

FINAL
PROGRAM ENVIRONMENTAL IMPACT REPORT

**WESTLANDS SOLAR PARK MASTER PLAN
AND WSP GEN-TIE CORRIDORS PLAN**

STATE CLEARINGHOUSE No. 2013031043

WESTLANDS WATER DISTRICT

DECEMBER 2017

VOLUME 3

**COMMENTS RECEIVED ON DRAFT PEIR
RESPONSES TO COMMENTS
REVISIONS TO TEXT OF DRAFT PEIR**

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STATE CLEARINGHOUSE No. 2013031043

Prepared for

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INTRODUCTION TO FINAL PEIR

This document, together with the Draft Program Environmental Impact Report (Draft PEIR) for the Westlands Solar Park Master Plan and Gen-Tie Corridors Plan, constitutes the Final Program Environment Impact Report (Final PEIR) for the proposed project. The Final PEIR is an informational document prepared by the Lead Agency that must be considered by the decision-makers before approving the proposed project (CEQA Guidelines Section 15090). The California Environmental Quality Act (CEQA) Guidelines (Section 15132) specify that a Final EIR shall consist of the following:

- The Draft EIR or a revision of the Draft (incorporated by reference).
- Comments and recommendations received on the Draft EIR either verbatim or in a summary.
- A list of persons, organizations, and public agencies commenting on the Draft EIR.
- The responses of the Lead Agency to the significant environmental points raised in the review and consultation process.
- Any other information added by the Lead Agency.

Due to its length, the text of the Draft PEIR is not included with these written responses. However, the Draft PEIR is incorporated by reference in this Final PEIR, and a summary table of impacts and mitigations is included herein.

In conformance with the CEQA Guidelines, the Final PEIR provides objective information regarding the environmental consequences of the proposed project. The Final PEIR is used by the Westlands Water District and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the Final EIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the Draft EIR by making written findings for each of those significant effects before it approves a project.

According to the CEQA Guidelines (§15091), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant environmental effects of the project, unless the public agency makes one or more written findings for each of those significant effects. According to the State Public Resources Code (Section 21081), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless *both* of the following occur:

- a) The public agency makes one or more of the following findings with respect to each significant effect:
 - 1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
 - 2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been required or can and should be adopted by that other agency.

- 3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

SUMMARY FROM DRAFT PEIR

PROJECT DESCRIPTION

The overall project covered by this EIR includes two main elements, consisting of: 1) the Westlands Solar Park (“WSP”) Master Plan, which is an overall plan of development for solar generating facilities within WSP; and 2) the Westlands Solar Park Generation-Interconnection Tie-Line Corridors Plan (“WSP Gen-Tie Corridors Plan”), which is the route plan for high-voltage generation-transmission corridors to provide interconnection and capacity for delivery of WSP-generated power to the State electrical grid at the Gates Substation (see Figures ES-1 and ES-2). The main elements of the plan are briefly described below.

- 1) Westlands Solar Park (WSP) Master Plan – The WSP Master Plan is intended to serve as the planning framework for a series of utility-scale solar photovoltaic (PV) energy generating facilities on about 21,000 acres in west-central Kings County, generally located south of SR-198, west of SR-41 and the Kings River, and east of the Fresno County Line (see Figure ES-3). The combined generating capacity of WSP solar projects is estimated to be 2,000 MW, although the final power output could increase with improved solar PV module efficiency over the course of the WSP buildout period. The solar PV projects developed within WSP would have varying generating capacities, with the power output from individual solar facilities ranging up to about 250 MW. The installation of solar generating facilities is planned to occur incrementally over an approximately 12-year buildout period extending to about 2030. For planning purposes, the Master Plan area is divided into 12 subareas (or solar generating facilities – SGFs), and includes several substations to step up the generated power to a transmission voltage of 230-kV.
- 2) Westlands Solar Park to Gates Substation Gen-Tie Corridors – Two gen-tie lines are planned to deliver WSP solar-generated power to the electrical grid, as described here (see Figure ES-4):
 - a. WSP-South to Gates Gen-Tie Corridor – This planned 230-kV transmission corridor would run parallel and adjacent to the Nevada-Jayne Avenue roadway right-of-way, commencing at a planned substation on Nevada Avenue in the southern portion of WSP and running westward along the north side of the roadway for 11.5 miles to the Gates Substation. This gen-tie corridor would serve as the first of two WSP gen-ties providing delivery of solar power generated in the central and southern portions of the WSP to the Gates Substation where it would be transferred to the State electrical grid. [An optional configuration under consideration would consist of two parallel 230-kV gen-ties in this alignment, as an alternative to the second gen-tie corridor described below.]
 - b. WSP-North to Gates Gen-Tie Corridor – This planned 230-kV transmission corridor would run parallel and adjacent to the existing 230-kV Henrietta-Gates transmission line, commencing at a planned substation in the northern portion of WSP, and running southwestward for 11.5 miles to the Gates Substation. This transmission corridor would serve as the second WSP gen-tie line providing delivery of solar power generated in the northern and central portions of the WSP to the Gates Substation where it would be transferred to the State electrical grid. [As mentioned above, this gen-tie alignment may not be pursued if it is ultimately decided to add a second parallel gen-tie line along the Nevada-Jayne Avenue alignment described above. Alternatively, it

is possible that this corridor may include two parallel 230-kV gen-tie lines, in which case the southern gen-tie described above may not be constructed.]

PROJECT OBJECTIVES

Introduction

State CEQA Guidelines Section 15124(b) indicates that an EIR should include:

“A statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and will aid the decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives should include the underlying purpose of the project.”

Overall Project Goals

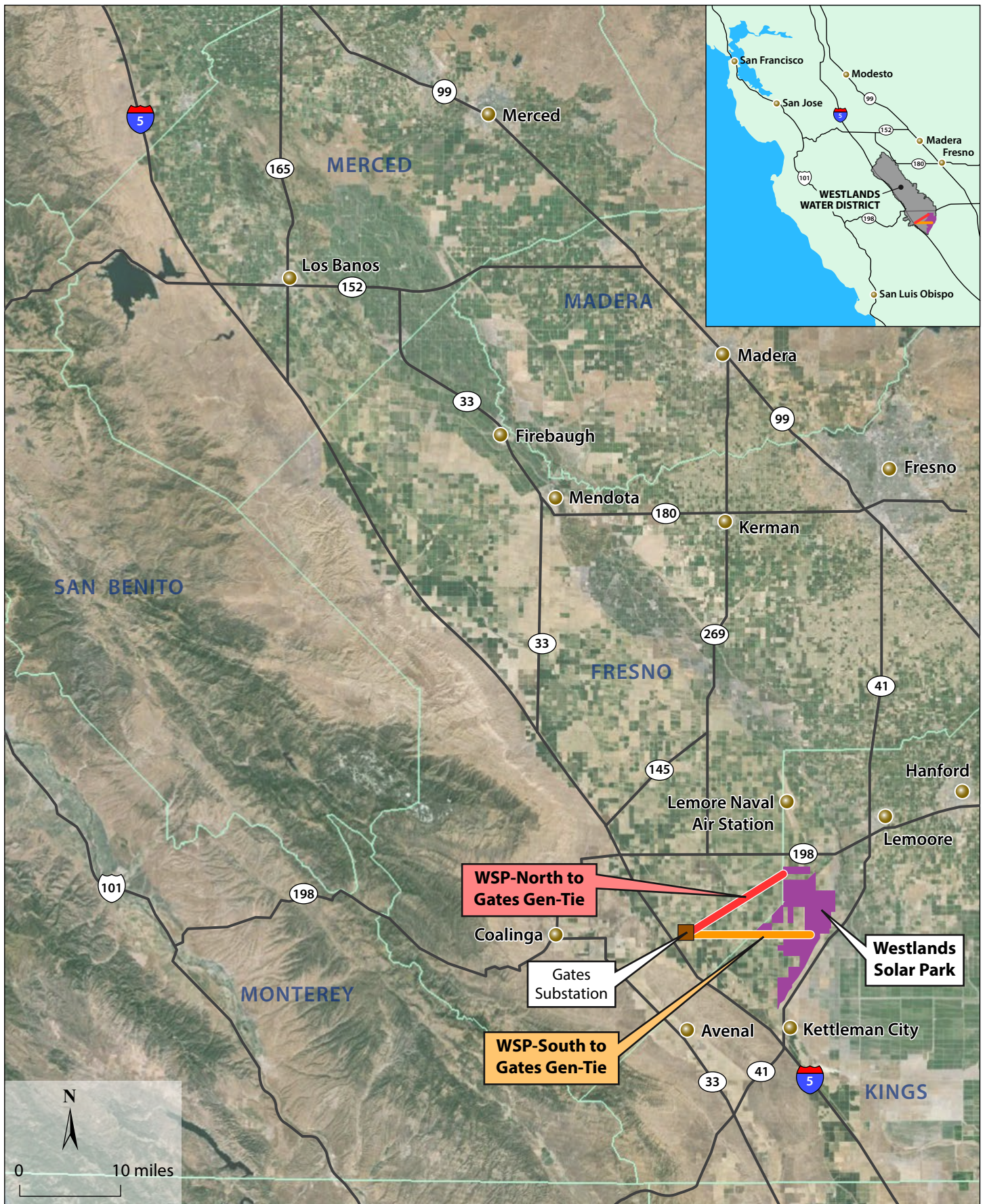
The Westlands Solar Park Master Plan and WSP Gen-Tie Corridors Plan are intended to fulfill the following goals:

- 1) To provide an overall plan to guide and facilitate the beneficial reuse of drainage-impaired lands through development of renewable energy generation in the Westlands Competitive Renewable Energy Zone (CREZ).
- 2) To establish the preferred transmission gen-tie corridors to convey WSP-generated renewable energy to the statewide electricity market. Establishment of these routes would facilitate deliveries of renewable energy generation from drainage-impaired lands of Westlands Solar Park to the state electrical grid.

Project Objectives of the WSP Master Plan

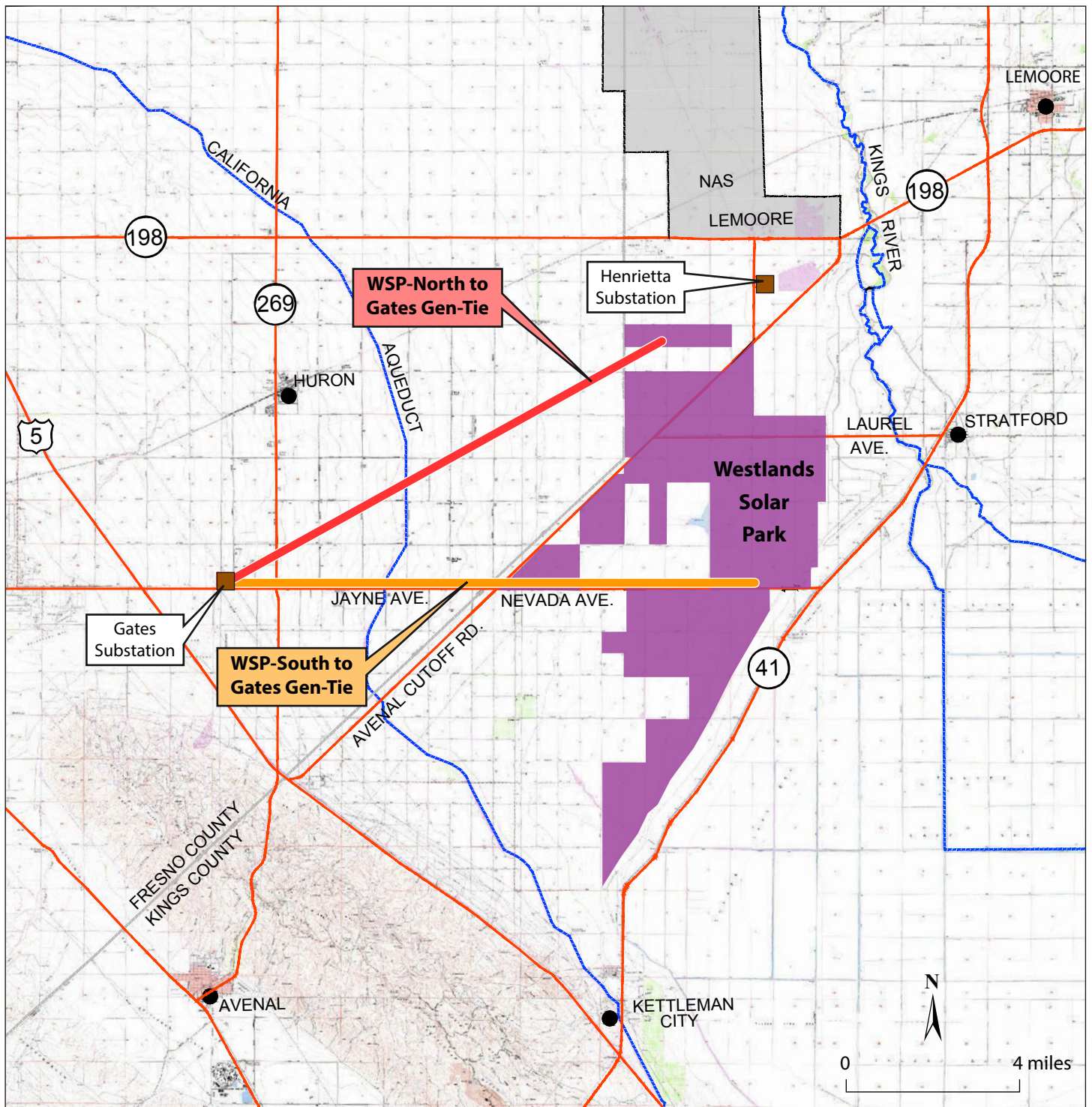
The major goal articulated above encompasses the following specific objectives of the WSP Master Plan:

- Generate approximately 2,000 megawatts of clean, renewable electrical power utilizing solar photovoltaic (PV) technology and to deliver the electrical output to the State’s electrical grid. (The estimated overall generating capacity for WSP could increase with improvements to solar PV module efficiency during the course of the buildout period for WSP.)
- Contribute to the solution of area-wide agricultural drainage problems by retiring all of the lands within the WSP plan area and providing productive reuse of those lands for renewable energy production as an alternative to irrigated agriculture.
- Provide for the economically viable and environmentally beneficial reuse of the WSP plan area’s physically impaired agricultural soils.
- Contribute to the reduction in dependence on the aquifer for supplemental irrigation.
- Reduce cumulative salt loading to the groundwater resource.

