston View, and Sandy Valley SEDAs, the OVSA, and related potential off-site transmission line corridors associated with the Trona, Chicago Valley, and Charleston View SEDAs that are within two miles of a public or private airport prior to final project design approval. These investigations will assess the site-specific design and location of proposed facilities to determine if they are compatible with existing and planned future activities at nearby airports. The Airport Safety Investigations shall utilize applicable criteria from proposed project design information (e.g., facility locations and heights), airport comprehensive land use plans and/or management plans (if applicable), the Inyo County Airport Hazard Overlay Ordinance, and/or other pertinent information related to considerations such as airport hazard zones and traffic patterns, to identify potential safety conflicts. If such conflicts are identified, the Airport Safety Investigations shall provide remedial measures to address these concerns, potentially including efforts such as relocating and/or redesigning proposed facilities to avoid potential hazards. Applicable results and recommendations from the described Airport Safety Investigations shall be incorporated into the associated individual final project design documents to address identified potential airport-related concerns.	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department and/or other applicable agencies.	
HAZ-3: Conduct site-specific School Safety Investigations. Site-specific School Safety Investigations shall be completed for all proposed development projects in the OVSA that are within one-quarter mile of an existing or proposed school, prior to final project design approval. These investigations will assess the site-specific design and location of proposed facilities to determine if they are compatible with	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department	

Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
existing and planned future activities at schools located within one-quarter mile. The School Safety Investigations shall utilize applicable criteria from proposed project design information, such as proposed hazardous material use/storage, associated facility locations, and required measures in Hazardous Materials Business Emergency/Contingency Plans and/or Risk Management Plans (e.g., proper inventory documentation, storage/containment, transport, employee training, and spill response/clean-up measures) to assess potential hazards to local schools from the use or emission of hazardous materials or wastes. If such hazards are identified, the School Safety Investigations shall provide remedial measures to address these concerns, potentially including efforts such as relocating (i.e., outside of the one quarter mile boundary) and/or redesigning proposed facilities (e.g., providing enclosures or secondary containment) to avoid potential hazards. Applicable results and recommendations from the described School Safety Investigations shall be incorporated into the associated individual final project design documents to address identified potential school-related concerns.				
HAZ-4: Conduct site-specific Wildfire Safety Investigations. Site-specific Wildfire Safety Investigations shall be completed for all proposed projects within the nine individual SEDAs and the OVSA, as well as the potential off-site transmission corridors associated with the Trona, Chicago Valley, and Charleston View SEDAs (if applicable), that are in areas rated as moderate or high for wildfire hazards by California Department of Forestry and Fire Protection prior to final project design approval. Specifically, the Wildfire Safety Investigations shall be conducted for the noted areas to identify site-specific fire hazard ratings and associated risks to people and structures at proposed development sites. The Wildfire Safety Investigations shall include assessment of the following criteria for the noted areas and surrounding environments: (1) fire history; (2) fuel (vegetation) types; (3) climatic conditions (including wind patterns); (4) projected fire behavior (including flame lengths) from computer modeling (e.g., BehavePlus Fire Modeling System 5.0.4); (5) documentation of known or potential wildfire hazards to on-site people and structures; and (6) identification of remedial measures, if applicable (per applicable regulatory standards such as the California Building, Fire, and Residential Codes), potentially including efforts such as the use of fuel	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department and/or other applicable agencies.	