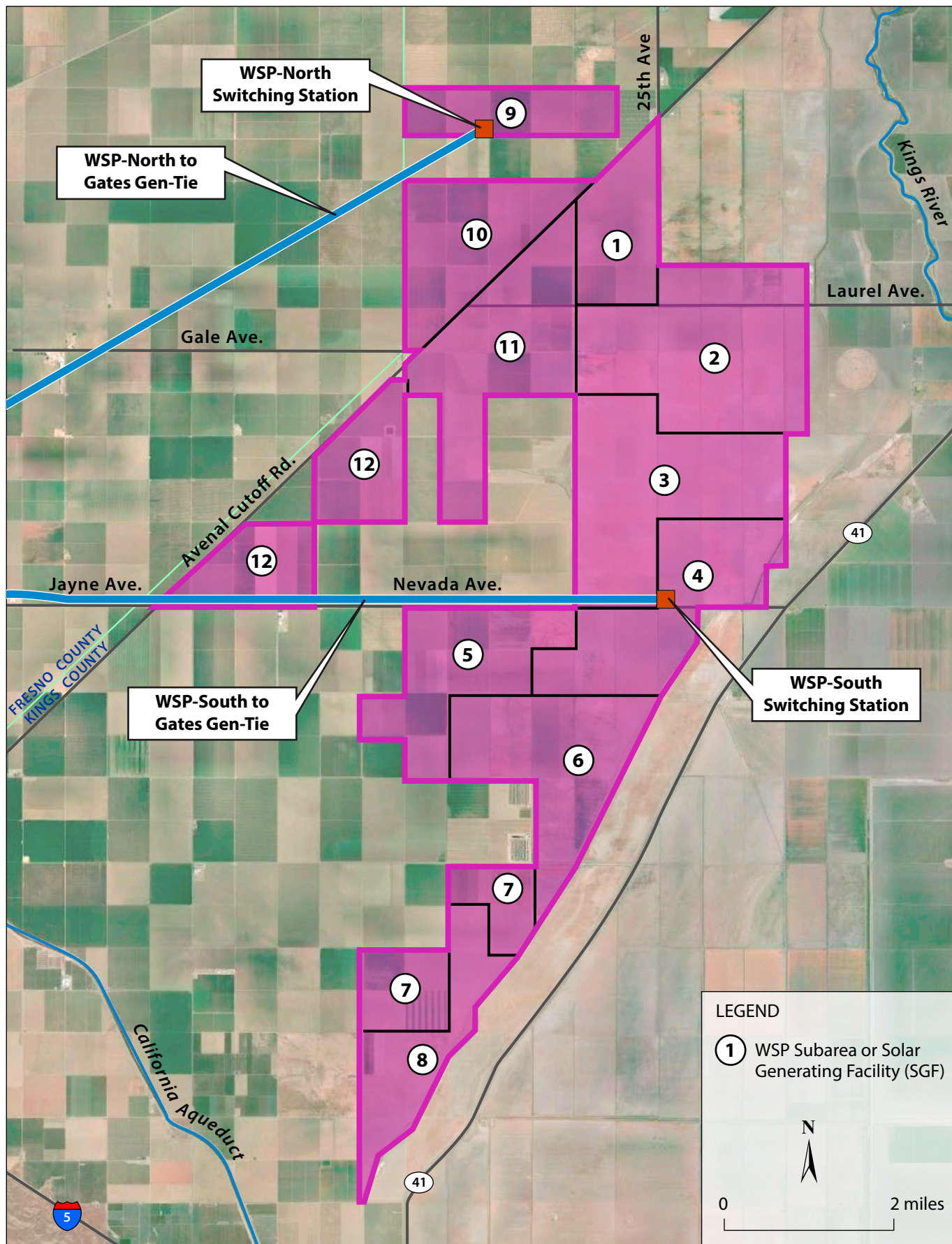


Base map: Google Earth, 2016

Regional Location
Figure ES-1

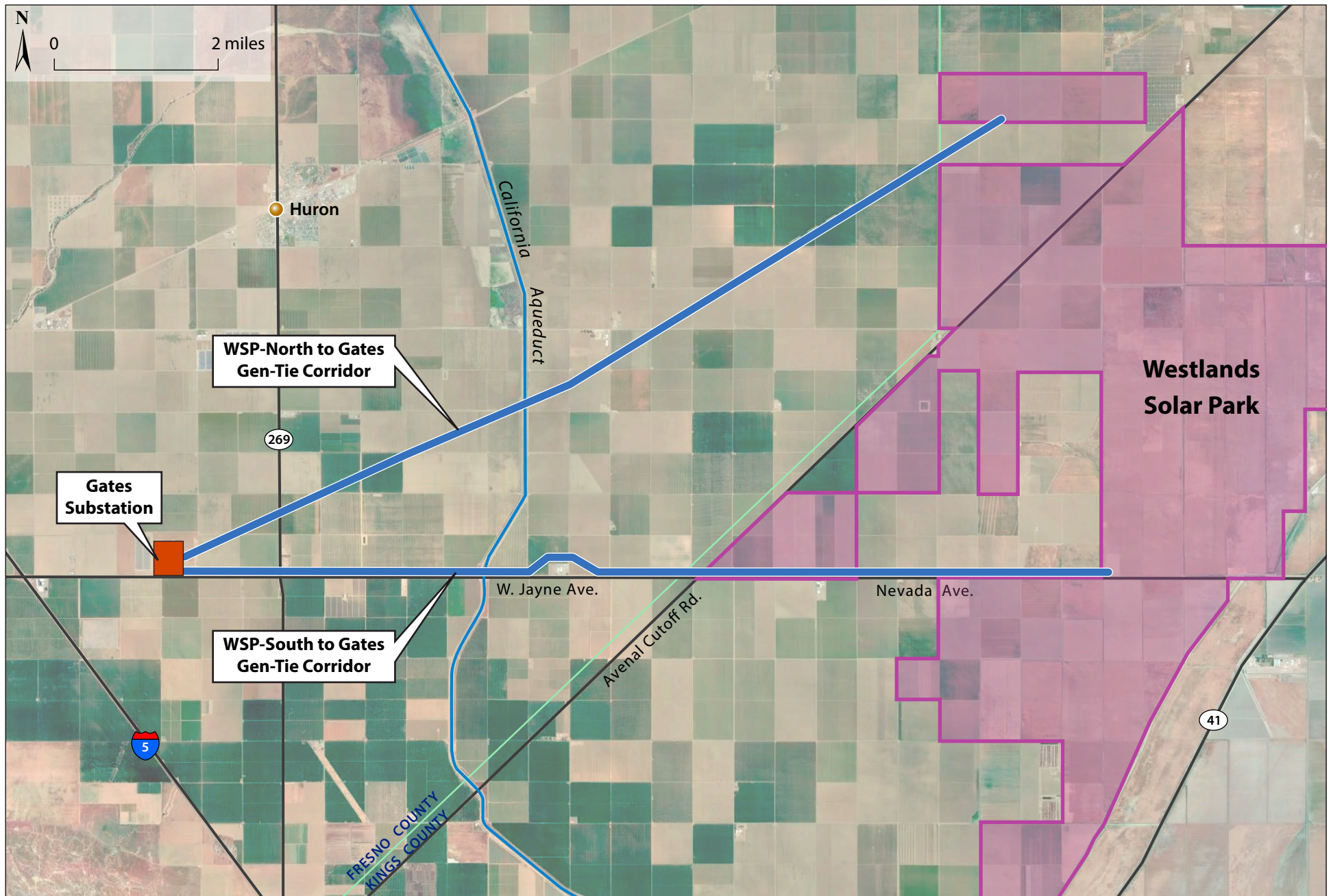


WSP Vicinity
Figure ES-2



Base map: Google Earth, 2016

Westlands Solar Park Master Plan
Figure ES-3



Base Map: Google Earth, 2017

WSP Gen-Tie Corridors Plan
Figure ES-4

- Constructively address the chronic shortage of surface water deliveries by removing the least productive farmland from irrigation by imported water, and by facilitating the redirection of scarce surface water allocations from the WSP plan area to more productive agricultural land within Westlands Water District that is not physically impaired by saline soils, high groundwater, or high selenium or other mineral concentrations. (This applies only to the privately-owned western half of the WSP plan area. The WWD-owned lands in the eastern half of the WSP plan area have already been retired from irrigated agriculture.)
- Provide utility-scale power generation on physically-impaired farmland in order to reduce pressure for renewable energy development on prime agricultural soils elsewhere.
- Provide for development of utility-scale solar generation facilities on highly disturbed lands which provide minimal habitat value for wildlife.
- Provide a low-impact alternative location for the siting of utility-scale renewable energy development that might otherwise occur on lands with high habitat value for protected wildlife species (such as the Mojave Desert).
- Provide utility-scale solar generation in a location that is already served by high-voltage transmission lines.
- Help implement the State's goal of increased electrical generation to 50 percent with renewable resources by 2030 under California's Renewables Portfolio Standard (RPS).
- Help implement the California Renewable Energy Transmission Initiative (RETI) by providing for the maximum development of up to 5,000 MW of the solar resource within the Westlands CREZ. (It is noted that the Westlands CREZ received the highest state-wide environmental ranking among all CREZs designated through the RETI process.)
- Contribute to overall reduction in greenhouse gas emissions by generating electricity that is not based on the combustion of fossil fuel, pursuant to The California Global Warming Solutions Act (AB 32), as extended and supplemented with SB 32 in 2016.
- Create new employment opportunities for local residents.
- Positively contribute to the local economy through stimulation of economic activity such as creation of secondary multiplier employment and the purchase of materials and services.
- Provide community benefits through increased property tax and sales tax revenues.

Project Objectives of the WSP Gen-Tie Corridors Plan

The objective of the WSP Gen-Tie Corridors Plan is as follows:

- Provide delivery of renewable solar power from the Westlands Solar Park to the State's electrical grid while minimizing impacts to the environment.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table ES-1 summarizes the impacts and mitigation measures as identified in the Draft PEIR for the Westlands Solar Park Master Plan and the WSP Gen-Tie Corridors Plan.

Based on comments received on the Draft PEIR from public agencies and organizations, several minor changes were made to the Mitigation Measures in this Final PEIR. These changes involved the addition of greater specificity or further clarifications to Mitigation Measures identified in the Draft PEIR. In the following “Summary of Impacts and Mitigation Measures” these changes are indicated by ~~strikeouts~~ for deleted language and double underlining for added language.

TABLE ES-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACTS	MITIGATION MEASURES (MMs)
3.1. AESTHETICS	
AES-1. Substantial Adverse Effect on a Scenic Vista	
<u>Westlands Solar Park.</u> The WSP plan area is not part of a recognized scenic vista, nor are scenic vistas visible from the WSP plan area; therefore, the WSP solar development would not have a substantial adverse effect on a scenic vista. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie corridors are not part of a recognized scenic vista, nor are scenic vistas visible from the gen-tie corridors vicinity; therefore, the WSP gen-tie lines would not have a substantial adverse effect on a scenic vista. (Less-than-Significant Impact)	No mitigation is required.
AES-2. Substantially Damage Scenic Resources	
<u>Westlands Solar Park.</u> The WSP plan area does not include scenic resources such as trees, rock outcroppings, historic buildings, or other scenic features, and is not near a State scenic highway; therefore, the WSP solar development would not substantially damage scenic resources. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie corridors vicinity does not include scenic resources such as trees, rock outcroppings, historic buildings, or other scenic features, and is not near a State scenic highway; therefore, the WSP gen-tie lines would not substantially damage scenic resources. (Less-than-Significant Impact)	No mitigation is required.
AES-3. Substantially Degrade Existing Visual Character and Quality	
<u>Westlands Solar Park.</u> The WSP solar development would result in changes to the visual character of the plan area; however, these changes would not substantially degrade the existing visual character or quality of the site and its surroundings. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie corridors would result in changes to the visual character of the plan area; however, these changes would not substantially degrade the existing visual character and quality of the lands in their vicinity. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.1. AESTHETICS (CONT'D)	
AES-4. Light and Glare	
<u>Westlands Solar Park.</u> The WSP solar development would introduce new sources of light and low level glare to the plan area; however, this would not represent a substantial new source of light and glare and would not adversely affect day or nighttime views in the area. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects would not introduce new permanent sources of light or glare to their settings; and the night lighting that may be employed at work sites and staging areas would temporary and designed to be non-obtrusive. (Less-than-Significant Impact)	No mitigation is required.
AES-5. Cumulative Aesthetic Impacts	
<u>Westlands Solar Park.</u> The WSP solar projects and the other cumulative projects would result in visual changes to their settings; however, these visual changes would not represent cumulatively significant visual impacts. (Less-than-Significant Cumulative Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects and the other cumulative projects would result in visual changes to their settings; however, these visual changes would not represent cumulatively significant visual impacts. (Less-than-Significant Cumulative Impact)	No mitigation is required.
3.2. AGRICULTURAL RESOURCES	
AG-1. Agricultural Land Conversion	
<u>Westlands Solar Park.</u> The WSP plan area includes "Farmland" which would be subject to solar development. (Less-than-Significant Impact with Mitigation)	In order to reduce the impacts of WSP solar projects to "Farmland" within the WSP plan area to less-than-significant levels, MMs AG-1, AG-2, and AG-3 shall be implemented in conjunction with each WSP solar project that is mapped as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Importance" under the version of DOC's "Important Farmland Kings County" map that is current at the time of approval of the CUP application of that WSP solar project. In addition, all WSP solar projects shall implement MM AG-2 and AG-3 pursuant to the Kings County Development Code. [Continued on next page.]

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.2. AGRICULTURAL RESOURCES (CONT'D)	
AG-1. Agricultural Land Conversion (Cont'd)	
<u>Westlands Solar Park (Cont'd)</u>	<p>[Continued from preceding page.]</p> <p><u>MM AG-1. Agricultural Management Plan</u></p> <p>Prior to the issuance of a building permit for each WSP solar project proposed on "Farmland," the applicant shall submit, for review and approval by the Kings County Community Development Agency, an Agricultural Management Plan (AMP) that provides for the ongoing agricultural productivity of the site for the life of the project. The AMP shall specify that at least 90 percent of the site shall be vegetated with grasses and forbs and shall be managed for dry farm seasonal sheep grazing. The AMP shall include specific provisions for soil preparation and revegetation including specifications for a seed mix which is appropriate to the soil and climatic conditions in the absence of irrigation, methods of avoiding invasive species, and a list of acceptable vegetation that meets the dietary needs of sheep. The AMP shall include detailed provisions to ensure the successful establishment of the planned vegetative cover, and shall identify appropriate maintenance activities, including conditions under which herbicides may be used, and particularly the identification and selection of herbicides that are non-toxic to livestock and wildlife. The AMP shall also prescribe the management practices for sheep grazing. The AMP shall include provisions for ongoing monitoring and annual reporting of agricultural activity on the site to the Kings County Community Development Agency. The AMP shall also comply with the requirements of the <i>Kings County Development Code</i> related to weed abatement and pest control.</p> <p><u>MM AG-2. Soil Reclamation Plan</u></p> <p>Prior to the issuance of a building permit for each WSP solar project proposed anywhere within the WSP Plan Area, the applicant shall submit, for review and approval by the Kings County Community Development Agency, a Soil Reclamation Plan (Plan) for the restoration of the project site at the end of the project's useful life. The Plan shall contain an analysis of general pre-construction conditions of the solar facility site, and the site shall be photographically documented by the project proponent prior to the start of construction. [Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.2. AGRICULTURAL RESOURCES (CONT'D)	
AG-1. Agricultural Land Conversion (Cont'd)	
<u>Westlands Solar Park (Cont'd)</u>	<p><i>[Continued from preceding page.]</i></p> <p>The plan shall contain specific measures to restore the soil to approximate its pre-project condition, including: (1) removal of all above-ground and below-ground fixtures, equipment, and non-agricultural driveways; (2) tilling to restore the sub-grade material to a density and depth consistent with its pre-project condition; (3) revegetation using a Kings County-approved grasses and forbs seed mixture designed to maximize revegetation with noninvasive species broadcast or drilled across the project site; and (4) application of a weed-free mulch spread, as needed, to stabilize the soil until germination occurs and young plants are established to facilitate moisture retention in the soil. Whether the project area has been restored to pre-construction conditions would be assessed by Kings County staff. All waste shall be disposed of or recycled in accordance with applicable laws. The applicant shall verify the completion of reclamation within 18 months after expiration of the project use permit with Kings County Planning Division staff. [Note: This mitigation measure would be a requirement for all WSP solar development under the Kings County Development Code which requires reclamation of all solar facility sites upon decommissioning.]</p> <p><u>MM AG-3. Financial Assurance</u></p> <p>Prior to the issuance of a building permit for each WSP solar project anywhere within the WSP Plan Area, the applicant shall post a performance or cash bond, submit a Certificate of Deposit, or provide such other financial assurances acceptable to the County, in an amount provided in an Engineer's Cost Estimate, approved by the Kings County Community Development Agency, to ensure completion of the activities under the Soil Reclamation Plan. Every 5 years from the date of completion of construction of the project, the applicant shall submit an updated Engineer's Cost Estimate for financial assurances for the Soil Reclamation Plan, which will be reviewed every 5 years by the Kings County Community Development Agency to determine if the amount of the assurances is sufficient to implement the Plan. [Note: This mitigation measure would be a requirement for all WSP solar development under the Kings County Development Code which requires financial assurance for reclamation of all solar facility sites upon decommissioning.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.2. AGRICULTURAL RESOURCES (CONT'D)	
AG-1. Agricultural Land Conversion (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie lines would result in the permanent loss of "Farmland" at tower locations. However, the losses would consist of a number of very small pieces of farmland displaced by the tower footings, which would be dispersed over the length of the corridors and would involve a total of approximately 2 acres of "Farmland" removal throughout the entire 23-mile length of the gen-tie corridors. This small acreage of farmland conversion is not considered a significant loss of "Farmland." (<i>Less-than-Significant Impact</i>)	No mitigation is required.
AG-2. Conflict with Agricultural Zoning and Williamson Act	
<u>Westlands Solar Park.</u> The proposed solar land use is consistent with the existing Kings County agricultural zoning for the plan area, under which utility-scale solar development is a conditionally permitted use. Substantial portions of the WSP plan area are under Williamson Act or Farmland Security Zone Contracts; therefore, WSP solar projects would represent a potentially significant impact to contracted lands unless the solar projects meet the County's compatibility criteria for development on properties subject to Williamson Act programs. (<i>Less-than-Significant Impact with Mitigation</i>)	Implement MMs AG-1, AG-2, and AG-3. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Transmission lines are considered compatible uses under the Williamson Act, and are permitted uses in the applicable agricultural zoning districts in Kings and Fresno Counties, where the gen-tie corridors are located. (<i>Less-than-Significant Impact</i>)	No mitigation is required.
AG-3. Agricultural Land Use Conflicts	
<u>Westlands Solar Park.</u> The WSP solar facilities would result in potential land use conflicts with nearby agricultural operations resulting from dust generation and potential introduction of invasive weed species. (<i>Less-than-Significant Impact</i>)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Construction of the gen-tie projects could result in lost or damaged crops, and could temporarily impede agricultural operations or access to agricultural lands and facilities. (<i>Less-than-Significant Impact with Mitigation</i>)	In order to reduce the temporary and permanent impacts of the gen-tie projects on agricultural operations to less-than-significant levels, the following mitigation measures shall be implemented in conjunction with the gen-tie projects: [Continued on next page.]

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.2. AGRICULTURAL RESOURCES (CONT'D)	
AG-3. Agricultural Land Use Conflicts (Cont'd)	
<u>WSP Gen-Tie Corridors (Cont'd)</u>	<p>[Continued from preceding page.]</p> <p>MM AG-4. Mitigation for Permanent Impacts to Agricultural Operations.</p> <p>The following measures shall be implemented to minimize permanent impacts to agricultural operations:</p> <ul style="list-style-type: none"> During the engineering design stage, transmission monopoles shall be planned to be placed at the edges of farm fields and adjacent to existing roadways and farm lanes, to the extent feasible. During the engineering design stage, taller than typical transmission monopoles shall be planned where gen-tie lines pass through areas of permanent tree crops, in order to provide required clearances with tree crops and thus avoid permanent removal of tree crops within the transmission easements. <p>MM AG-5. Mitigation for Temporary Impacts to Agricultural Operations</p> <p>The following measures shall be implemented to minimize and mitigate temporary impacts to agricultural operations during construction:</p> <ul style="list-style-type: none"> During the engineering design stage, temporary work areas, such as construction staging and materials storage areas, and stringing and pulling sites, shall be planned to be located on lands that are not under agricultural cultivation, to the extent feasible. Prior to the commencement of construction/ground disturbing activities in a given area, the project proponent shall coordinate with the affected property owners in order to schedule construction activities so as to minimize disruption to agricultural operations. During construction, activity by vehicles, equipment, and personnel shall be limited to designated work and staging areas, and designated temporary access roads, to the extent feasible. Fences, gates, and other agricultural fixtures that are damaged during construction shall be repaired or replaced to restore them to their pre-construction condition, as soon as practicable after the damage occurs. Damage to crops as a result of construction shall be compensated. Upon completion of construction in a given area, all temporary disturbance areas shall be restored to pre-construction condition. Within cultivated fields, the disturbed areas will be tilled and restored to a condition suitable for farming.