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modification, structural features (e.g., non-combustible materials and fire/ember/smoke barriers), alarm systems, and/or automatic sprinklers. Applicable results and recommendations from the described Wildfire Safety Investigations shall be incorporated into the associated individual final project design documents to address identified potential wildfire-related concerns.				
HYDROLOGY AND WATER QUALITY				
HYD-1: Conduct site-specific hydrologic investigations. Site-specific hydrologic investigations will be completed for proposed utility scale solar facility development projects within the individual SEDAs and the OVSA (i.e., those with grading, excavation or other activities potentially affecting hydrologic conditions, as determined by the County), as well as the potential off site transmission corridors associated with the Trona, Chicago Valley, and Charleston View SEDAs (if applicable), prior to final project design approval. All applicable results and recommendations from these investigations will be incorporated into the associated individual final project design documents to address identified potential hydrologic concerns, including but not necessarily limited to: drainage alteration, runoff rates and amounts, flood hazards, and existing/planned storm drain system capacity. The final project design documents will also encompass applicable standard design and construction practices from sources including NPDES, Basin Plan and County standards, as well as the results/recommendations of County plan review (with all related requirements to be included in applicable engineering/design drawings and construction contract specifications). A summary of the types of remedial measures typically associated with identified potential hydrologic concerns, pursuant to applicable regulatory and industry standards (as noted), is provided below. The remedial measures identified/recommended as part of the described site-specific hydrologic investigations will take priority over the more general types of standard regulatory/industry measures listed below. • Drainage Alteration: (1) locate applicable facilities and activities (e.g., staging areas and soil/material stockpiles) outside of surface drainage courses and drainage channels; (2) re-route surface around applicable facilities, with such rerouting to be limited to the smallest	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department Inyo County Department of Public Works Inyo County Water Department Inyo County Department of Environmental Health and/or other applicable agencies.	

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area feasible and re-routed drainage to be directed back to the original drainage course at the closest feasible location (i.e., the closest location to the point of diversion); and (3) use drainage structures to convey flows within/through development areas and maintain existing drainage patterns. • Runoff Rates and Amounts: (1) minimize the installation of new impervious surfaces (e.g., by surfacing with pervious pavement, gravel or decomposed granite); and (2) use flow regulation facilities (e.g., detention/retention basins) and velocity control structures (e.g., riprap dissipation aprons at drainage outlets), to maintain pre-development runoff rates and amounts. • Flood Hazards: (1) work to locate proposed facilities and activities outside of mapped 100 year floodplain boundaries; (2) based on technical analyses such as Hydrologic Engineering Center-River Analysis System (HEC-RAS) studies, restrict facility locations to avoid adverse impacts related to impeding or redirecting flood waters; and (3) based on HEC RAS studies, use measures such as raised fill pads to elevate proposed structures above calculated flood levels, and/or utilize protection/containment structures (e.g., berms, barriers or waterproof doors) to avoid flood damage. • Storm Drain System Capacity: (1) implement similar measures as noted above for runoff rates and amounts; and (2) utilize additional and/or enlarged facilities to ensure adequate on- and off-site storm drain system capacity.				
HYD-2: Conduct site-specific groundwater investigations. Site-specific groundwater investigations will be completed for all proposed solar facility development projects within the individual SEDAs and the OVSA proposing to utilize groundwater resources, prior to final project design approval. These investigations will identify site-specific criteria related to considerations such as local aquifer volumes and hydrogeologic characteristics, current/proposed withdrawals, inflow/recharge capacity, and potential effects to local aquifer and well levels from proposed project withdrawals. All applicable results and recommendations from these investigations will be incorporated into the associated individual project design documents to address identified potential impacts to groundwater	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department Inyo County Water Department and/or other applicable agencies.	

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resources (per applicable regulatory standards), with all related requirements to be included in associated engineering/design drawings and construction contract specifications. A summary of the types of remedial measures typically associated with identified potential effects to groundwater resources is provided below. The remedial measures identified/recommended as part of the described site-specific groundwater investigations will take priority over the more general types of standard measures listed below. • Aquifer/Well drawdown: (1) monitor local aquifer and private/production well levels to verify the presence or absence of project-related effects during pre-construction, construction, and operation periods (based on a methodology and monitoring schedule approved by the RWQCB and County); (2) document background and pre-construction groundwater conditions and comparable project-related construction and operation trends, along with related factors such as precipitation levels and groundwater budgets; (3) prepare scaled maps depicting the associated site(s), existing and proposed monitoring well locations, relevant natural (e.g., springs and groundwater-dependent vegetation) and other features (e.g., reservoirs), and pre- post-project groundwater contours, along with a description of cumulative water level changes; (4) restrict project-related groundwater withdrawals to appropriate levels to avoid significant adverse effects to local aquifers/wells and/or other groundwater-dependent uses (e.g., vegetation, springs or other related surface water features), based on thresholds approved by the RWQCB and County; and (5) provide mitigation for affected wells or other uses where applicable, potentially including well modifications (e.g., deepening pumps or wells) and/or financial compensation. • Groundwater Recharge Capacity: (1) reduce the area of on-site impervious surface if appropriate, through increased use of surfacing materials such as gravel, decomposed granite, or pervious pavement; and (2) use facilities such as retention/percolation basins and unlined drainage facilities to increase local infiltration and groundwater recharge. The County may employ water injection as a method of groundwater recharge				