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.2. AGRICULTURAL RESOURCES (CONT'D)	
AG-4. Conversion of Adjacent Farmland to Non-Agricultural Uses	
<u>Westlands Solar Park.</u> The presence of WSP solar facilities adjacent to ongoing agricultural operations would not directly or indirectly result in the conversion of these adjacent farmlands to non-agricultural uses. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The presence of the gen-tie lines would not directly or indirectly result in the conversion of adjacent farmlands to non-agricultural uses. (Less-than-Significant Impact)	No mitigation is required.
AG-5. Cumulative Impacts to Agricultural Resources	
<u>Westlands Solar Park.</u> The WSP solar development would not make a cumulatively considerable contribution to agricultural resource impacts, with mitigation; therefore, WSP solar development would not have a significant cumulative impact on agricultural resources, with mitigation. (Less-than-Significant Impact with Mitigation)	Implement MMs AG-1, AG-2, and AG-3. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not make a cumulatively considerable contribution to agricultural resource impacts, with mitigation; therefore, the gen-tie projects would not have a significant cumulative impact on agricultural resources, with mitigation. (Less-than-Significant Impact)	Implement MMs AG-4, and AG-5. No additional mitigation is required.
3.3. AIR QUALITY AND CLIMATE CHANGE	
AQ-1. Construction Dust	
<u>Westlands Solar Park.</u> Construction of the WSP solar projects would result in potentially high fugitive particulate matter emissions that would exceed Air District thresholds. (Less-than-Significant Impact with Mitigation)	<p>Implement the dust control requirements of SJVAPCD Regulation VIII, as set forth in MM AQ-1 below.</p> <p>MM AQ-1: Dust Control Measures</p> <p>The following dust control measures of SJVAPCD Regulation VIII and its constituent rules shall be implemented during construction and decommissioning of all WSP solar facilities to reduce construction PM₁₀ and PM_{2.5} emissions to less than 15 tons per year for each project: [Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.3. AIR QUALITY AND CLIMATE CHANGE	
AQ-1. Construction Dust	
<u>Westlands Solar Park (Cont'd)</u>	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> ▪ Effective dust suppression (e.g., watering) for land clearing, grubbing, scraping, excavation, land leveling, grading, cut and fill and demolition activities. ▪ Effective stabilization of all disturbed areas of a construction site, including storage piles, not used for seven or more days. ▪ Control of fugitive dust from on-site unpaved roads and off-site unpaved access roads. ▪ Removal of accumulations of mud or dirt at the end of the workday or once every 24 hours from public paved roads, shoulders and access ways adjacent to the site. ▪ Cease outdoor construction activities that disturb soils during periods with high winds. ▪ Record keeping for each day dust control measures are implemented. ▪ Limit traffic speeds on unpaved roads to 15 mph. ▪ Install sandbags or other erosion control measures to prevent silt runoff to public roadways. ▪ Landscape or replant vegetation in disturbed areas as quickly as possible. ▪ Prevent the tracking of mud or dirt on public roadways by limiting access to the construction sites. If necessary, use wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. ▪ Suspend grading activity when winds (instantaneous gusts) exceed 25 mph or dust clouds cannot be prevented from extending beyond the site.
<u>WSP Gen-Tie Corridors.</u> Construction of the gen-tie lines would result in emissions of fugitive particulate matter but the emissions levels would not exceed Air District thresholds. (Less-than-Significant Impact)	No mitigation is required under CEQA. (However, the SJVAPCD will require implementation of the dust control requirements of SJVAPCD Regulation VIII.)

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.3. AIR QUALITY AND CLIMATE CHANGE (CONT'D)	
AQ-2. Construction Exhaust Emissions	
<p><u>Westlands Solar Park.</u> Exhaust emissions from equipment and vehicles used in construction of WSP solar projects would exceed the applicable threshold for ozone precursor NO_x on a temporary basis, but would not exceed the applicable thresholds for other criteria pollutants. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM AQ-2.</p> <p><u>MM AQ-2: NO_x Reduction Measures during Construction</u></p> <p>The following measures shall be implemented during construction of SGFs 1, 2, 3, 5, 6, and 7 to reduce construction NO_x emissions to less than 10 tons per year for each project:</p> <ol style="list-style-type: none"> <u>Utilize Low-Emission Construction Equipment.</u> Develop a plan to use construction equipment with low NO_x emissions. This may include the use of equipment that meets US EPA Tier 3 standards (and equipment that meets Tier 4 standards, if available). <u>Minimize Idling Time.</u> Set idling time limit of 5 minutes or less for construction equipment. <u>Worker Trip Reduction.</u> Evaluate the feasibility of a work shuttle or carpool program to reduce emissions from worker travel. <u>Delivery Truck Trip Reduction.</u> Evaluate the feasibility of methods to reduce truck travel for delivery of equipment, by reducing the number of necessary truck trips. <u>Execute Voluntary Emissions Reduction Agreements.</u> Any solar projects for which the project-specific air quality analysis shows that the above mitigations will not be sufficient to reduce a project's construction emissions of NO_x below 10 tons per year, the project proponent shall execute a Voluntary Emissions Reduction Agreement (VERA) with SJVAPCD which provides for further reduction of construction NO_x to reduce the project's NO_x emissions to less than 10 tons per year. <u>Any required VERA shall be executed prior to commencement of construction.</u>
<p><u>WSP Gen-Tie Corridors.</u> Exhaust emissions from equipment and vehicles used in construction of the WSP gen-tie lines would not exceed the applicable threshold for ozone precursor NO_x or other criteria pollutants. <i>(Less-than-Significant Impact)</i></p>	<p>No mitigation is required.</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.3. AIR QUALITY AND CLIMATE CHANGE (CONT'D)	
AQ-3. Operational Emissions	
<u>Westlands Solar Park.</u> The emissions from the low-intensity operation and maintenance activities associated with the WSP solar facilities would not exceed applicable thresholds. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The emissions from the low-intensity inspection and maintenance activities associated with WSP gen-tie lines would not exceed applicable thresholds. (Less-than-Significant Impact)	No mitigation is required.
AQ-4. Carbon Monoxide Concentrations from Operational Traffic	
<u>Westlands Solar Park.</u> Mobile emissions generated by WSP operational traffic would increase slightly at intersections in the vicinity; however, resulting CO concentrations would be below ambient air quality standards. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Mobile emissions generated by operational traffic associated with the gen-tie lines would result in a negligible increase in carbon monoxide concentrations at intersections in the vicinity, which would remain well within ambient air quality standards. (Less-than-Significant Impact)	No mitigation is required.
AQ-5. Exposure of Sensitive Receptors to Toxic Air Contaminants	
<u>Westlands Solar Park.</u> Diesel exhaust emissions from construction and operational vehicles and equipment would expose nearby receptors to toxic air contaminants; however, given the relatively minor use of heavy equipment for solar project construction, the very small number of nearby sensitive receptors, the relatively short period of construction emissions that would occur in the vicinity of the sensitive receptors, and the very low intensity of solar operations, the overall health risks from toxic air contaminants would not be significant. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Diesel exhaust emissions from construction vehicles and equipment would expose nearby receptors to toxic air contaminants; however, given the dispersed nature of gen-tie line construction, the very small number of nearby sensitive receptors in the vicinity, the very short period of construction emissions that would occur in the vicinity of the nearest sensitive receptors, and the negligible level of operational emissions, the overall health risks from toxic air contaminants would not be significant. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.3. AIR QUALITY AND CLIMATE CHANGE (CONT'D)	
AQ-6. Odors	
<u>Westlands Solar Park.</u> The WSP solar projects would temporarily generate odors during construction. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The construction of the WSP gen-tie lines would temporarily generate odors during construction. (Less-than-Significant Impact)	No mitigation is required.
AQ-7. Consistency with Clean Air Planning Efforts	
<u>Westlands Solar Park.</u> The WSP solar development would not conflict with the current clean air plan or obstruct its implementation. (Less-than-Significant Impact with Mitigation)	Implement MM AQ-2. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The construction of the WSP gen-tie lines would not conflict with the current clean air plan or obstruct its implementation. (Less-than-Significant Impact)	No mitigation is required.
AQ-8. Greenhouse Gas Emissions	
<u>Westlands Solar Park.</u> The WSP solar projects would generate greenhouse gas emissions, either directly or indirectly, during construction and operation. However, the GHG emissions resulting from WSP solar development would be very small compared to the substantial net benefit to global climate change resulting from the clean power generation provided. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects would generate greenhouse gas emissions, either directly or indirectly, during construction and operation. However, the GHG emissions resulting from the transmission projects would be very small compared to the substantial net benefit to global climate change that would occur due to the delivery of renewable power that would be enabled by the gen-tie lines. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.3. AIR QUALITY AND CLIMATE CHANGE (CONT'D)	
AQ-9. Consistency with GHG Reduction Plans and Policies	
<u>Westlands Solar Park.</u> The WSP solar projects would help achieve the state's GHG reduction plans and policies, and would not conflict with their implementation. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie lines would help achieve the state's GHG reduction plans and policies, and would not conflict with their implementation. (Less-than-Significant Impact)	No mitigation is required.
AQ-10. Cumulative Air Quality and Climate Change Impacts	
<u>Westlands Solar Park.</u> Upon mitigation for air quality impacts associated with WSP solar development and other cumulative projects in the vicinity, the cumulative air quality impacts would be less than significant, and the contribution from WSP solar development would be not cumulatively considerable. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM AQ-1 and MM AQ-2. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Upon mitigation for air quality impacts associated with WSP gen-tie projects and other cumulative projects in the vicinity, the cumulative air quality impacts would be less than significant, and the contribution from WSP gen-ties would be not cumulatively considerable. (Less-than-Significant Cumulative Impact)	No mitigation is required.
3.4. BIOLOGICAL RESOURCES	
BIO-1. Impacts to Special Status Plants	
<u>Westlands Solar Park.</u> The WSP solar development would not adversely affect special-status plants or their habitat since no special-status plant species or their habitat are present within the WSP plan area. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects would not adversely affect special-status plants or their habitat since no special-status plant species or their habitat are present within the gen-tie corridors. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-2. Impacts to Special Status Animals Habitat	
<p><u>Westlands Solar Park.</u> The WSP solar development would have a potentially adverse impact on 14 special-status animal species which may utilize the plan area as breeding and/or foraging habitat. <i>(Less-than-Significant with Mitigation)</i></p>	<p>Implement MMs BIO-1 (pre-project design measures), BIO-2 (raptors and migratory birds), BIO-3 (Swainson's hawk), BIO-4 (burrowing owl), BIO-5 (San Joaquin kit fox), and BIO-6 (American badger).</p>
<p><u>Westlands Transmission Corridors.</u> The WSP gen-tie lines would have a potentially adverse impact on 13 special-status animal species which may utilize the gen-tie corridors as breeding and/or foraging habitat. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MMs BIO-1 (pre-project design measures), BIO-2 (raptors and migratory birds), BIO-3 (Swainson's hawk), BIO-4 (burrowing owl), BIO-5 (San Joaquin kit fox), and BIO-6 (American badger).</p> <p><u>MM BIO-1: Pre-Project Design and Construction-Level Mitigation Measures</u></p> <p>Prior to the final planning and design for all Westlands solar and transmission projects, the following measures shall be implemented to minimize impacts to special-status animal species:</p> <ul style="list-style-type: none"> ▪ <u>Conduct Seasonal Surveys for Potentially Affected Species.</u> Prior to final planning and design of any transmission project, full coverage ground biological surveys shall be conducted by a qualified biologist within the potential disturbance areas of the transmission project to identify the presence or absence of individuals or habitat of special-status animal species. Surveys for each potentially affected species shall be conducted during seasons that are optimal for identification of individuals and habitat of the species. <u>Specific survey methodologies for the potentially affected species are set forth in subsequent mitigation measures herein.</u> ▪ <u>Identify Project Design Measures.</u> The results of the biological surveys shall be utilized in the final planning and design of the transmission projects for the purpose of avoiding and minimizing the potential impacts to special-status animal species and their habitat to the extent feasible. ▪ <u>Identify Construction Level Mitigation Measures.</u> The results of the biological surveys shall be utilized in the project review and approval process to provide the basis for identifying construction-level mitigation measures to be implemented during project construction, operation, and decommissioning. Examples of mitigation measures that can be implemented at the project-specific level include the following: <ul style="list-style-type: none"> • Restrict outdoor lighting except as needed for safety. • Require that all lights be shielded, pointed downward, and directed away from adjacent habitat. • Require motion sensor-type nighttime lighting so that the lights do not stay on constantly and interfere with nocturnal wildlife activities. • Install perimeter fencing so that the bottom of the fence is 5 to 7 inches above the ground surface and knuckled under to create a smooth edge to allow for unimpeded movement of wildlife through the project sites. • Require that all vertical pipes associated with solar mounts or chain-link fencing be capped at the time of installation to prevent entrapment and death of birds. • Restrict the use of rodenticides in accordance with the Pest Management and Weed Abatement Plans required by Kings County for each solar project.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-3. Disturbance to Active Raptor and Migratory Bird Nests	
<u>Westlands Solar Park.</u> The WSP solar development could result in disturbance to active nests of raptors and migratory birds. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM BIO-2 (a-d) (raptors and migratory birds).
<u>WSP Gen-Tie Corridors.</u> The construction of the WSP gen-tie projects could result in disturbance to active nests of raptors and migratory birds. <i>(Less-than-Significant Impact with Mitigation)</i>	<p>Implement MM BIO-2 (a-c) (raptors and migratory birds).</p> <p><u>MM BIO-2. Avoidance Measures for Raptor and Migratory Bird Nests</u></p> <p>The following measures shall be implemented to minimize disturbance to any active raptor and other <u>migratory</u> bird nests, as necessary, prior to the construction and decommissioning of any WSP solar project or gen-tie project:</p> <ul style="list-style-type: none"> a. <u>Pre-Construction Surveys for Active Nests.</u> If tree removal, site preparation, grading, construction, or decommissioning is planned to occur within the breeding period (i.e., between February 1 and August 31), a qualified biologist shall be retained to conduct pre-construction surveys for active nests of migratory birds within 14 days of the onset of these activities. <u>Pre-construction surveys shall be repeated if construction halts for more than 14 days.</u> If construction or decommissioning activity is planned to commence outside the breeding period, no pre-construction surveys are required for nesting birds and raptors. b. <u>Exclusion Zones for Active Nests.</u> If any active nests are discovered in or near the planned construction zones on or adjacent to a project site, the biologist shall consult with the California Department of Fish and Wildlife to identify a suitable construction-free buffer around the nest. This exclusion zone shall be identified on the ground with flagging or fencing, and shall be maintained until the biologist has determined that the young have fledged. c. <u>Tailgate Training for Workers.</u> All construction and operations workers on shall be trained by a qualified biologist. The tailgate training shall include a description of the Migratory Bird Treaty Act, instructions on what to do if an active nest is located, and the importance of capping pipes and pipe-like structures standing upright in order to avoid birds falling into the pipes and getting stuck. d. <u>Capping of Hollow Poles and Posts.</u> Should any vertical tubes, such as solar mount poles, chain link fencing poles, or any other hollow tubes or poles be utilized on a project site, the poles shall be capped immediately after installation to prevent entrapment of birds.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-4. Impacts to Swainson's Hawks	
<p><u>Westlands Solar Park.</u> The WSP solar development could result in: 1) disturbance to Swainson's hawk breeding if active Swainson's hawk nests are found on or adjacent to the WSP plan area prior to solar development (<i>Less-than-Significant Impact with Mitigation</i>) and; 2) the loss of Swainson's hawk foraging habitat. (<i>Less-than-Significant Impact</i>)</p>	Implement MM BIO-3 (Swainson's hawk).
<p><u>WSP Gen-Tie Corridors.</u> The construction of the WSP gen-tie projects could result in disturbance to Swainson's hawk breeding if active Swainson's hawk nests are found on or adjacent to the gen-tie corridors prior to construction. (<i>Less-than-Significant Impact with Mitigation</i>). The gen-tie projects would not have an adverse effect on Swainson's hawk foraging habitat. (<i>Less-than-Significant Impact</i>)</p>	<p>Implement MM BIO-3 (Swainson's hawk).</p> <p><u>MM BIO-3. Swainson's Hawk Mitigation</u> In order to reduce the impacts of WSP solar and gen-tie projects to Swainson's hawk breeding habitat to less-than-significant levels, the following mitigation measures shall be implemented in conjunction with each project:</p> <ul style="list-style-type: none"> a. <u>Preconstruction Surveys for Swainson's Hawk.</u> During the nesting season prior to construction or decommissioning within 0.5 miles of a potential nest tree, preconstruction surveys shall be conducted within the project site and lands within a 0.5-mile radius of the site to identify any nesting pairs of Swainson's hawks. These surveys shall conform to the requirements of CDFW as presented in <i>Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley</i>, Swainson's Hawk Technical Advisory Committee, May 31, 2000. Preconstruction surveys are not required for portions of projects that are more than 0.5 miles from a potential nest tree. b. <u>Nest Avoidance Measures.</u> If any active Swainson's hawk nests are discovered in within 0.5 miles of any planned construction or decommissioning activity, appropriate avoidance/protective measures shall be implemented as identified by a qualified biologist in consultation with the California Department of Fish and Wildlife. The avoidance/protective measures shall remain in place until the biologist has determined that the young have fledged. c. <u>Tailgate Training for Workers.</u> All workers shall attend a tailgate training session conducted by a qualified biologist. The training is to include a description of the species, a brief summary of their biology, and minimization measures and instructions on what to do if a Swainson's hawk is observed on a solar project site.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-5. Impacts to Burrowing Owls	
<u>Westlands Solar Park.</u> The WSP solar development could result in the following impacts to burrowing owls: 1) disturbance to active nests of burrowing owls; 2) mortality of individual burrowing owls, and; 3) reduction of foraging habitat for burrowing owls. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM BIO-4 (a-e) (burrowing owls and habitat).
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects could result in the following impacts to burrowing owls: 1) disturbance to active nests of burrowing owls, and; 2) mortality of individual burrowing owls <i>(Less-than-Significant Impacts with Mitigation)</i> . The WSP gen-tie projects would not adversely affect foraging habitat for burrowing owls. <i>(Less-than-Significant Impact)</i> .	<p>Implement MM BIO-4 (a-d) (burrowing owls).</p> <p><u>MM BIO-4. Burrowing Owl Mitigation</u></p> <p>The following measures shall be implemented to minimize impacts to the individual burrowing owls and burrowing owl breeding and foraging habitat, as necessary, prior to construction or decommissioning of any WSP solar or gen-tie project:</p> <ol style="list-style-type: none"> <u>Pre-Construction Surveys for Burrowing Owl.</u> Pre-construction surveys for burrowing owls shall be conducted by a qualified biologist no more than 14 days in advance of the on-set of ground-disturbing activity at each project site. <u>Pre-construction surveys shall be repeated if construction halts for more than 14 days.</u> These surveys shall be conducted according to methods described in the <i>Staff Report on Burrowing Owl Mitigation</i> (CDFG 2012). The surveys shall cover all areas of suitable burrowing owl habitat within project site. <u>Avoidance of Active Burrowing Owl Nests During Breeding Season.</u> If pre-construction surveys are undertaken during the breeding season (February through August) and active nest burrows are located within or near construction or decommissioning zones, a construction-free buffer of 250 feet <u>with a radius of not less than 50 meters and not more than 500 meters</u> shall be established around all active owl nests. <u>The specific dimensions of the exclusion zone in each case shall be established by a qualified biologist based on site conditions and the level of intensity of the disturbance activity.</u> These exclusion zones shall be enclosed with temporary fencing, and construction equipment and workers shall not be allowed to enter the enclosed setback areas. Exclusion zones shall remain in place for the duration of the breeding season. After the breeding season (i.e., once all young have left the nest), passive relocation of any remaining owls may take place, but only under the conditions described below. <u>Avoidance of Occupied Burrows During Non-Breeding Season, and Passive Relocation of Burrowing Owls.</u> During the non-breeding season (September through January), any burrows occupied by resident owls in areas planned for construction or decommissioning disturbance shall be protected by a construction-free buffer with a radius of 250 feet <u>not less than 50 meters and not more than 500 meters</u> around each burrow. Passive relocation of resident owls is not recommended by CDFW where it can be avoided. If passive relocation is not avoidable, resident owls may be relocated to alternative habitat nearby. The relocation of resident owls shall be conducted according to a relocation plan prepared by a qualified biologist.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-5. Impacts to Burrowing Owls (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> (Cont'd)	<p>[Continued from preceding page.]</p> <p>d. <u>Tailgate Training for Workers.</u> All workers shall attend a tailgate training session conducted by a qualified biologist. The training is to include a description of the species, a brief summary of their biology, and minimization measures and instructions on what to do if a burrowing owl is observed on a solar project site.</p> <p>e. <u>Mitigation for Loss of Burrowing Owl Habitat.</u> If it is determined that burrowing owl nest(s) are located on or near the solar project site, the biologist shall coordinate with the project applicant and resource agency to determine whether relocation of these nest(s) is unavoidable. If so, measure #1 below (restrictive covenants <u>conservation easements</u>) would apply. If the on-site or nearby nest(s) are to remain in place, the biologist shall determine whether sufficient foraging habitat is available on adjacent or nearby lands, and if so, no further mitigation is required. (Approximately 200 acres of year-round foraging habitat within about 2 miles of the burrowing owl burrow is required to support a burrowing owl pair.) If it is determined that there is insufficient nearby foraging habitat, the biologist shall determine the amount of onsite foraging habitat that is required to sustain the burrowing owl nest. In this case, the potential impact to foraging habitat shall be either avoided through implementation of measure #2 below (onsite buffer zone), or compensated through implementation of measure #1 (restrictive covenants <u>conservation easements</u>) or measure #3 (long-term agreement on adjacent lands) below:</p> <ol style="list-style-type: none"> 1) Establishment of restrictive covenants <u>conservation easements</u> with a 1:1 ratio for foraging/breeding habitat preservation. These restrictive covenants conservation easements would include habitats determined to be suitable for foraging and/or breeding year-round and seasonal use, <u>and shall be implemented in accordance with the specifications contained in the CDFW "Staff Report on Burrowing Owl Mitigation" (2012)</u> https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline=true 2) Establishment of permanent buffer zones of adequate size around current burrowing owl locations. These buffer zones would require adequate management for the life of the project and buffer zones to ensure the buffer area remains suitable for burrowing owls. Annual monitoring of the suitability of management activities may be required by CDFW. 3) Short or long-term compensation for foraging habitat by providing farmers in adjacent lands incentives to plant particular crops known to be suitable forage habitat for burrowing owls (i.e. winter wheat, alfalfa, etc.) and to enact a farmer burrowing owl safety program where farmers are trained how to reduce burrowing owl mortalities on their lands and farm driveways. A 1:1 ratio would be required to be in the program as long as the project is active.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-6. Impacts to San Joaquin Kit Fox	
<u>Westlands Solar Park.</u> The WSP solar development could result in potential impacts to individual kit foxes, and could result in impacts to kit fox habitat, if present. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM BIO-5 (kit fox).
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects could result in potential impacts to individual kit foxes, and could result in impacts to kit fox habitat, if present. <i>(Less-than-Significant Impact with Mitigation)</i>	<p>Implement MM BIO-5 (kit fox).</p> <p>MM BIO-5 San Joaquin Kit Fox Mitigation</p> <p>In order to minimize the potential for impacts to San Joaquin kit fox, the following measures shall be implemented in conjunction with the construction and decommissioning of each WSP solar and gen-tie project:</p> <ol style="list-style-type: none"> <u>Pre-Construction Surveys for Kit Fox.</u> Pre-construction surveys for San Joaquin kit fox shall be conducted by a qualified biologist no less than 14 days and no more than 30 days prior to the beginning of ground disturbance, construction or decommissioning activities, or any other activities likely to impact the San Joaquin kit fox. These surveys shall be conducted in accordance with the USFWS Standard Recommendations. The primary objective is to identify kit fox habitat features (e.g., potential dens and refugia) on the solar project and gen-tie sites and evaluate their use by kit foxes. If an active kit fox den is detected within or immediately adjacent to the area of work, the USFWS shall be contacted immediately to determine the best course of action. <u>Kit Fox Avoidance Measures.</u> Should kit fox be found to be using a project site during preconstruction surveys, the project shall avoid the habitat occupied by kit fox and the Sacramento Field Office of the USFWS and the Fresno Field Office of CDFW shall be notified. <u>Tailgate Training for Worker.</u> All workers on solar and gen-tie projects shall attend a tailgate training session conducted by a qualified biologist. The training is to include a description of the species, a brief summary of their biology, and minimization measures and instructions on what to do if a San Joaquin Kit Fox is observed on a project site. <u>Minimization of Potential Disturbance to Kit Fox.</u> Whether or not kit foxes are found to be present, all permanent and temporary construction activities, decommissioning activities, and other types of project-related activities shall be carried out in a manner that minimizes potential disturbance to kit foxes. This shall be accomplished through implementation of the protection measures set forth in "U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance" (USFWS 2011) which are set forth in full in Table BIO-1.