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as deemed appropriate on a case by case basis. This decision would be made during project specific CEQA analysis for a given solar energy development proposal.				
HYD-3: Conduct site-specific water quality investigations. Site-specific water quality investigations will be completed for long-term solar facility operations associated with applicable proposed development projects within the individual SEDAs and the OVSA (i.e., those with activities potentially affecting water quality conditions, as determined by the County), as well as the potential off site transmission corridors associated with the Trona, Chicago Valley, and Charleston View SEDAs (if applicable), prior to final project design approval. All applicable results and recommendations from these investigations will be incorporated into the associated individual final project design documents to address identified potential long-term water quality issues related to conditions such as: anticipated and potential pollutants to be used, stored or generated on-site; the location and nature (e.g., impaired status) of on-site and downstream receiving waters; and project design features to avoid/address potential pollutant discharges. The final project design documents will also encompass applicable standard design practices from sources including NPDES, Basin Plan and County standards, as well as the results/recommendations of project-related hazardous materials investigations and regulatory standards (with all related requirements to be included in applicable engineering/design drawings and construction contract specifications). A summary of the types of BMPs typically associated with identified potential water concerns, pursuant to applicable regulatory and industry standards (as noted), is provided below. The BMPs identified/recommended as part of the described site-specific water quality investigations will take priority over the more general types of standard regulatory/industry measures listed below. • Low Impact Development (LID)/Site Design BMPs: LID/site design BMPs are intended to avoid, minimize and/or control post development runoff, erosion potential and pollutant generation to the maximum extent practicable by mimicking the natural hydrologic regime. The LID process employs design practices and techniques to effectively capture, filter, store, evaporate, detain and infiltrate runoff	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department Inyo County Water Department Inyo County Department of Environmental Health and/or other applicable agencies.	

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close to its source through efforts such as: (1) minimizing developed/disturbed areas to the maximum extent feasible; (2) utilizing natural and/or unlined drainage features in on-site storm water systems; (3) disconnecting impervious pervious to slow concentration times, and directing flows from impervious surfaces into landscaped or vegetated areas; and (4) using pervious surfaces in developed areas to the maximum extent feasible. • Source Control BMPs: Source control BMPs are intended to avoid or minimize the introduction of pollutants into storm drains and natural drainages to the maximum extent practicable by reducing on-site pollutant generation and off-site pollutant transport through measures such as: (1) installing no dumping" stencils/tiles and/or signs with prohibitive language (per current County guidelines) at applicable locations such as drainages and storm drain inlets to discourage illegal dumping; (2) designing trash storage areas to reduce litter/pollutant discharge through methods such as paving with impervious surfaces, installing screens or walls to prevent trash dispersal, and providing attached lids and/or roofs for trash containers; (3) designing site landscaping (if applicable) to maximize the retention of native vegetation and use of appropriate native, pest-resistant and/or drought-tolerant varieties to reduce irrigation and pesticide application requirements; and (4) providing secondary containment (e.g., enclosed structures, walls or berms) for applicable areas such as trash or hazardous material use/storage. • Treatment Control/LID BMPs: Treatment control (or structural) BMPs are designed to remove pollutants from runoff to the maximum extent practicable through means such as filtering, treatment or infiltration. Treatment control and/or LID BMPs are required to address applicable pollutants, and must provide medium or high levels of removal efficiency for these pollutants (per applicable regulatory requirements). Based on the anticipated pollutants of concern, potential LID and treatment control BMPs may include (1) providing water quality treatment and related facilities such as sediment basins, vegetated swales, infiltration basins, filtration devices and velocity dissipators to treat appropriate runoff flows and reduce volumes prior to off-site discharge (per applicable regulatory requirements); and (2) conducting				

Table 1
INYO COUNTY RENEWABLE ENERGY GENERAL PLAN AMENDMENT PEIR
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regular inspection, maintenance and as-needed repairs of pertinent facilities and structures.				
LAND USE AND PLANNING				
No mitigation measures are required.				
MINERAL RESOURCES				
MIN-1: Conduct site-specific mineral resource investigations. Site-specific mineral resource investigations will be completed for proposed development projects within the individual SEDAs, the OVSA, and the potential off-site transmission corridors associated with the Trona, Chicago Valley, and Charleston View SEDAs (if applicable), prior to final project design approval. These investigations will include the following elements: (1) descriptions of regional and on-site geologic environments; (2) identification of site-specific potential for the occurrence of mineral resources; (3) assessment of estimated mineral resource quantities and extents (as applicable); (4) evaluation of associated potential for economic resource recovery, including considerations such as supply and demand, and production, processing and transportation costs; (5) determination of the presence of mineral entries such as mining claims and mineral leases, including descriptions of individual mineral entry types, issuing agencies and status; (6) assessment of potential impacts from project implementation to identified regionally- or locally-important mineral resources, associated exploration/recovery efforts, and valid mineral entries; and (7) development of remedial measures to address identified impacts to mineral resources, operations and entries, as feasible, potentially including efforts such as avoidance, use of proposed project development timing or phasing to accommodate mineral operations, or locating proposed project facilities to accommodate multiple use operations (e.g., through shared use of access or infrastructure). All applicable results and recommendations from the described investigations identifying identified potential mineral resource impacts and remedial measures will be incorporated into the associated individual project design documents.	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department	
NOISE				
NOI-1: Prepare technical noise report for solar facilities proposed within 500 feet of noise sensitive land uses.	Prior to approval and/or issuance of	Prior to approval and/or issuance of	Inyo County Planning Department	

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If a proposed utility scale solar energy project resulting from implementation of the REGPA is within 500 feet of a residence or other noise sensitive land use, prior to issuance of a Major Use Permit, a site-specific noise technical report will be prepared and approved by the County. The technical report will verify compliance with all applicable County laws, regulations, and policies during operation of the solar project, including that noise levels would not exceed the relevant thresholds described in the General Plan Noise Element (60 dBA LDN for noise sensitive land uses such as residences, schools, transient lodging and medical facilities). The site specific noise technical report will include project specifications, applicable noise calculations, project design features, applicable BMPs and related information from the REAT's Best Management Practices and Guidance Manual (REAT 2010), and mitigation measures applicable to the project. The technical noise report will address operational related noise sources, as well as noise from the use of generators during an emergency. The technical report will calculate specific anticipated noise and vibration levels from operations in accordance with County standards and provide specific mitigation when noise levels are expected to exceed County standards.	Major Use Permits	Major Use Permits	Building and Safety Department	
NOI-2: Implement construction noise reduction measures. If utility scale solar development resulting from implementation of the REGPA is proposed within 500 feet of a residence or other noise sensitive receptor, the following measures, in addition to applicable BMPs and related information from REAT's Best Management Practices and Guidance Manual (REAT 2010), shall be implemented to reduce construction noise to the extent feasible: • Whenever feasible, electrical power will be used to run air compressors and similar power tools. • Equipment staging areas will be located as far as feasible from occupied residences or schools. • All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. • Stationary equipment shall be placed such that emitted noise is directed away from sensitive noise receptors. • Stockpiling and vehicle staging areas shall be located as far as	During construction	During construction	Inyo County Planning Department	

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practical from occupied dwellings.				
NOI-3: Helicopter Noise Control Plan. In the event that a utility scale solar project site would have limited access and would require the use of helicopters during operation or maintenance of a facility, the County shall prepare a Helicopter Noise Control Plan that indicates where helicopters would be used and the frequency and duration for such use. The plan shall demonstrate compliance with the noise level limits within the County Noise Element for helicopter noise to properties within 1,600 feet of proposed helicopter use locations.	During construction	During construction	Inyo County Planning Department	
POPULATION AND HOUSING				
No mitigation measures are required.				
PUBLIC SERVICES				
PUB-1: Analyze public safety and protection response times and staff levels for each project. Site specific analysis of fire and police protection service response times and staffing levels shall be completed for proposed future solar development projects, as deemed appropriate by the County, at the cost of the project applicant, prior to final project design approval of each project. The analysis shall include a determination regarding a project's impact to fire and police protection services and outline feasible measures to maintain adequate response times for fire and police protection services.	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department and/or other applicable agencies.	
PUB-2: Provide onsite security during the construction and long-term operation of the project. For project sites associated with proposed future solar development projects that are determined through Mitigation Measure PUB-1 to have insufficient law enforcement protection services or significant impacts to law enforcement services, project proponents shall be required to provide adequate, onsite private security for the duration of construction activities and during the long-term operation of the project to the satisfaction of the County. The actual size and configuration of the security detail shall be determined by the County during preparation of the Development	During construction and operations	During construction and operations	Inyo County Planning Department	