Table BIO-1

U.S. FISH AND WILDLIFE SERVICE STANDARDIZED RECOMMENDATIONS FOR PROTECTION OF THE ENDANGERED SAN JOAQUIN KIT FOX PRIOR TO OR DURING GROUND DISTURBANCE CONSTRUCTION AND ON-GOING OPERATIONAL REQUIREMENTS

1. Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Night-time construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.
2. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Wildlife (CDFW) shall be contacted as noted under measure 13 referenced below.
3. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become 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 kit foxes 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 USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
4. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.
5. No firearms shall be allowed on the project site. (This prohibition does not apply to law enforcement personnel such as Sheriff's Deputies or the Fire Marshal.)
6. No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.
7. Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
8. A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS. *(Continued on next page.)*

Table BIO-1 (Cont'd)

U.S. FISH AND WILDLIFE SERVICE STANDARDIZED RECOMMENDATIONS FOR PROTECTION OF THE ENDANGERED SAN JOAQUIN KIT FOX PRIOR TO OR DURING GROUND DISTURBANCE CONSTRUCTION AND ON-GOING OPERATIONAL REQUIREMENTS

9. An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.
10. Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc., should be re-contoured if necessary, and revegetated to promote restoration of the area to pre-project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the USFWS, California Department of Fish and Wildlife (CDFW), and revegetation experts.
11. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS should be contacted for guidance.
12. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The USFWS should be contacted at the numbers below.
13. The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
14. New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at:

Endangered Species Division
2800 Cottage Way, Suite W2605
Sacramento, California 95825-1846
(916) 414-6620 or (916) 414-6600

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-7. Impacts to American Badgers	
<p><u>Westlands Solar Park.</u> The WSP solar development could result in the following impacts to American badgers: 1) mortality of individual American badgers, and; 2) reduction of foraging, breeding, and denning habitat for American badgers. <i>(Less-than-Significant Impacts with Mitigation)</i></p>	Implement MM BIO-6 (American badger).
<p><u>WSP Gen-Tie Corridors.</u> The gen-tie projects could result in the following impacts to American badgers: 1) mortality of individual American badgers, and; 2) reduction of foraging, breeding, and denning habitat for American badgers. <i>(Less-than-Significant Impacts with Mitigation)</i></p>	<p>Implement BIO-6 (American badger).</p> <p><u>MM BIO-6. American Badger Mitigation</u></p> <p>The following measures shall be implemented to minimize impacts to the American badger, as necessary prior to the construction and decommissioning of the WSP solar and gen-tie projects:</p> <ol style="list-style-type: none"> <u>Preconstruction Surveys for American Badger.</u> During the course of pre-construction surveys prescribed for other species, a qualified biologist shall also determine the presence or absence of badgers prior to the start of each individual project. If badgers are found to be absent, a report shall be written to the applicant so stating and no other mitigations for the protection of badgers would be warranted. <u>Avoidance of Active Badger Dens and Monitoring.</u> If an active badger den is identified during pre-construction surveys within or immediately adjacent to an area subject to construction or decommissioning, a construction-free buffer of up to 100 <u>100 to 300</u> feet (or distance specified by CDFW) shall be established around the den. Once the biologist has determined that badgers have vacated the burrow, the burrow can be collapsed or excavated, and ground disturbance can proceed. Should the burrow be determined to be a natal or reproductive den, and because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present onsite during construction activities in the vicinity of the burrows to ensure the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required onsite until it is determined that young are of an independent age and construction or decommissioning activities would not harm individual badgers. <u>Tailgate Training for Workers.</u> All workers on the solar and gen-tie projects shall attend a tailgate training session conducted by a qualified biologist. The training is to include a description of the species, a brief summary of their biology, and minimization measures and instructions on what to do if an American Badger is observed on a project site.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-8. Impacts to Wildlife Movement Corridors	
<p><u>Westlands Solar Park.</u> WSP solar development would not interfere with the home range and dispersal movements of native wildlife. (Less-than-Significant Impact with Mitigation)</p>	<p>Implement MM BIO-7.</p> <p><u>MM BIO-7. Wildlife Movement Mitigation</u></p> <p>The following measure shall be implemented to ensure continued wildlife movement through the WSP plan area for the life of the WSP solar facilities:</p> <p>a. <u>Wildlife Friendly Fencing.</u> To allow for ground movement of wildlife through the plan area, all fencing around and within the WSP solar facilities shall to consist of “wildlife friendly” fencing with a continuous 5-inch separation from the top of the ground to the lowest point of the bottom of the fence along all fencing. Such fencing shall not be electrified.</p>
<p><u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not interfere with the home range and dispersal movements of native wildlife. (Less-than-Significant Impact)</p>	<p>No mitigation is required.</p>
BIO-9. Impacts to Jurisdictional Waters and Riparian Habitats	
<p><u>Westlands Solar Park.</u> Although WSP solar development is intended to avoid the permanent canals, tailwater pond, and associated riparian zones and wetlands within the plan area, the WSP solar projects could potentially result in disturbance to Waters of the U.S., waters of California, and/or associated riparian habitat. (Less-than-Significant Impact with Mitigation)</p>	<p>Implement MM BIO-8 (wetlands and riparian).</p>
<p><u>WSP Gen-Tie Corridors.</u> Although the WSP gen-tie corridors are intended to avoid permanent canals, ditches, and the California Aqueduct, and associated riparian zones and wetlands, the gen-tie projects could potentially result in disturbance to Waters of the U.S., waters of California, and/or associated riparian habitat. (Less-than-Significant Impact with Mitigation)</p>	<p>Implement MM BIO-8 (wetlands and riparian).</p> <p><u>MM BIO-8. Avoid Wetlands, Jurisdictional Waters, and Riparian Communities</u></p> <p>In order to avoid the potential for impacts to wetlands, jurisdictional waters, and riparian communities, the following measures shall be implemented in conjunction with the construction and decommissioning of each solar and gen-tie project:</p> <p>a. <u>Survey All Defined Drainage Channels Subject to Encroachment.</u> Prior to the preparation of final project plans that establish the locations of solar facilities and gen-tie facilities, any channels that would likely be considered waters of the United States and/or waters of the state of California and are subject to encroachment shall be field surveyed. The surveys shall be conducted by a wetland biologist capable of identifying ordinary high water (the limit of USACE and RWQCB jurisdiction) and top of bank (the limit of CDFW jurisdiction).</p> <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-9. Impacts to Waters of the U.S. and Riparian Habitats (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> (Cont'd)	<p>[Continued from preceding page.]</p> <p>All defined channels observed within the area of potential encroachment during this survey shall be mapped in detail and be suitable for purposes of planning the final locations of solar and gen-tie facilities.</p> <p>b. <u>Avoidance of Drainage Channels.</u> Using the detailed mapping of drainage channels, each solar and gen-tie project shall be planned such that the placement of fill and structures shall avoid disturbance to the bed and bank of all defined canal or drainage channels to the extent feasible. Avoidance of defined channels may require the use of clear-span bridges, or adjusting tower locations within the gen-tie corridors.</p> <p>c. <u>Mitigate Unavoidable Impacts to Wetlands.</u> In the event that a canal or drainage channel cannot be feasibly avoided by project construction, i.e., where a solar project site would be inaccessible without constructing a new bridge over a canal or ditch, a wetland delineation shall be required to determine the extent of USACE and/or State jurisdiction over such features. If waters to be filled are determined to be Waters of the U.S. or the State, the following permits may be required: 1) a Clean Water Act permit from the USACE, 2) a Water Quality Certification from the RWQCB, and/or 3) a Lake or Streambed Alteration Agreement from the CDFW. These permits are usually issued on the condition that a mitigation plan be prepared and approved by the applicable state and federal regulatory agencies noted above.</p>
BIO-10. Local Policies or Ordinances Protecting Biological Resources	
<u>Westlands Solar Park.</u> The WSP solar development would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.4. BIOLOGICAL RESOURCES (CONT'D)	
BIO-11. Habitat Conservation Plans	
<u>Westlands Solar Park.</u> The WSP solar development would not conflict with an adopted habitat conservation plan, a natural community conservation plan, or any other approved local, regional or state habitat conservation plan. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects would not conflict with an adopted habitat conservation plan, a natural community conservation plan, or any other approved local, regional or state habitat conservation plan. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
BIO-12. Cumulative Impacts to Biological Resources	
<u>Westlands Solar Park.</u> Upon mitigation for biological impacts associated with WSP solar development and other cumulative projects in the vicinity, the cumulative biological impacts would be less than significant, and the contribution from WSP solar development would be not cumulatively considerable. <i>(Less-than-Significant Cumulative Impact with Mitigation)</i>	Implement MMs BIO-1 through BIO-8. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Upon mitigation for biological impacts associated with WSP gen-tie projects and other cumulative projects in the vicinity, the cumulative biological impacts would be less than significant, and the contribution from the gen-tie projects would be not cumulatively considerable. <i>(Less-than-Significant Cumulative Impact with Mitigation)</i>	Implement MMs BIO-1 through BIO-8. No additional mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES	
CUL-1. Disturbance to Cultural Resources	
<p><u>Westlands Solar Park.</u> There are no known historical or archaeological resources within the WSP plan area or its immediate vicinity, and the probability that any are present is low. However, it is possible that previously unknown cultural resources may be present within the WSP plan area which could be adversely affected by grading, excavation, and construction for the solar facilities. (Less-than-Significant Impact with Mitigation)</p>	Implement MM CUL-1.
<p><u>WSP Gen-Tie Corridors.</u> There is a low to moderate potential for buried archaeological resources to be present within the gen-tie corridors. There is a potential that ground disturbing activities associated with the gen-tie projects could adversely affect previously unknown cultural resources. (Less-than-Significant Impact with Mitigation) There are two previously recorded historic-era built environment features within or adjacent to the WSP gen-tie corridors; however, these features would be adversely affected by the gen-tie projects. (Less-than-Significant Impact)</p>	<p>Implement MM CUL-1.</p> <p><u>MM CUL-1: Protection of Cultural Resources</u></p> <p>In order to avoid the potential for impacts to historic and prehistoric archaeological resources, the following measures shall be implemented in conjunction with the construction of each WSP solar generating facility and gen-tie project:</p> <ol style="list-style-type: none"> a. <u>Conduct Surveys for Cultural Resources.</u> Prior to any ground disturbance for each WSP solar facility and gen-tie project, the project proponent for each respective project shall undertake the following: <ul style="list-style-type: none"> • Retain the services of a qualified archaeological consultant meeting the Secretary of Interior's Professional Qualifications Standards in prehistoric or historical archaeology, and having expertise in California prehistoric and historical archaeology. • Authorize the archaeological consultant to conduct a site-specific field investigation for cultural resources, and prepare a report containing determinations of significance of any identified cultural resources and recommendations for mitigation, as appropriate. • Prior to any ground disturbance, the applicant shall offer interested Tribes the opportunity to provide a Native American Monitor during ground disturbing activities during both construction and decommissioning. Tribal participation would be dependent upon the availability and interest of the Tribe. <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES (CONT'D)	
CUL-1. Disturbance to Cultural Resources (Cont'd)	
<u>WSP Gen-Tie Corridors (Cont'd)</u>	<p>[Continued from preceding page.]</p> <p>b. <u>Conduct Pre-Construction Worker Training and Tribal Coordination.</u> Prior to the issuance of building permits for each WSP solar facility and gen-tie project, the project proponent for each respective project shall undertake the following:</p> <ul style="list-style-type: none"> • Authorize the archaeological consultant to provide a pre-construction briefing to supervisory personnel of any excavation contractor to alert them to the possibility of exposing significant historic or prehistoric archaeological resources within the project area. The briefing shall discuss any archaeological objects that could be exposed, the need to stop excavation at the discovery site, and the procedures to follow regarding discovery protection and notification of the project proponent and archaeological team. • The applicant shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources. • Prior to initiation of construction, the applicant shall conduct a site visit in concert with the appropriate Native American Tribe(s) in order to provide an opportunity for the Tribe(s) to assess the site and discuss their recommendations. During the site visit a cultural sensitivity class will be taught by the appropriate Native American Tribe(s) for the construction crew. <p>c. <u>Implement Procedures for Inadvertent Discoveries.</u> The following procedures shall be implemented to address inadvertent discovery of cultural resources during construction:</p> <ul style="list-style-type: none"> • Retain the professional archaeologist basis during all ground disturbing activity during construction and decommissioning for the project to review, identify and evaluate cultural resources that may be inadvertently exposed during construction. Should previously unidentified cultural resources be discovered during ground disturbing activities of the project, the project proponent shall cease work within 100 feet of the resources, and Kings County Community Development Agency (CDA) (or the Fresno County Department of Public Works and Planning for discoveries in Fresno County) shall be notified immediately. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under CEQA. [Continued on next page.]