Table 1
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Mitigation Measure	Phase of Implementation / Mitigation Timing	Frequency and/or Duration of Required Monitoring	Enforcement or Reporting Agency / Action Notes	Record Document Location
Agreement for the future solar energy project.				
PUB-3: Pay mitigation fees for public safety and protection services. The County shall require project proponents to pay established County development mitigation fees for fire and police protection services. Said fees shall be used to maintain proper staffing levels for fire, police protection, and emergency services and to sustain adequate response times as required by the County.	Prior to final project design approval	Prior to final project design approval	Inyo County Planning Department and/or other applicable agencies.	
RECREATION				
No mitigation measures are required.				
SOCIOECONOMICS				
SOC-1: Minimize Impacts on transient housing. To further offset potential negative effects and increased demand on transient housing, General Plan Policy ED-4.5, Employ and Train Local Labor, shall be supplemented with the following: • For renewable energy projects where the construction schedule exceeds one-year, community monitoring programs shall be developed that would identify and evaluate transient housing demand and other socioeconomic effects utilizing economic models such as JEDI. Measures developed for monitoring may include the collection of data reflecting the workforce demands and social effects (such as tracking any demonstrable drop in recreational usership) as a result of increased transient housing demand from construction workers at the local and County level. • Project developers shall work with the County, local chambers of commerce, and/or other applicable local groups to assist transient workers in finding temporary lodging. If temporary lodging is not available, developers of utility scale projects shall consider the feasibility of providing on-site temporary housing accommodations for all projects.	During construction	During construction	Inyo County Planning Department	
SOC-2: Minimize Impacts on County Public Services. To further off-set potential negative effects on County public services, General Plan Policy ED 4.4, Offset the Cost to the County for Service	Prior to issuance of building permit	Prior to issuance of building permit	Inyo County Planning Department	

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Provision, shall be supplemented with the following: • Cooperative agreements between project applicants and the County shall be secured prior to issuance of a building permit or project-specific entitlement to ensure the following: • Unless property taxation of a renewable energy installation is deemed sufficient by the County, project applicants shall pay a fair-share public service impact fee. A potential method for estimating a fair-share contribution could be calculated by: • [annual service budget] X [estimated number of temporary workers temporarily in-migrating ÷ County population served]. • The public service fee (and formula used for calculating fair-share) shall be adjusted based on the duration of project construction (e.g., a project only lasting 9 months would utilize 75 percent of the annual budget, one lasting 1.5 years would utilize 150 percent of the annual budget, etc.); and • Project applicants shall maximize the County's receipt of sales and use taxes paid in connection with construction of the project by methods such as including language in construction contracts identifying jobsites to be located within the County and requiring construction contractors to attribute sales and use taxes to the County in their Board of Equalization filings and permits.				
TRANSPORTATION AND CIRCULATION				
TRA-1: Prepare site-specific traffic control plans for individual projects. Site-specific traffic control plans shall be prepared for all proposed solar energy projects within the individual SEDAs and the OVSA to ensure safe and efficient traffic flow in the area of the solar energy project and within the project site during construction activities. The traffic control plan shall, at minimum, contain project-specific measures to be implemented during construction including measures that address: (1) noticing; (2) signage; (3) temporary road or lane closures; (4) oversized deliveries; (5) construction times; and (6) emergency vehicle access.	Prior to / during construction	Prior to / during construction	Inyo County Planning Department and/or other applicable agencies.	
TRA-2: Implement recommendations from traffic impact analysis on surrounding roadways and intersections.	During construction	During construction	Inyo County Planning Department	