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES (CONT'D)	
CUL-1. Disturbance to Cultural Resources (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> If the professional archaeologist determines that any cultural resources exposed during the initial ground survey or during construction constitute a historical resource and/or unique archaeological resource, he/she shall notify the project proponent and other appropriate parties of the evaluation and recommended mitigation measures to mitigate the impact to a less-than-significant level. Mitigation measures may include avoidance, preservation in-place, recordation, additional archaeological testing and data recovery, among other options. Treatment of any significant cultural resources shall be undertaken with the approval of the Kings County CDA (or the Fresno County Department of Public Works and Planning for discoveries in Fresno County). The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System (CHRIS), Southern San Joaquin Valley Information Center. The resources shall be photo-documented and collected by the archaeologist for submittal to the appropriate Native American Tribe(s). The archaeologist shall be required to submit to the applicable County for review and approval a report of the findings, including determinations as to the eligibility of any identified sources for listing in the California Register of Historical Resources, and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.
CUL-2. Disturbance to Human Remains	
<u>Westlands Solar Park</u> . Ground disturbing activities associated with the development of the WSP solar facilities could disturb previously undiscovered human remains, including those interred outside of formal cemeteries. (Less-than-Significant Impact with Mitigation)	Implement MM CUL-2.
<u>WSP Gen-Tie Corridors</u> . Ground disturbing activities associated with the construction of the gen-tie projects could disturb previously undiscovered human remains, including those interred outside of formal cemeteries. (Less-than-Significant Impact with Mitigation)	<p>Implement MM CUL-2.</p> <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES (CONT'D)	
CUL-2. Disturbance to Human Remains (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <p>MM CUL-2: Protection of Buried Human Remains</p> <p>In order to avoid the potential for impacts to any buried human remains which may be present, the following measures shall be implemented, as necessary, in conjunction with the construction of each WSP solar facility and gen-tie project:</p> <ul style="list-style-type: none"> Pursuant to State Health and Safety Code Section 7050.5(e) and Public Resources Code Section 5097.98, if human bone or bone of unknown origin is found at any time during on- or off-site construction, all work shall stop in the vicinity of the find and the Coroner of Kings or Fresno County, as applicable, shall be notified immediately. <p>If the remains are determined to be Native American, the Coroner shall notify the California State Native American Heritage Commission (NAHC), who shall identify the person believed to be the Most Likely Descendant (MLD). The project proponent and MLD, with the assistance of the professional archaeologist, shall make all reasonable efforts to develop an agreement for the treatment of human remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines Sec. 15064.5(d)). The agreed upon treatment shall address the appropriate excavation, removal, recordation, analysis, custodianship, curation, and final disposition of the human remains and associated or unassociated funerary objects. California Public Resources Code allows 48 hours for the MLD to make their wishes known to the landowner after being granted access to the site. If the MLD and the other parties do not agree on the reburial method, the project will follow Public Resources Code Section 5097.98(e) which states that "... the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance."</p>
CUL-3. Impacts to Tribal Cultural Resources	
<p><u>Westlands Solar Park.</u> There are no known tribal cultural resources within the WSP plan area or its immediate vicinity, and the probability that any are present is low. However, it is possible that previously unknown tribal cultural resources may be present within the WSP plan area which could be adversely affected by grading, excavation, and construction for the solar facilities. .</p> <p>(Less-than-Significant Impact with Mitigation)</p>	Implement MM CUL-3 below, and MMs CUL-1 and CUL-2 above.

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.5. CULTURAL RESOURCES AND TRIBAL CULTURAL RESOURCES (CONT'D)	
CUL-3. Impacts to Tribal Cultural Resources (Cont'd)	
<p><u>WSP Gen-Tie Corridors.</u> There are no known tribal cultural resources within the WSP gen-tie corridors or their immediate vicinity, and the probability that any are present is low. However, it is possible that previously unknown tribal cultural resources may be present within the WSP plan area which could be adversely affected by grading, excavation, and construction for the solar facilities. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM CUL-3 below, and MMs CUL-1 and CUL-2 above.</p> <p><u>MM CUL-3. Protection of Tribal Cultural Resources</u></p> <p>In order to avoid the potential for impacts to tribal cultural resources which may be present, the following measures shall be implemented, as necessary, in conjunction with the construction of each WSP solar facility and gen-tie project:</p> <ul style="list-style-type: none"> • <u>Consult with Native American Tribe(s).</u> Prior to public release of the CEQA document for each project, the lead agency shall initiate consultation with Native American Tribe(s) which have a traditional and cultural affiliation to the project site, in accordance with Public Resources Code Section 21080.3.1. • <u>Mitigation for Tribal Cultural Resources.</u> If any tribal cultural resources are identified through consultation with the Native American Tribe(s), the lead agency shall consult and work with the tribe(s) to develop feasible mitigation measures or alternatives that would avoid impacts, or develop and implement treatment plans that would substantially lessen impacts on identified tribal cultural resources, in accordance with Public Resources Code Section 21083(b)(2).
CUL-4. Cumulative Impacts to Cultural Resources	
<p><u>Westlands Solar Park.</u> The WSP solar development would not make a cumulatively considerable contribution to cultural resource impacts with mitigation; therefore, the WSP solar projects would not have a significant cumulative impact on cultural resources with mitigation. <i>(Less-than-Significant Cumulative Impact with Mitigation)</i></p>	<p>Implement MM CUL-1, MM CUL-2, and MM CUL-3. No additional mitigation is required.</p>
<p><u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects would not make a cumulatively considerable contribution to cultural resource impacts with mitigation; therefore, the gen-tie projects would not have a significant cumulative impact on cultural resources with mitigation. <i>(Less-than-Significant Cumulative Impact with Mitigation)</i></p>	<p>Implement MM CUL-1, MM CUL-2, and MM CUL-3. No additional mitigation is required.</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.6. GEOLOGY AND SOILS	
GEO-1. Rupture of Known Earthquake Fault	
<u>Westlands Solar Park.</u> There are no known active or potentially active earthquake faults in proximity to the WSP plan area; therefore, the potential for impact from fault rupture is extremely low. (<i>Less-than-Significant Impact</i>)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> There are no known active or potentially active earthquake faults in proximity to the Westlands Gen-Tie corridors. (<i>Less-than-Significant Impact</i>)	No mitigation is required
GEO-2. Seismic Ground Shaking	
<u>Westlands Solar Park.</u> Moderate ground shaking expected within the WSP plan area during a moderate to severe earthquake could potentially result in damage to solar generating facilities and other structures. (<i>Less-than-Significant Impact with Mitigation</i>)	Implement MM GEO-1a. MM GEO-1a. Minimization of Seismic Ground Shaking Hazard within WSP Prior to the issuance of building permits for solar projects within the WSP plan area, the project applicants for each solar project shall provide documentation to Kings County demonstrating that all project structures are designed in accordance with the seismic design criteria of the California Building Code. The project applicants shall also implement all recommendations contained in the project-specific geotechnical engineering reports with respect to grading, soil preparation, building and equipment foundation design, solar array support specifications, pavement design, excavations, and other construction considerations.
<u>WSP Gen-Tie Corridors.</u> Strong ground shaking expected within the WSP gen-tie corridors during a moderate to severe earthquake could potentially result in damage to transmission towers and lines. (<i>Less-than-Significant Impact with Mitigation</i>)	Implement MM GEO-1b. MM GEO-1b. Minimization of Seismic Ground Shaking Hazard for WSP Gen-Tie Corridors Prior to final project design for the gen-tie lines, geotechnical investigations shall be performed to evaluate ground accelerations for design of all planned transmission structures to ensure conformance with applicable design standards for the anticipated seismic forces.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

3.6. GEOLOGY AND SOILS (CONT'D)	
GEO-3. Liquefaction, Lateral Spreading, and Seismic Settlement	
<p><u>Westlands Solar Park.</u> There is a potential for seismically-induced, liquefaction, lateral spreading, and settlement within the WSP plan area which could result in damage to foundations and structures. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM GEO-2a.</p> <p><u>MM GEO-2a. Minimization of Ground Failure Hazard within WSP</u></p> <p>Prior to the issuance of the first building permit for each solar project within WSP, the applicant shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for liquefaction, lateral spreading, and seismic settlement within the project area and to prepare recommendations and foundation design specifications to mitigate potential damage to project structures due to these soil hazards. Any mitigation identified in the geotechnical reports shall be subject to review and approval by the Kings County Building Official and made conditions of building permit approval.</p>
<p><u>WSP Gen-Tie Corridors.</u> There is a potential for seismically-induced, liquefaction, lateral spreading, and settlement within portions of the WSP Gen-Tie Corridors which could result in damage to foundations and structures. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM GEO-2b.</p> <p><u>MM GEO-2b. Minimization of Ground Failure Hazards for WSP Gen-Tie Corridors</u></p> <p>Prior to final project design for the gen-tie lines, the project proponent shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for liquefaction, lateral spreading, and seismic settlement within the transmission corridors and to prepare recommendations and foundation design specifications to mitigate potential damage to project structures due to these soil hazards.</p>
GEO-4. Landslides and Slope Failures	
<p><u>Westlands Solar Park.</u> The level terrain of the WSP plan area has a very low potential for landslides, although there is a moderate potential for localized slope failures along the channels and levees of streams and irrigation canals, ditches, and ponds. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM GEO-3a.</p> <p><u>MM GEO-3a. Minimization of Landslide and Slope Failure Hazard within WSP</u></p> <p>Prior to the issuance of the first building permit for each solar project within WSP, the applicant shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for slope failures and to prepare recommendations to mitigate or avoid potential damage to project structures due to potential slope failures. Any mitigation identified in the geotechnical report shall be subject to review and approval by the County Building Official and made conditions of building permit approval.</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.6. GEOLOGY AND SOILS (CONT'D)	
GEO-4. Landslides and Slope Failures (Cont'd)	
<p><u>WSP Gen-Tie Corridors.</u> The relatively level terrain of the valley areas traversed by the WSP gen-tie corridors has a very low potential for landslides, although there is a moderate potential for localized slope failures along the channels and levees of streams and irrigation canals, ditches, and ponds. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM GEO-3b.</p> <p><u>MM GEO-3b. Minimization of Landslide and Slope Failure Hazards for Westlands Transmission Projects</u></p> <p>Prior to final project design for the transmission lines and related facilities, the project proponent shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for landslides and/or slope failures within the gen-tie corridors and to prepare recommendations to mitigate or avoid potential damage to project structures due to potential slope failures.</p>
GEO-5. Expansive Soils	
<p><u>Westlands Solar Park.</u> Most soil units within the WSP plan area have moderate to high potential for soils expansion which could result in potential damage to foundations and equipment pads. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM GEO-4a.</p> <p><u>MM GEO-4a. Minimization of Soils Expansion Hazard within WSP</u></p> <p>Prior to the issuance of the first building permit for each solar project within WSP, the applicant shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for soils expansion and to prepare recommendations and foundation design specifications to mitigate potential damage to project structures due to potential soils expansion. Any mitigations identified the geotechnical report shall be subject to review and approval by the County Building Official and made conditions of building permit approval.</p>
<p><u>WSP Gen-Tie Corridors.</u> Most soil units within the WSP Gen-Tie Corridors consist of alluvial soils which have moderate to high potential for soils expansion which could result in potential damage to tower foundations and pads. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM GEO-4b.</p> <p><u>MM GEO-4b. Minimization of Soils Expansion Hazard for Westlands Transmission Projects</u></p> <p>Prior to final project design for the gen-tie lines and related facilities, the project proponent shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for soils expansion within the gen-tie corridors and to prepare recommendations and foundation design specifications to mitigate potential damage to project structures due to soils expansion.</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.6. GEOLOGY AND SOILS (CONT'D)	
GEO-6. Erosion Potential	
<u>Westlands Solar Park.</u> The development of the WSP plan area would create the potential for water- and wind-related soil erosion during construction and decommissioning of the WSP solar generating facilities. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM HYD-1 (prepare and implement SWPPPs). No additional mitigation is required
<u>WSP Gen-Tie Corridors.</u> The construction of the gen-tie lines would create the potential for water- and wind-related soil erosion during construction of the gen-tie facilities. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM HYD-1 (prepare and implement SWPPPs). No additional mitigation is required
GEO-7. Shallow Groundwater	
<u>Westlands Solar Park.</u> Shallow groundwater conditions within the WSP plan area could adversely affect below-ground electrical conduits. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM GEO-6. <u>MM GEO-5. Shallow Groundwater Protection within WSP</u> Prior to the issuance of the first building permit for each solar development within WSP, the applicant shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for adverse groundwater impacts to buried electrical conduit and to prepare recommendations and design specifications to avoid potential damage from groundwater. Any mitigation identified the geotechnical report shall be subject to review and approval by the County Building Official and made conditions of building permit approval.
<u>WSP Gen-Tie Corridors.</u> Localized shallow groundwater conditions may occur within the WSP gen-tie corridors; however, since the gen-tie facilities would not include below-ground elements apart from concrete tower footings, there would be no adverse effect upon the gen-tie facilities. <i>(Less-than-Significant Impact)</i>	No mitigation is required

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.6. GEOLOGY AND SOILS (CONT'D)	
GEO-8. Soil Corrosivity	
<u>Westlands Solar Park.</u> Corrosive soils within the WSP plan area could potentially cause damage to on-site structures, foundations, and utilities. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM GEO-6a. <u>MM GEO-6a. Corrosion Protection for Buried Structures within WSP</u> Prior to the issuance of the first building permit for each solar development within WSP, the applicant shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for soil corrosivity and to prepare recommendations and design specifications to mitigate potential damage to underground project elements due to potentially corrosive soils. Any mitigation identified in the geotechnical report shall be subject to review and approval by the County Building Official and included as conditions of building permit approval.
<u>WSP Gen-Tie Corridors.</u> Corrosive soils within the WSP Gen-Tie Corridors could potentially cause damage to on-site structures and foundations. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM GEO-6b. <u>MM GEO-6b. Corrosion Protection for Buried Structures within WSP Gen-Tie Corridors</u> Prior to final project design for the gen-tie lines and related facilities, the project proponent shall retain a qualified geotechnical engineer to undertake a soils investigation to determine the potential for soil corrosivity and to prepare recommendations and design specifications to mitigate potential damage to underground project elements due to potentially corrosive soils.
GEO-9. Soil Suitability for Wastewater Disposal	
<u>Westlands Solar Park.</u> The operational domestic wastewater disposal requirements for each WSP solar facility would be provided either by septic tanks with no leachfields (wastewater would be disposed off-site), or portable chemical toilets, depending on the size of the solar facility, and by portable chemical toilets during construction. Therefore, on-site soils would not be utilized for wastewater disposal. <i>(No Impact)</i>	No mitigation is required
<u>WSP Gen-Tie Corridors.</u> During construction, wastewater disposal requirements would be provided by portable chemical toilets. There would be no need for wastewater disposal during gen-tie line operation. Therefore, on-site soils would not be utilized for wastewater disposal. <i>(No Impact)</i>	No mitigation is required