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Site-specific construction traffic impact analyses shall be prepared for all proposed solar energy projects within the individual SEDAs and the OVSA to evaluate potential traffic impacts on surrounding roadways and intersections during the construction period. Applicable results and recommendations from the project-specific construction traffic impact analysis shall be implemented during the appropriate construction phase to address identified potential construction traffic impacts.			and/or other applicable agencies.	
UTILITIES AND SERVICE SYSTEMS				
UTIL-1: Projects within the western solar energy group will not exceed a combined maximum of 250 MW or 1,500 acres. Future projects within the Western Solar Energy Group shall be limited to a combined maximum of 250 MW or 1,500 acres of development area). The County shall implement a tracking program to ensure all future solar development projects within the Western Solar Energy Group do not exceed 250 MW. Once the 250 MW (or 1,500 acres of development area) is reached, the County shall not approve further projects within the Western Solar Energy Group unless project applicants can provide proof of adequate and existing transmission capabilities for the project.	Prior to issuance of building permit	At the beginning and completion of each project	Inyo County Planning Department	
UTIL-2: Projects within the Southern and Eastern Solar Energy Groups will be required have necessary and/or adequate transmission lines. Future development within the Southern and Eastern Solar Energy Groups shall be required to include the necessary transmission lines or provide proof of adequate transmission capabilities for the project.	Prior to issuance of building permit	Prior to issuance of building permit	Inyo County Planning Department and/or other applicable agencies.	

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August 25, 2023

FROM: John Mays

85517 12th St. (P.O. Box 583)

Trona, CA 93592

TO: Inyo County Planning Department via email inyoplanning@inyocounty.us

Attn: Cynthia Draper cdraper@inyocounty.us

CC: Patrick Soluri patrick@semlawyers.com, Tom Kidder tkidder85@gmail.com, Amanda Mcnamara-Ball akmcnamara80@gmail.com, Brian McNamara b.mcnamara1951@gmail.com

RE: Comments on Recirculated Draft Mitigated Negative Declaration of Environmental Impact and Initial Study (Initial Study) dated July 19, 2023, for REP 2022-01 and REP 2022-02

1.) The new documents fail to sufficiently address any comments previously submitted on REP 2022-01 and REP 2022-02 by myself, the others included on this email, or by my legal representation. All of these comments are resubmitted here by reference including those by Tom Kidder, Amanda, McNamara-Ball, and Brian McNamara. The additional comments herein are also being submitted on their behalf. Also, we wish to incorporate all our complaints sent to Into County regarding these projects since 2021 by reference.

2.) The Initial Study shows Inyo County Planning Departments repeated reluctance to perform the necessary CEQA analysis as guided by the Renewable Energy General Plan Amendment Final Programmatic Environmental Impact Report dated March 2015 (PEIR). Inyo County has failed to comply with CEQA requirements and effectively bypassed CEQA requirements by not performing the necessary environmental analyses that are enumerated by the PEIR. Compounded by the lack of enforcement and the repeated disregard for permitting procedures, destruction of environmental resources and endangerment of human health has occurred. The Inyo County Planning Department should not be allowed to conduct any such approval for solar permits until it can demonstrate proper compliance with CEQA requirements and its own regulations.

3.) The new biological evaluation as provided with the new Initial Study is a grossly insufficient analysis designed only to advance the project. It represents a token glance done in only 58 minutes at the project site. The necessary biological evaluation that is needed to accurately assess biological impacts is described in detail by the PEIR and has been mentioned at length in previous comments. A representative evaluation would require multiple visits over the full year to account for seasonal variations of wildlife and plant species and multiple observations to substantiate the presence of or lack of any species. The authors' own comments confirm that the study is insufficient, stating it is "limited by the scope of work performed" and "limited by conditions present at the time of the study." The US FWS

letter appears to be a form letter automatically generated on the same day of the study and represents no actual consultation with US FWS. All of this is typical of the methods of cursory review repeatedly applied by the Inyo County Planning Department. This has nothing to do with accurately assessing impacts but purely designed to avoid substantial review by understating the impacts on the ecology of the project.

4.) The biological evaluation does, however, strongly document the destruction of wildlife habitat and plant life caused by the illegal and repeated pre-permit construction efforts. Despite numerous reports and documentation provided, Inyo County has continued to allow this site destruction repeatedly throughout the permit process. This directly subverts the environmental laws of the State of California and requirements of CEQA. Cleary, the lack of concern for wildlife being present at the project and minimal impacts on wildlife and plants within the biological evaluation resides primarily on the fact that the project "has been disked and exhibits little vegetation regrowth" and is thus devoid of habitat. In fact, the site has been graded with vegetation removed so extensively that it represents an intentional farming practice that completely turns the soil. Such disking destroys any animal burrows which would be evidence of food sources or homes for species. It also destroys the vegetation on which such Endangered or Special Status Species live upon or within.

5.) The eye-blink biological evaluation is essentially certain to have overlooked species which may have been just simply missed, transient, or seasonal to the site including Mojave Ground Squirrel, Burrowing Owl, Desert Tortoise, and other Endangered and Special Status Species as listed by US FWS as potentially occurring in the area. These are all typical in the region, have been reported by the observations of residents, and not addressed by the Initial study or mitigation provided.

6.) The new biological evaluation states that more detailed additional studies be done before construction. However, realistic, comprehensive biological studies need to be done before permit approval to ensure proper mitigation has been put in place before the permit can be issued.

As proposed by the approach in the biological evaluation, a vast number of species with potential to be present but that were not observed in this single 58-minute survey would not be protected. The biological evaluation recommends only surveying and mitigation for the desert kit fox and migratory birds but does not detail surveys or mitigation for numerous other wildlife and vegetation species which US FWS say could be present. This grossly avoids substantial mitigations required to protect wildlife and vegetation and thus increases the potential for a take. For this reason, complete biological studies must be completed in advance of a permit approval so that proper mitigation is in place.

7.) A report with analysis on dust generated provided by the new Initial Study is insufficient. It does not account for:

- dust generated from bare grounds during high winds

- actual conditions where dust control is not implemented

- a realistic construction period which is much greater than the assumed overall period of 2 months and 2 weeks of "minor" grading. This is especially overly optimistic as no grading or drainage plan has been envisioned. There is no provision for removal of large boulders which a prevalent through the subsurface and cause major difficulties in drilling the panel supports.

- dust generated from accumulated sand dune deposits at project fencing as evidenced in examples of California City solar plants as provided with previous comments. Does not account for fence construction and maintenance for windblown sand accumulations.

- does not account for heavy truck traffic on local roads to deliver project construction materials and operating supplies. Does not provide location of roads to be traveled as no access or road plan is provided. If using local dirt roads, this could be within a few feet of residences.

- does not access the long-term and short-term effects on several nearby receptors which are residences within less than 500 ft, especially during wind events

- incorrectly steps the facility footprint substantial back from parcel boundaries although this is not the design, and no permit conditions require this. (fig.1). This improper mechanism to avoid dust and pollutants traveling across the project boundary.

- does not include the existing operating facility in its assessment of long-term and short-term impacts, REP 2021-01

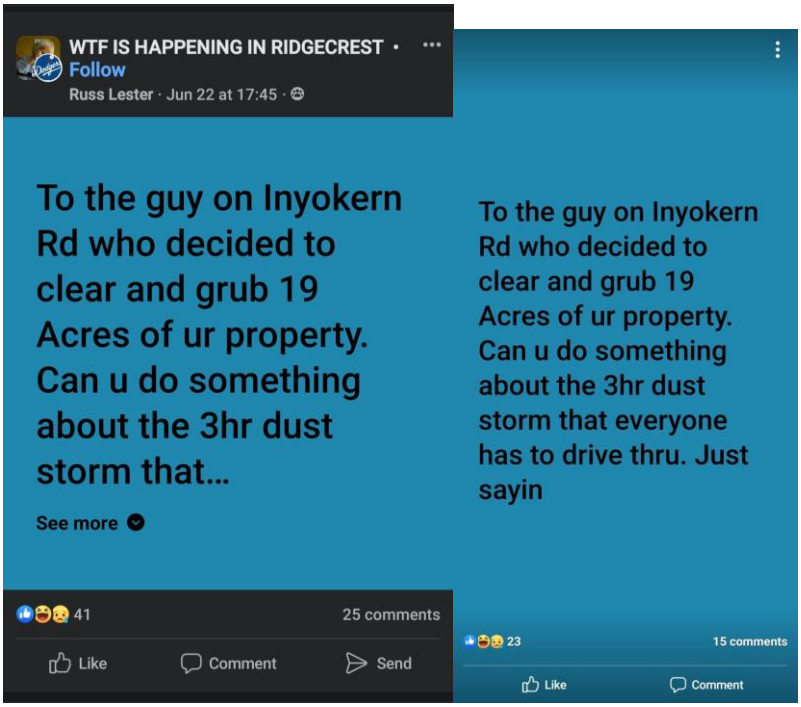
The current solar facility, REP 2021-01, which is less than half the size of these proposed permits, has taken at least a couple of years to be constructed. Even now apparently, construction is still not finished. The project currently has stockpiled earthen materials and construction equipment on site. There has been grading of the site and placement of gravel during recent months.