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.6. GEOLOGY AND SOILS (CONT'D)	
GEO-10. Mineral Resources	
<u>Westlands Solar Park.</u> The construction of the WSP solar facilities would increase the demand for local sand and gravel resources. This increased demand would represent a small portion of the aggregate resources in the area and would not result in a loss of availability of a known mineral resource. While an abandoned oil field is located near the WSP plan area, WSP solar development would not interfere with access to known mineral or oil and gas resources. Therefore, WSP solar development would not result in the loss of availability of an important mineral resource recovery site. (Less-than-Significant Impact)	No mitigation is required
<u>WSP Gen-Tie Corridors.</u> The construction of the gen-tie projects would increase the demand for local sand and gravel resources. This increased demand would represent a small portion of the aggregate resources in the area and would not result in a loss of availability of a known mineral resource. While an abandoned oil field and several abandoned oil wells are located near the WSP gen-tie corridors, the construction of the gen-tie projects would not interfere with access to known mineral or oil and gas resources. No portion of the WSP gen-tie corridors is located in proximity to locally-important recovery sites for mineral resources, or oil and gas resources, and therefore would not result in the loss of availability of an important mineral resource recovery site. (Less-than-Significant Impact)	No mitigation is required
GEO-11. Cumulative Geology and Soils Impacts	
<u>Westlands Solar Park.</u> The potential cumulative geology and soils impacts resulting from WSP solar development, combined with impacts from related cumulative projects, would be less than cumulatively significant under near-term and far-term conditions, with mitigation. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MMs GEO-1a, GEO-2a, GEO-3a, GEO-4a, GEO-5, GEO-6a, and HYD-1. No additional mitigation is required
<u>WSP Gen-Tie Corridors.</u> The potential cumulative geology and soils impacts resulting from the WSP Gen-Tie projects, combined with impacts from related cumulative projects, would be less than cumulatively significant under near-term and far-term conditions, with mitigation. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MMs GEO-1a, GEO-2a, GEO-3a, GEO-4a, GEO-6a, and HYD-1. No additional mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS	
HAZ-1. Potential Hazard from Routine Transport, Use, or Disposal of Hazardous Materials	
<p><u>Westlands Solar Park.</u> There is a potential for release of hazardous materials during construction, operation, and decommissioning of WSP solar facilities. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-1 (below), and MM HYD-1 (in Section 3.8. <i>Hydrology and Water Quality</i>).</p> <p><u>MM HAZ-1. Protection from Hazardous Materials</u></p> <p>In order to protect the public from potential release of hazardous materials, the project applicant shall prepare and implement a Hazardous Materials Business Plan (HMBP) in accordance with the requirements of the Kings County Public Health Department Environmental Services Division and the Hazardous Materials Release Response Plan and Inventory Act of 1985. Under this state law, the applicant is required to prepare an HMBP to be submitted to the Kings County Public Health Department, Environmental Health Services Division, which is the Certified Unified Program Agency (CUPA) for Kings County. The HMBP shall include a hazardous material inventory, emergency response procedures, training program information, and basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of at the proposed project site, and procedures for handling and disposing of unanticipated hazardous materials encountered during construction. The HMBP shall include an inventory of the hazardous waste generated on site, and shall specify procedures for proper disposal. As required, hazardous waste would be transported by a licensed hauler and disposed of at a licensed facility. According to the HMBP reporting requirements, workers must be trained to respond to releases of hazardous materials in accordance with State and federal laws and regulations governing hazardous materials and hazardous waste (e.g., HAZWOPER training required by OSHA). Any accidental release of small quantities of hazardous materials shall be promptly contained and abated in accordance with applicable regulatory requirements and reported to the Environmental Health Services Division. As the CUPA for Kings County, the Environmental Health Services Division of the County Public Health Department is responsible for implementation and enforcement of HMBPs. Implementation of the HMBPs for WSP solar projects would ensure that minor spills or releases of hazardous materials would not pose a significant risk to the public or the environment.</p>
<p><u>WSP Gen-Tie Corridors.</u> There is a potential for release of hazardous materials during construction and operation of the WSP gen-tie lines. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-1 (below), and MM HYD-1 (in Section 3.8. <i>Hydrology and Water Quality</i>).</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-2. Hazards Related to Past and Recent Agricultural Operations	
<p><u>Westlands Solar Park.</u> The ground disturbing activities associated with installation of WSP solar facilities could pose environmental health hazards by: 1) mobilizing petroleum products and agricultural chemicals that may be present in the soil near sites of agricultural chemical mixing and storage of lubricants; and 2) mobilizing environmentally persistent “legacy” pesticides that may still be present in hazardous concentrations. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-2a.</p> <p><u>MM HAZ-2a. Conduct Soil Sampling and Remediation as Applicable</u></p> <p>Prior to initiation of ground disturbing activities at each SGF site, soil samples shall be taken from areas of potential contamination and tested for hazard levels of constituents of concern, in accordance with work plans prepared by qualified professionals. Any soils that exceed regulatory limits for hazardous materials shall be removed or otherwise remediated prior to any ground disturbing activity, to the satisfaction of the responsible regulatory agencies in accordance with applicable laws and regulations. The specific areas within the WSP plan area that are to be sampled and tested for contamination shall include soils beneath and surrounding the following locations:</p> <ul style="list-style-type: none"> • Current and known former locations of fertilizer storage tanks and mixing areas. • Locations of 55-gallon oil drums at fertilizer storage/mixing sites and agricultural production wells. • Random locations within fields subject to potential past application of environmentally persistent pesticides.
<p><u>WSP Gen-Tie Corridors.</u> The ground disturbing activities associated with gen-tie line construction could pose an environmental health hazard by mobilizing pesticides that may be present in hazardous concentrations in the soil due to past agricultural operations. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-2b.</p> <p><u>MM HAZ-2b. Conduct Soil Sampling and Remediation as Applicable</u></p> <p>Prior to initiation of ground disturbing activities for each WSP gen-tie project, soil samples shall be taken from areas of potential contamination and tested for hazard levels of constituents of concern, in accordance with work plans prepared by qualified professionals. Any soils that exceed regulatory limits for hazardous materials shall be removed or otherwise remediated prior to any ground disturbing activity, to the satisfaction of the responsible regulatory agencies in accordance with applicable laws and regulations.</p>
HAZ-3. Worker Exposure to Valley Fever Fungal Spores	
<p><u>Westlands Solar Park.</u> The soils of the WSP plan area may contain Valley Fever fungal spores, which can be released to the atmosphere during soil disturbing activity and expose construction workers to risk of Valley Fever. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-3.</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-3. Worker Exposure to Valley Fever Fungal Spores (Cont'd)	
<p><u>WSP Gen-Tie Corridors.</u> The soils within the gen-tie corridors may contain Valley Fever fungal spores, which can be released to the atmosphere during soil disturbing activity and expose construction workers to risk of Valley Fever. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-3.</p> <p><u>MM HAZ-3. Protection of Construction Workers from Valley Fever</u></p> <p>In order to protect construction workers from Valley Fever, the following measures shall be implemented prior to and during ground disturbing activity:</p> <ul style="list-style-type: none"> ▪ Implement the Dust Control Plan to be approved for each project by the San Joaquin Valley Air Pollution District under District Rule 8021 prior to ground disturbing activity. ▪ Prepare and implement a respiratory protection program for construction workers, as required under California Code of Regulations, Title 8, Section 5144.
HAZ-4. Hazards from Abandoned Oil and Gas Wells	
<p><u>Westlands Solar Park.</u> The abandoned oil and gas wells within the WSP plan area may release gases that pose a potential health and safety hazard to workers and the public. <i>(Less-than-Significant Impact with Mitigation)</i></p>	<p>Implement MM HAZ-4a.</p> <p><u>MM HAZ-4a. Safety and Remedial Measures for Abandoned Oil Wells within WSP</u></p> <p>Prior to initiation of ground disturbing activities for each WSP solar project, the following measures shall be implemented to minimize potential hazards associated with abandoned oil wells:</p> <ul style="list-style-type: none"> ▪ The site planning for each WSP solar project shall include mapping of all known oil wells on the plans. ▪ The site plans shall show a minimum setback of 25 feet from all oil wells. The site plans shall show these setback zones to be free of all structural, mechanical, and electrical elements. Solar facilities may be planned within the 25-foot setback zone only upon the written authorization of the Division of Oil, Gas, and Geothermal Resources (DOGGR), and subject to the conditions and requirements of DOGGR for such encroachments. ▪ Prior to the issuance of the building permit for each solar project, all known oil wells within the solar project site shall be relocated in the field. The plugged/abandoned wells shall be inspected and tested for leakage prior to construction activities. Any required remedial operations shall be carried out in accordance with the requirements of DOGGR. If the well was not abandoned or abandoned properly, as determined by DOGGR, the well shall be abandoned or re-abandoned to the satisfaction of DOGGR.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-4. Hazards from Abandoned Oil and Gas Wells (Cont'd)	
<u>Westlands Solar Park</u> (Cont'd)	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> In the event that an abandoned or unrecorded oil well is damaged or uncovered during construction activities, the contractor shall contact DOGGR to obtain information on the required remedial operations, and shall obtain prior written approval from DOGGR to perform the remedial operations. <p>Copies of all correspondence to and from DOGGR concerning oil wells within the WSP plan area shall be submitted to the Kings County Community Development Agency.</p>
<p><u>WSP Gen-Tie Corridors</u>. The abandoned oil and gas wells in the vicinity of the gen-tie corridors may release gases that pose a potential health and safety hazard to workers and the public. (<i>Less-than-Significant Impact with Mitigation</i>)</p>	<p>Implement MM HAZ-4b.</p> <p><u>MM HAZ-4b. Safety and Remedial Measures for Abandoned Oil Wells Near WSP Gen-Tie Projects</u></p> <p>Prior to initiation of ground disturbing activities for each WSP gen-tie project, the following measures shall be implemented to minimize potential hazards associated with abandoned oil wells:</p> <ul style="list-style-type: none"> The detailed route planning for gen-tie line alignment shall include mapping of all known oil wells on the plans. The gen-tie project plans shall show a minimum setback of 25 feet from all oil wells. The plans shall show these setback zones to be free of all structural, mechanical, and electrical elements. Gen-tie facilities may be planned within the 25-foot setback zone only upon the written authorization of the Division of Oil, Gas, and Geothermal Resources (DOGGR), and subject to the conditions and requirements of DOGGR for such encroachments. Prior to the initiation of ground disturbing activities, all known oil wells in the immediate vicinity of the gen-tie project alignment shall be relocated in the field. The plugged/abandoned wells shall be inspected and tested for leakage prior to construction activities. Any required remedial operations shall be carried out in accordance with the requirements of DOGGR. If the well was not abandoned or abandoned properly, as determined by DOGGR, the well shall be abandoned or re-abandoned to the satisfaction of DOGGR. <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-4. Hazards from Abandoned Oil and Gas Wells (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> ▪ In the event that an abandoned or unrecorded oil well is damaged or uncovered during construction activities, the contractor shall contact DOGGR to obtain information on the required remedial operations, and shall obtain prior written approval from DOGGR to perform the remedial operations. ▪ Copies of all correspondence to and from DOGGR concerning oil wells within the WSP gen-tie corridors area shall be submitted to the Community Development Agency/Department of the affected county.
HAZ-5. Safety Hazards Associated with Existing Natural Gas Pipelines and Power Transmission Lines	
<u>Westlands Solar Park.</u> Construction activity in the vicinity of the existing natural gas pipelines and electrical transmission lines crossing the WSP plan area are subject to safety hazards associated with those facilities. (<i>Less-than-Significant Impact with Mitigation</i>)	<p>Implement MM HAZ-5.</p> <p><u>MM HAZ-5. Safety and Remedial Measures for Existing Natural Gas Pipelines and Power Transmission Lines</u></p> <p>Prior to any construction-related activity planned to occur within the existing easements for gas pipelines or power transmission lines, the project proponent or contractor shall coordinate with the easement holder to obtain authorization for such activity by the easement holder, and shall follow all applicable safety procedures and protocols required by the easement holder for such activity. The construction contract specifications for the WSP solar projects and gen-tie projects shall include the specified safety protocols to ensure safety of workers and integrity of the pipelines and transmission lines during work within the easements.</p>
<u>WSP Gen-Tie Corridors.</u> Construction activity in the vicinity of the existing natural gas pipelines and electrical transmission lines crossing the WSP gen-tie corridors are subject to safety hazards associated with those facilities. (<i>Less-than-Significant Impact with Mitigation</i>)	Implement MM HAZ-5.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-6. Electromagnetic Fields (EMFs) from Electrical Facilities	
<u>Westlands Solar Park.</u> There is a potential that workers in the vicinity of the existing PG&E transmission lines and the planned internal gen-tie lines and substations within the WSP plan area would be exposed to Electromagnetic Fields (EMFs) emitted by those facilities. However, the work in the vicinity of the existing transmission lines would be relatively short in duration, and the planned WSP gen-tie lines and substation facilities are planned to be routed and located where the nearest residents and workers would be exposed to long-term EMF levels that are at or near ambient or background levels. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> There is a potential that residents and workers in the vicinity of WSP gen-tie lines would be exposed to EMFs emitted by those facilities. However, the gen-tie lines are planned to be routed where the nearest residents would be exposed to long-term EMF levels that are equivalent to or less than ambient or background levels. Worker exposure would be relatively short in duration and would be reduced by implementation of CPUC requirements for EMF reduction on transmission lines. (Less-than-Significant Impact)	No mitigation is required.
HAZ-7. Hazards or Hazardous Materials within ¼ Mile of Schools	
<u>Westlands Solar Park.</u> There are no existing or proposed schools within ¼ mile of the WSP plan area. Therefore, WSP solar development would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> There are no existing schools within ¼ mile of the gen-tie corridors. Therefore, gen-tie lines would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-8. Any Listed Hazardous Materials Sites on or Near Project Site	
<u>Westlands Solar Park.</u> There are no hazardous materials sites within the WSP plan area or adjacent properties listed on the Department of Toxic Substances Control's (DTSC's) Hazardous Waste and Substances Site List (Cortese List) compiled pursuant to Government Code Section 65962.5. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> There are no hazardous materials sites within the WSP gen-tie corridors or adjacent properties listed on the Department of Toxic Substances Control's (DTSC's) Hazardous Waste and Substances Site List (Cortese List) compiled pursuant to Government Code Section 65962.5. (Less-than-Significant Impact)	No mitigation is required.
HAZ-9. Hazards to Aviation due to Physical Features and Reflective Surfaces	
<u>Westlands Solar Park.</u> There is a potential for tall physical features to pose a hazard to aircraft operation due to physical obstruction; however, no structures within the WSP solar projects would be high enough to present a physical obstruction to aviation. The glare from reflective surfaces can be a hazard to aviation; however, the solar PV modules are dark in color and have low reflectivity. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> There is a potential for tall physical features to pose a hazard to aircraft operation due to physical obstruction; however, no gen-tie structures would be high enough to present a physical obstruction to aviation. Hazards to crop dusters would be minimized by routing the gen-tie lines adjacent to existing transmission lines and County roads. (Less-than-Significant Impact)	No mitigation is required.
HAZ-10. Impair or Interfere with Emergency Response or Evacuation Plan	
<u>Westlands Solar Park.</u> The WSP solar development would not alter the local roadway network or generate substantial traffic; therefore, the WSP solar development would not impair or interfere with an emergency response plan or an evacuation plan. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.7. HAZARDS AND HAZARDOUS MATERIALS (CONT'D)	
HAZ-10. Impair or Interfere with Emergency Response or Evacuation Plan (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not alter the local roadway network or generate substantial traffic; therefore, the gen-tie projects would not impair or interfere with an emergency response plan or an evacuation plan. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
HAZ-11. Wildfire Risk	
<u>Westlands Solar Park.</u> The WSP plan area is not located within or near a wildland fire hazard area. Therefore, WSP solar facilities would not be subject to risk from wildland fires. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The northern WSP gen-tie project would be subject to moderate wildland fire risk in a small area where it crosses the California Aqueduct. <i>(Less-than-Significant Impact with Mitigation)</i>	Implement MM HAZ-6. No mitigation is required. <u>MM HAZ-6. Fire Protection and Safety Plan</u> The gen-tie project proponent shall prepare a fire protection and safety plan to be implemented during all construction activities associated with the north gen-tie project. The plan shall be prepared in coordination with CalFire and the affected county(s), as applicable.
HAZ-12. Cumulative Hazards and Hazardous Materials Impacts	
<u>Westlands Solar Park.</u> The potential hazards and hazardous materials impacts associated with WSP solar development would be avoided or mitigated, or would be less than significant without mitigation, depending on the specific hazard. It is expected that any potential hazards and hazardous materials associated with other cumulative project sites would be similarly avoided or mitigated, or would be less than significant without mitigation. <i>(Less-than-Significant Cumulative Impact with Mitigation)</i>	Implement MM HAZ-1 through HAZ-5. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The potential hazards and hazardous materials impacts associated with the gen-tie projects would be avoided or mitigated, or would be less than significant without mitigation, depending on the specific hazard. It is expected that any potential hazards and hazardous materials associated with other cumulative project sites would be similarly avoided or mitigated, or would be less than significant without mitigation. <i>(Less-than-Significant Cumulative Impact with Mitigation)</i>	Implement MM HAZ-1 through HAZ-6. No additional mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.8. HYDROLOGY AND WATER QUALITY	
HYD-1. Violate Water Quality Standards or Waste Discharge Permits	
<u>Westlands Solar Park.</u> The development of solar generating facilities within WSP would not violate any water quality standards or waste discharge requirements. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Construction of the gen-tie projects would not violate any water quality standards or waste discharge requirements. (No Impact)	No mitigation is required.
HYD-2. Effects on Groundwater Use and Recharge	
<u>Westlands Solar Park.</u> WSP solar development would result in a substantial reduction in net groundwater use compared to the existing agricultural uses, and would not interfere with groundwater recharge. WSP solar development would reduce the overall volume of groundwater pumped in the plan area which would help offset the decline of groundwater levels in the basin. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Construction and operation of the gen-tie projects would require the use of small volumes of water, which would have little or no effect on groundwater supplies. The very small amount of impervious surfaces resulting from the gen-tie projects would not interfere with groundwater recharge. (Less-than-Significant Impact)	No mitigation is required.
HYD-3. Alteration of Drainage Patterns, Erosion or Sedimentation	
<u>Westlands Solar Park.</u> The WSP solar projects would result in potential water quality impacts from erosion and sedimentation during the construction and decommissioning phases. (Less-than-Significant Impact with Mitigation)	Implement MM HYD-1. <u>MM HYD-1. Stormwater Quality Protection</u> Prior to construction grading and prior to the decommissioning, the applicant shall be required to file a "Notice of Intent" (NOI) with the SWRCB to comply with the General Permit and prepare a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP for each project phase shall be prepared by a licensed engineer and shall detail the treatment measures and best management practices (BMPs) to control pollutants that shall be implemented and complied with during the construction and post-construction phases of solar development. The SWPPP(s) required for decommissioning shall specify BMPs to be implemented during that final project phase. The construction contracts for each project phase, and for the decommissioning phase, shall include the requirement to implement the BMPs in accordance with the SWPPPs.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.8. HYDROLOGY AND WATER QUALITY (CONT'D)	
HYD-3. Alteration of Drainage Patterns, Erosion or Sedimentations (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The construction of the gen-tie projects would result in potential water quality impacts from erosion and sedimentation during the construction. (Less-than-Significant Impact with Mitigation)	Implement MM HYD-1.
HYD-4. Drainage and Flooding	
<u>Westlands Solar Park.</u> The WSP solar projects would result in a slight increase stormwater runoff compared to existing conditions; however, stormwater runoff would be controlled and retained within each solar project site, and flooding would be avoided. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would result in a slight increase stormwater runoff compared to existing conditions; however, stormwater runoff would be controlled within each disturbance area, and flooding would be avoided. (Less-than-Significant Impact)	No mitigation is required.
HYD-5. Operations-Related Impacts to Water Quality	
<u>Westlands Solar Park.</u> The WSP solar facilities would generate minimal stormwater pollutants, and would result in little or no stormwater runoff; therefore, the operation of WSP solar facilities would not adversely affect water quality. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would generate minimal stormwater pollutants, and would result in little or no stormwater runoff; therefore, the operation of the gen-tie lines would not adversely affect water quality. (Less-than-Significant Impact)	No mitigation is required.
HYD-6. Other Impacts to Water Quality	
<u>Westlands Solar Park.</u> The WSP solar projects would result in potential water quality impacts related to discharges of hazardous materials during construction and decommissioning. (Less-than-Significant Impact with Mitigation)	Implement MM HYD-1. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would result in potential water quality impacts related to discharges of hazardous materials during construction. (Less-than-Significant Impact with Mitigation)	Implement MM HYD-1. No additional mitigation is required.