As documented to Inyo County Planning Department, as reported January 13, 2022, all the surface of REP 2022-01 and REP 2022-02 was graded without dust control methods being applied and has been left that way since that date. Additional construction work with no dust control has been documented and reported in the last few months. Video was provided to Inyo County officials documenting extreme dust generation during high wind events.

An evaluation of impacts from dust generation and resulting health and equity impacts have not been sufficiently addressed by the new Initial Study and are grossly understated by the new analysis.

7.) The Initial Study does not address the fact that Inyo County is unable and unwilling to enforce dust control at the current operating solar facility and the proposed sites. It has been demonstrated by numerous reports that dust control procedures are not being followed and other unlawful construction practices are being allowed by the Inyo County without recourse. This negates any mitigation provided in the Initial Study proclaiming that dust control measures will be implemented and negates the determinations made by Inyo County in the Initial Study on impacts from dust.

8.) Attached is evidence of other complaints on Facebook regarding another solar site in Inyokern. This site is owned and being developed by the same owner/developer as REP 2022-01 and REP 2022-02 on July 22, 2023. This was during the same time when complaints were made regarding the Trona facility. The developer's repeated lack of compliance must be enforced otherwise there is no substance to mitigation that the Initial study is based upon. Inyo County cannot proceed with these permits until it can demonstrate proper management of its solar facilities, it has set a precedent to the contrary. Otherwise, substantial impacts to public health can occur.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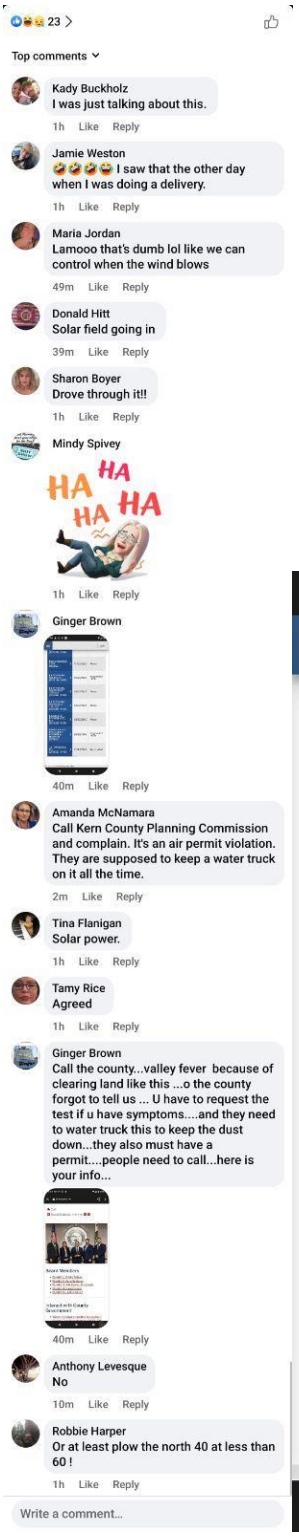

9.) A full EIR is prescribed by CEQA for these projects and is required for these projects to advance. This was required by Kern County Planning for the owner/developer's solar facility in Inyokern. That study may be found here and serves as an example of the more extensive impact evaluation and coordination on biological evaluation necessary. This permitting action required incidental take permits for the Desert

Tortoise and Mojave ground squirrel. Since Inyo County allowed pre-permit construction this take may have already occurred.

https://kernplanning.com/environmental-doc/rb-inyokern-solar-project/