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.8. HYDROLOGY AND WATER QUALITY (CONT'D)	
HYD-7. Impacts to Development with 100-year Floodplain	
<u>Westlands Solar Park.</u> During the 100-year storm event, small portions of the WSP plan area may be subject to minor flooding; however, any building and equipment pads in these areas would be raised above surrounding ground elevations to prevent flooding damage to such structures. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> In areas where the gen-tie corridors cross mapped flood zones, transmission towers would be placed to avoid flood zones, or where avoidance is not possible, tower structures would be designed to withstand flood flows. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
HYD-8. Impede or Redirect Flood Flows	
<u>Westlands Solar Park.</u> No lands within the WSP plan area are mapped within the 100-year flood zone or the 500-year flood zone, per FEMA's regulatory flood zone mapping. In the small areas of the WSP plan area that are mapped as flood-prone by DWR, the solar facilities would be raised above flood-elevations and thus not impede or redirect flood flows. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The placement of some transmission towers within 100-year flood zones is unavoidable; however, the relatively small concrete footings of the intermittently spaced tower structures would not impede or redirect flood flows. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
HYD-9. Inundation Potential Due to Dam Failure	
<u>Westlands Solar Park.</u> In the event of failure of large dams in the Sierra Nevada, the potential inundation areas would extend into the eastern areas of Kings County, but would not extend to the WSP plan area. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> In the event of failure of large dams in the Sierra Nevada, the potential inundation areas would extend into the eastern areas of Kings County, but would not extend to the gen-tie corridors area. <i>(Less-than-Significant Impact)</i>	No mitigation is required.
HYD-10. Inundation by Seiche, Tsunami, or Mudflow	
<u>Westlands Solar Park.</u> The WSP plan area is located substantial distances from areas subject to potential flood hazards from catastrophic events such as seiches, tsunamis, or mudflows; therefore, WSP solar development would not be subject to flooding risks from these sources. <i>(Less-than-Significant Impact)</i>	No mitigation is required.

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.8. HYDROLOGY AND WATER QUALITY (CONT'D)	
HYD-10. Inundation by Seiche, Tsunami, or Mudflow (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The gen-tie corridors are located substantial distances from areas subject to potential flood hazards from catastrophic events such as seiches, tsunamis, or mudflows; therefore, the gen-tie facilities would not be subject to flooding risks from these sources. (Less-than-Significant Impact)	No mitigation is required.
HYD-11. Cumulative Hydrology and Water Quality Impacts	
<u>Westlands Solar Park.</u> The potential cumulative drainage, flooding, water quality, and groundwater impacts resulting from WSP solar development, combined with impacts from related cumulative projects, would be less than cumulatively significant under near-term and far-term conditions, with mitigation. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM HYD-1. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The potential cumulative drainage, flooding, water quality, and groundwater impacts resulting from the gen-tie projects, combined with impacts from related cumulative projects, would be less than cumulatively significant under near-term and far-term conditions, with mitigation. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM HYD-1. No additional mitigation is required.
3.9. LAND USE AND PLANNING	
LU-1. Physically Divide an Established Community	
<u>Westlands Solar Park.</u> The WSP plan area is not located within or near any established community; therefore, WSP solar development would not physically divide an established community. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The lands traversed by the gen-tie corridors consist entirely of rural lands and include no established communities; therefore, the gen-tie projects would not physically divide an established community. (No Impact)	No mitigation is required.
LU-2. Conflict with Applicable Land Use Plan, Policy, or Regulation	
<u>Westlands Solar Park.</u> The WSP solar development is consistent with applicable Kings County General Plan designations and policies, and zoning regulations; therefore, the WSP solar development would not conflict with an applicable land use plan, policy, or regulation. (No Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.9. LAND USE AND PLANNING (CONT'D)	
LU-2. Conflict with Applicable Land Use Plan, Policy, or Regulation (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects are consistent with applicable General Plan designations and policies, and zoning regulations of Kings and Fresno Counties; therefore, the gen-tie projects would not conflict with an applicable land use plan, policy, or regulation. (No Impact)	No mitigation is required.
LU-3. Results in Conflicts or Incompatibility with Existing Land Uses	
<u>Westlands Solar Park.</u> The WSP solar development would occur within the flight operations area of NAS Lemoore, and would occur in proximity to existing residences; however, WSP solar development would not result in significant conflicts or incompatibility with these activities and land uses. The WSP solar development may adversely affect nearby agricultural operations through increased dust generation during construction, and through potential introduction of weedy species during operation. (Less-than-Significant Impact with Mitigation)	Implement MM AQ-1 (Dust Control) and MM AG-1 (Agricultural Management Plan).
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would occur in proximity to existing agricultural operations and existing residences; however, WSP solar development would not result in significant conflicts or incompatibility with existing residences. However, the construction of the gen-tie lines would result in the permanent loss of farmland, possible destruction of existing crops and damage to farming infrastructure, as well as restricted access to farmlands during construction. (Less-than-Significant Impact with Mitigation)	Implement MM AG-4 (Mitigation for Permanent Impacts to Agricultural Operations) and MM AG-5 (Mitigation for Temporary Impacts to Agricultural Operations).
LU-4. Conflict with a Habitat Conservation Plan or a Natural Communities Conservation Plan	
<u>Westlands Solar Park.</u> The WSP solar development would not conflict with an adopted habitat conservation plan, a natural community conservation plan, or any other approved local, regional or state habitat conservation plan. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not conflict with an adopted habitat conservation plan, a natural community conservation plan, or any other approved local, regional or state habitat conservation plan. (No Impact)	No mitigation is required.
LU-5. Cumulative Land Use and Planning Impacts	
<u>Westlands Solar Park.</u> The potential land use impacts associated with the WSP solar development, combined with the land use impacts of other cumulative development, would be less than significant with mitigation. (Less-than-Significant Impact with Mitigation)	Implement MMs AQ-1 (Dust Control), AG-1 (Agricultural Management Plan), AG-2 (Soil Reclamation Plan), and AG-3 (Financial Assurance). No additional mitigation is required.

TABLE ES-1 (CONT'D)

SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.9. LAND USE AND PLANNING (CONT'D)	
LU-5. Cumulative Land Use and Planning Impacts (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The potential land use and planning impacts associated with the gen-tie projects, combined with the land use impacts of other cumulative development, would be less than significant with mitigation. (Less-than-Significant Impact with Mitigation)	Implement MMs AQ-1 (Dust Control), AG-4 (Mitigation for Permanent Impacts to Agricultural Operations), and AG-5 (Mitigation for Temporary Impacts to Agricultural Operations). No additional mitigation is required.
3.10. NOISE	
NOI-1. Noise from Conventional Construction Activities	
<u>Westlands Solar Park.</u> Noise levels would be temporarily elevated during construction activities associated with WSP solar development. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Noise levels would be temporarily elevated during construction activities associated with the gen-tie projects. (Less-than-Significant Impact)	No mitigation is required.
NOI-2. Noise from Helicopter Construction	
<u>Westlands Solar Park.</u> No helicopter construction is anticipated within the WSP plan area; therefore, no noise impacts would occur as a result of helicopter use. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> If helicopter construction is employed for gen-tie line construction at road crossings or creek crossings, temporary increases in noise levels at sensitive receiver locations may result. (Less-than-Significant Impact)	No mitigation is required.
NOI-3. Construction Traffic Noise	
<u>Westlands Solar Park.</u> Construction of the WSP solar projects would result in temporary increases in traffic noise, generated by delivery trucks and construction worker trips, along roadways providing access to the WSP plan area. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Construction of the gen-tie projects would result in temporary increases in traffic noise, generated by delivery trucks and construction worker trips, along roadways providing access to the gen-tie work sites. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.10. NOISE (CONT'D)	
NOI-4. Vibration from Conventional Construction Activities	
<u>Westlands Solar Park.</u> Construction of the WSP solar facilities would involve the use of heavy equipment and vehicles that would produce vibration; however, the vibration levels would be too low to result in potential damage to buildings or potential annoyance to sensitive receivers. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Construction of the gen-tie projects would involve the use of heavy equipment and vehicles that would produce vibration; however, the vibration levels would be too low to result in potential damage to buildings or potential annoyance to sensitive receivers. (Less-than-Significant Impact)	No mitigation is required.
NOI-5. Noise from Project Operations	
<u>Westlands Solar Park.</u> Noise generated by operation of WSP solar facilities would result in a small increase noise levels in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Noise generated by operation of gen-tie lines would result in a small increase noise levels in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
NOI-6. Off-Site Traffic Noise from Project Operations	
<u>Westlands Solar Park.</u> Traffic generated by the operation of the WSP solar facilities would result in a small increase in traffic along roadways in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Traffic generated by the operation of the WSP gen-tie facilities would result in a small increase in traffic along roadways in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
NOI-7. Audible Noise from Corona Discharge on Transmission Lines	
<u>Westlands Solar Park.</u> During wet conditions, corona discharge from transmission conductors within the WSP plan area would generate noise. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> During wet conditions, corona discharge from conductors in the gen-tie facilities would generate noise. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.10. NOISE (CONT'D)	
NOI-8. Substation and Switching Station Noise	
<u>Westlands Solar Park.</u> Equipment noise from operation of new substations and switching stations within the WSP plan area would result in small increases in noise levels in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Equipment noise from operation of substation upgrades associated with the gen-tie lines would result in small increases in noise levels in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
NOI-9. Noise from Decommissioning of Solar Facilities	
<u>Westlands Solar Park.</u> Noise levels would be temporarily elevated during deconstruction activities associated with solar facility decommissioning within the WSP plan area. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> Decommissioning of gen-tie facilities is not anticipated; therefore, no noise impacts would occur. (No Impact)	No mitigation is required.
NOI-10. Noise from Flight Operations Associated with Nearby Airports	
<u>Westlands Solar Park.</u> The workers within the WSP plan area would not be exposed to excessive noise levels from flight operations associated with public or public use airports, NAS Lemoore, or private airstrips in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The workers on the gen-tie projects would not be exposed to excessive noise levels from flight operations associated with public or public use airports, NAS Lemoore, or private airstrips in the vicinity. (Less-than-Significant Impact)	No mitigation is required.
NOI-11. Cumulative Noise Impacts	
<u>Westlands Solar Park.</u> The noise generated by WSP solar projects, along with noise from other cumulative projects, would combine to result in a small increase in noise levels in the area. (Less-than-Significant Cumulative Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The noise generated by gen-tie projects, along with noise from other cumulative projects, would combine to result in a small increase in noise levels in the area. (Less-than-Significant Cumulative Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.11. PALEONTOLOGICAL RESOURCES	
PALEO-1. Loss of Paleontological Resources	
<p><u>Westlands Solar Park.</u> The WSP plan area includes approximately 2,100 acres that are underlain at depth by geologic units that have a high potential for paleontological resources. The construction of solar generating facilities on these lands could potentially result in the destruction of paleontological resources. (Less-than-Significant Impact with Mitigation)</p>	<p>Implement MM Paleo-1.</p> <p>(Significance after Mitigation: Less than significant)</p>
<p><u>WSP Gen-Tie Corridors.</u> The planned transmission corridors are underlain at depth by geologic units that have a high potential for paleontological resources. The construction of transmission towers and related gen-tie facilities could potentially result in the destruction of paleontological resources. (Less-than-Significant Impact with Mitigation)</p>	<p>Implement MM Paleo-1.</p> <p><u>MM PALEO-1: Protection of Paleontological Resources</u></p> <p>In order to reduce the potential impacts to paleontological resources to less-than-significant levels, the following mitigation measures shall be implemented in conjunction with all ground disturbance and construction work.</p> <ol style="list-style-type: none"> a. <u>Workers Environmental Awareness Training.</u> Prior to any ground-disturbing activities, all field personnel shall receive a worker's environmental awareness training module on paleontological resources. The training shall provide a description of the fossil resources that may be encountered in the project area, outline steps to follow in the event that a fossil discovery is made, and provide contact information for the Project Paleontologist and on-site monitor(s). The training shall be developed by the Project Paleontologist and may be conducted concurrent with other environmental training (e.g., cultural and natural resources awareness training, safety training, etc.). b. <u>Prepare Paleontological Resource Management Plan (RPMP).</u> Prior to the commencement of ground-disturbing activities, a qualified and professional paleontologist shall be retained to prepare and implement a PRMP for the project. The PRMP shall describe mitigation recommendations in detail, including field reconnaissance methodology; paleontological monitoring procedures; communication protocols to be followed in the event that an unanticipated fossil discovery is made during project development; and preparation, curation, and reporting requirements. The PRMP shall include the mitigation procedures described below. <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.11. PALEONTOLOGICAL RESOURCES (CONT'D)	
PALEO-1. Loss of Paleontological Resources (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> a. <u>Paleontological Reconnaissance Survey.</u> A qualified paleontologist shall be retained to conduct a field reconnaissance survey of the project area prior to any ground-disturbing activities. The purpose of the field survey will be to inspect the ground surface visually for exposed fossils or traces thereof and to further evaluate geologic exposures for their potential to contain preserved fossil material at the subsurface. The field survey shall be limited to project areas underlain by geologic units with a high paleontological sensitivity (e.g., Quaternary older alluvium [Qc] and lacustrine deposits [Ql]). At the discretion of the Project Paleontologist, the survey may extend to those areas where highly sensitive units are likely to be shallowly buried by younger deposits (e.g., Quaternary alluvium [Qa]). However, in general, project areas underlain by geologic units with low sensitivity shall not be subject to the survey. Particular attention shall be paid to rock outcrops, both inside and in the vicinity of the project area, and any areas where geologic sediments are well exposed. Areas determined to be heavily disturbed or otherwise obscured by heavy vegetation, agriculture, or buildings, etc., will not require a ground reconnaissance survey and may be subject to a windshield survey. d. <u>Document All Finds.</u> All fossil occurrences observed during the course of fieldwork, significant or not, shall be adequately documented and recorded at the time of discovery. The data collected for each fossil occurrence shall include, at minimum, the following information: Universal Transverse Mercator (UTM) coordinates, approximate elevation, description of taxa, lithologic description, and stratigraphic context (if known). In addition, each locality shall be photographically documented with a digital camera. If feasible, with prior consent of the landowner(s), all significant or potentially significant fossils shall be collected at the time they are observed in the field. If left exposed to the elements, fossil materials are subject to erosion and weathering. If the fossil discovery is too large to collect during the survey (e.g., a mammoth skeleton or bone bed) and requires a large-scale salvage effort, then it will be documented and a recovery strategy will be devised pursuant to Society of Vertebrate Paleontology (2010) guidelines. <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.11. PALEONTOLOGICAL RESOURCES (CONT'D)	
PALEO-1. Loss of Paleontological Resources (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <p>a. <u>Conduct Paleontological Monitoring.</u> Monitoring entails the visual inspection of excavated or graded areas and trench sidewalls for evidence of fossils. Full-time monitoring shall be required during ground-disturbing activities in the portions of any project that are underlain by geologic units with high sensitivity for paleontological resources (e.g., Quaternary older alluvium [Qc] and lacustrine deposits [Ql]). At the discretion of the Project Paleontologist, the survey may extend to those areas where highly sensitive units are likely to be shallowly buried by younger Quaternary alluvium deposits (e.g., Qf, Qa, Qb), in order to determine if underlying sensitive geologic units are being impacted by construction, and at what depth. In the event that a paleontological resource is discovered, the monitor shall have the authority to divert the construction equipment around the find temporarily until it is assessed for scientific significance and collected. Monitoring efforts can be reduced or eliminated at the discretion of the Project Paleontologist if no fossil resources are encountered after 50 percent of the excavations are completed.</p> <p>Monitoring is largely a visual inspection of sediments; therefore, the most likely fossils to be observed will be macrofossils of vertebrates (bones, teeth, tusk) or invertebrates (shells). At the discretion of the Project Paleontologist, the monitor shall periodically screen sediments to check for the presence of microfossils that can be seen with the aid of a hand lens (i.e., microvertebrates). Should microvertebrate fossils be encountered during the screening process, then bulk matrix samples will be taken for processing off site. For each fossiliferous horizon or paleosol, a standard sample (4.0 cubic yards or 6,000 pounds) shall be collected for subsequent wet screening per Society of Vertebrate Paleontology (2010) guidelines.</p> <p>b. <u>Procedures for Fossil Preparation, Curation, and Reporting.</u> Upon completion of fieldwork, all significant fossils collected shall be prepared in a properly equipped paleontology laboratory to a point ready for curation. Preparation shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossil specimens shall be identified to the lowest taxonomic level possible, cataloged, analyzed, and delivered to an accredited museum repository for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the project proponent.</p> <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.11. PALEONTOLOGICAL RESOURCES (CONT'D)	
PALEO-1. Loss of Paleontological Resources (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <p>At the conclusion of laboratory work and museum curation, a Paleontological Mitigation Report shall be prepared describing the results of the paleontological mitigation monitoring efforts associated with the project. The report shall include a summary of the field and laboratory methods, an overview of the project area geology and paleontology, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, the signed receipt of confirmation of museum deposition, and recommendations. The report shall be submitted to the designated museum repository, the project proponent, and other interested state and/or federal agencies involved within 45 days following completion of the monitoring and laboratory work.</p>
PALEO-2. Cumulative Impacts to Paleontological Resources	
<u>Westlands Solar Park.</u> The WSP solar development would not make a cumulatively considerable contribution to paleontological resource impacts with mitigation; therefore, the WSP solar projects would not have a significant cumulative impact on paleontological resources with mitigation. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM Paleo-1. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not make a cumulatively considerable contribution to paleontological resource impacts with mitigation; therefore, the transmission projects would not have a significant cumulative impact on paleontological resources with mitigation. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM Paleo-1. No additional mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.12. PUBLIC SERVICES	
PS-1. Fire Protection Services	
<u>Westlands Solar Park.</u> The WSP solar projects would result in an incremental increase in demand for fire protection services; however, these increases are expected to be small and thus would not result in degradation of service levels or in the need for new or expanded facilities. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would result in an incremental increase in demand for fire protection services; however, these increases are expected to be small and thus would not result in degradation of service levels or in the need for new or expanded facilities. (No Impact)	No mitigation is required.
PS-2. Law Enforcement and Security	
<u>Westlands Solar Park.</u> The WSP solar projects would result in a small increase the demand for law enforcement services, and therefore would not degrade service levels or result in the need for new or altered law enforcement facilities. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would result in a small increase the demand for law enforcement services, and therefore would not degrade service levels or result in the need for new or altered law enforcement facilities. (No Impact)	No mitigation is required.
PS-3. Schools, Parks, and Other Public Facilities	
<u>Westlands Solar Park.</u> The WSP solar projects would result in no demand for schools, parks, or other public facilities; therefore, WSP solar development would have no impact on such public facilities. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would result in no demand for schools, parks, or other public facilities; therefore, the WSP gen-tie projects would have no impact on such public facilities. (No Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.12. PUBLIC SERVICES (CONT'D)	
PS-4. Cumulative Public Services Impacts	
<u>Westlands Solar Park.</u> The WSP solar projects, combined with other related cumulative projects, would generate small increases in demands for fire protection, law enforcement, and other public services; however, these small increases in service demand are not expected to require additional staff and equipment, or the construction of new or expanded facilities. (No Cumulative Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects, combined with other related cumulative projects, would generate small increases in demands for fire protection, law enforcement, and other public services; however, these small increases in service demand are not expected to require additional staff and equipment, or the construction of new or expanded facilities. (No Cumulative Impact)	No mitigation is required.
3.13. TRANSPORTATION/TRAFFIC	
TR-1. Conflict with Transportation Plan or Level of Service Policy	
<u>Westlands Solar Park.</u> The WSP solar facilities would increase traffic during construction and operation; however, the traffic volumes would not result in exceedance of applicable policies establishing acceptable levels of service or measures of effectiveness. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would increase traffic during construction and operation; however, the traffic volumes would not result in exceedance of applicable levels of service standards or measures of effectiveness. (Less-than-Significant Impact)	No mitigation is required.
TR-2. Conflict with Congestion Management Program	
<u>Westlands Solar Park.</u> The WSP solar projects would not conflict with any standards established by an applicable congestion management agency. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not conflict with any standards established by an applicable congestion management agency. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.13. TRANSPORTATION/TRAFFIC (CONT'D)	
TR-3. Change in Air Traffic Patterns or Levels, or Increase Safety Risks	
<u>Westlands Solar Park.</u> The WSP solar projects are not expected to involve any helicopter use during construction and operation, and would not change air traffic patterns, increase air traffic levels, or otherwise result in substantial safety risks related to aviation. (No Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The WSP gen-tie projects may make intermittent use of helicopters during construction and operation, and would not change air traffic patterns, increase air traffic levels, or otherwise result in substantial safety risks related to aviation. Hazards to crop dusters would be minimized by routing the gen-tie lines adjacent to existing transmission and roadway corridors. (Less-than-Significant Impact)	No mitigation is required.
TR-4. Increased Traffic Hazards	
<u>Westlands Solar Park.</u> During construction of WSP solar projects, slow moving trucks and slow turning movements by large equipment and material delivery trucks could pose a traffic safety hazard along the affected roadways. (Less-than-Significant Impact with Mitigation)	<p>Implement MM TR 1a.</p> <p><u>MM TR-1a: Traffic Safety Measures for WSP Solar Projects</u></p> <p>As a condition of project approval, and prior to the issuance of encroachment permits, the project sponsor shall consult with the Kings County Public Works Department prior to initiation of construction and decommissioning activities that may affect area traffic (such as equipment and supply delivery necessitating lane closures, trenching, etc.) and shall implement appropriate traffic controls in accordance with the California Vehicle Code and other state and local requirements to avoid or minimize impacts on traffic. Traffic measures that shall be implemented during construction and decommissioning activities include the following:</p> <ul style="list-style-type: none"> a. Construction traffic shall not block emergency equipment routes. b. Construction activities shall be designed to minimize work on, and use of, local streets. As examples, this might include the following: <ul style="list-style-type: none"> i. Identify designated off-street parking areas for construction-related vehicles throughout the construction and decommissioning periods. ii. Identify approved truck routes for the delivery of all construction-related equipment and materials. <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.13. TRANSPORTATION/TRAFFIC (CONT'D)	
TR-4. Increased Traffic Hazards	
<u>Westlands Solar Park</u> (Cont'd)	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> iii. Limit the employee arrivals and departures, and the delivery of equipment and materials, to non-peak traffic periods (e.g., avoid unnecessary travel from 7 to 9 AM and 4 to 6 PM). iv. Provide for farm worker vehicle access and safe pedestrian and vehicle access. v. Provide advance warning and appropriate signage whenever road closures or detours are necessary. <p>c. Construction shall comply with San Joaquin Valley Air Pollution Control District standards for unpaved roads, which include a requirement to keep vehicle speeds below 15 miles per hour and to have fewer than 150 trips per day per unpaved road.</p> <p>The details of the traffic safety mitigations will be determined by the County Public Works Department at such time as the activities for which they are required are scheduled and the applicant's construction contractor requests consultation regarding such activities.</p>
<p><u>WSP Gen-Tie Corridors</u>. During construction of the gen-tie projects, slow moving trucks and slow turning movements by large equipment and material delivery trucks could pose a traffic safety hazard along the affected roadways. (Less-than-Significant Impact with Mitigation)</p>	<p>Implement MM TR-1b.</p> <p><u>MM TR-1b: Traffic Safety Measures for WSP Gen-Tie Projects</u></p> <p>Prior to the start of construction activity on a gen-tie project, the project proponent shall prepare and implement a Traffic Management Plan (TMP). The TMP is to include, but not be limited to, the following provisions:</p> <ul style="list-style-type: none"> ▪ A description of work hours, designated haul routes, and any timing restrictions on hauling during peak traffic periods. ▪ A description of traffic control measures such as flagging, warning signs, barricades, cones, and detours, including locations and timing of the measures. <p>[Continued on next page.]</p>

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.13. TRANSPORTATION/TRAFFIC (CONT'D)	
TR-4. Increased Traffic Hazards (Cont'd)	
<u>WSP Gen-Tie Corridors</u> (Cont'd)	<p>[Continued from preceding page.]</p> <ul style="list-style-type: none"> ▪ A description of the process for providing advance notification to property owners who would be affected by private road closures, temporary installation of guard structures, planned nighttime construction, and other construction activities. The notification would specify the timing and nature of the activity affecting each landowner, and would include contact information for designated construction personnel responsible for public coordination. ▪ A description of emergency services providers in the affected areas, along with provisions for notification of such service providers on the timing, location, and duration of construction activities, especially road closures and detours. <p>The Traffic Management Plans would be subject to review and approval of the various transportation agencies, including Caltrans and Counties of Kings and Fresno, as applicable. These reviews would occur during the course of encroachment permit application processes for their respective roadway facilities. The California Highway Patrol and County Sheriff's Departments would also review the TMPs prior to construction.</p>
TR-5. Emergency Access	
<u>Westlands Solar Park</u> . The WSP solar projects would include traffic controls during construction, and would be designed to allow full emergency access within each completed SGF, such that WSP solar development would not result in inadequate emergency access. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors</u> . The gen-tie projects would include traffic controls during construction, and would be designed to allow full emergency access to the completed gen-tie facilities, such that the gen-tie projects would minimize the potential for inadequate emergency access. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.13. TRANSPORTATION/TRAFFIC (CONT'D)	
TR-6. Conflict with Plans or Policies for Public Transit, Bicycle, or Pedestrian Facilities	
<u>Westlands Solar Park.</u> The WSP solar development would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. (Less-than-Significant Impact)	No mitigation is required.
TR-7. Cumulative Transportation/Traffic Impacts	
<u>Westlands Solar Park.</u> The traffic generated by WSP solar projects, along with traffic from other cumulative projects, would combine to result in increased traffic volumes on roadways in the area. (Less-than-Significant Cumulative Impact) During construction and decommissioning, traffic safety hazards may be created by construction vehicles on roadways. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM TR-1a. No additional mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The traffic generated by the gen-tie projects, along with traffic from other cumulative projects, would combine to result in increased traffic volumes on roadways in the area. (Less-than-Significant Cumulative Impact) During construction and decommissioning, traffic safety hazards may be created by construction vehicles on roadways. (Less-than-Significant Cumulative Impact with Mitigation)	Implement MM TR-1b. No additional mitigation is required.
3.14. UTILITIES AND SERVICE SYSTEMS	
UTS-1. Water Supply	
<u>Westlands Solar Park.</u> The WSP solar facilities would require water supplies during the construction and operational phases; however, existing water supply sources and infrastructure would be adequate to serve the water demands of the WSP solar facilities without resulting in impacts to surface and groundwater resources, or requiring expansion of water supply facilities or additional water entitlements. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.14. UTILITIES AND SERVICE SYSTEMS (CONT'D)	
UTS-1. Water Supply (Cont'd)	
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would require relatively small amounts of water for dust suppression during construction. Existing water supply sources and infrastructure would be adequate to serve the water demands of the gen-tie projects without resulting in impacts to surface and groundwater resources, or requiring expansion of water supply facilities or additional water entitlements. (Less-than-Significant Impact)	No mitigation is required.
UTS-2. Wastewater Treatment and Disposal	
<u>Westlands Solar Park.</u> The WSP solar facilities would each have septic tanks that would be pumped periodically for off-site disposal at an approved wastewater facility. It is not expected that any WSP solar facility would utilize septic tank and leachfield systems for on-site wastewater treatment and disposal. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The wastewater treatment and disposal needs of the gen-tie projects during construction would be provided by portable chemical toilets, and there would be no sanitary facilities required during operation of the gen-tie facilities. Therefore, the impacts of the gen-tie projects in terms of wastewater treatment and disposal would be negligible. (Less-than-Significant Impact)	No mitigation is required.
UTS-3. Solid Waste Service and Landfill Capacity	
<u>Westlands Solar Park.</u> The WSP solar development would increase the demand for solid waste collection and disposal service; however, the relatively small increase in solid waste generation from the WSP solar projects would not have an adverse effect on the capacity of existing landfill facilities. (Less-than-Significant Impact)	No mitigation is required.
<u>WSP Gen-Tie Corridors.</u> The gen-tie projects would generate small amounts of solid waste, which would be accommodated by landfills in the vicinity with minimal effects on overall landfill capacity. (Less-than-Significant Impact)	No mitigation is required.

TABLE ES-1 (CONT'D)
SUMMARY OF IMPACTS AND MITIGATION MEASURES

POTENTIAL IMPACT	MITIGATION MEASURE (MM)
3.14. UTILITIES AND SERVICE SYSTEMS (CONT'D)	
UTS-4. Cumulative Utilities and Service Systems	
<p><u>Westlands Solar Park.</u> The development of the WSP solar facilities combined with other planned and proposed development in the area would require water supplies, wastewater disposal, and solid waste disposal. However, the cumulative impact of these planned and proposed projects upon these utilities and service systems would be less than significant. <i>(Less-than-Significant Impact)</i></p>	No mitigation is required.
<p><u>WSP Gen-Tie Corridors.</u> The construction of the WSP gen-tie projects would generate minimal demand for water supplies, wastewater disposal, and solid waste disposal. Thus, while cumulative impacts to these services from other approved and pending projects may be cumulatively significant, the contribution of the gen-tie projects to any such cumulative impact would be not cumulatively considerable. Therefore, the cumulative impact to utilities and service systems associated with the WSP gen-tie projects would be less than significant. <i>(Less-than-Significant Impact)</i></p>	No mitigation is required.

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1. LIST OF AGENCIES, ORGANIZATIONS AND INDIVIDUALS RECEIVING THE DRAFT PEIR OR NOTICE OF AVAILABILITY (NOA)

Federal Agencies

Naval Air Station Lemoore (NASL)
U.S. Army Corps of Engineers – Sacramento USACE)
U.S. Bureau of Reclamation – Fresno (USBR)
U.S. Fish & Wildlife Service –Region 8 (USFWS)
Western Area Power Administration (Western)

State Agencies

California Air Resources Board (CARB)
California Department of Conservation (CDOC)
California Department of Fish and Wildlife, Region 4 (CDFW)
California Department of Food and Agriculture
California Department of Forestry and Fire Protection (CalFire)
California Department of Toxic Substances Control (DTSC)
California Department of Transportation (Caltrans), District 6
California Department of Water Resources (DWR)
California Energy Commission (CEC)
California Highway Patrol (CHP)
California Public Utilities Commission (CPUC)
California Resources Agency
Caltrans Division of Aeronautics
California State Lands Commission
Governor's Office of Planning and Research, State Clearinghouse
Native American Heritage Commission (NAHC)
State Office of Historic Preservation (SHPO)
State Water Resources Control Board (SWRCB)

Regional Agencies

California Regional Water Quality Control Board, Central Valley – Region 5F (CVCRWQCB)
San Joaquin Valley Air Pollution Control District (SJVAPCD)
Central California Flood Protection Board

Local Agencies, Districts, and Utilities

Fresno County Clerk
Fresno County Department of Public Works and Planning
Kings County Clerk
Kings County Community Development Agency
Kings County Health Division
PG&E
Semptra Energy/SoCalGas

Organizations and Individuals

Ross Borba, Jr.
Ed Clement, Northern California Carpenters Union
Chris and Ed Coelho, Solo Mio Farms
Laura Crane, The Nature Conservancy
Ron Dickerson, California Consumers Alliance
Kate Kelly, Defenders of Wildlife
Lozeau Drury LLP

Native American Tribal Governments

Dumna Wo Wah Tribal Government
Santa Rosa Rancheria Tachi Yokut Tribe

Public Libraries

Kings County Library – Hanford Branch
Kings County Library – Lemoore Branch

[Note: The Draft PEIR was accessible on the Westlands Water District website throughout the 45-day review period. The Notice of Availability of the Draft PEIR stated: " An electronic version can be downloaded from the WWD website: <http://wwd.ca.gov/news-and-reports/environmental-docs/>]

2. LIST OF AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT PEIR

Presented below is a list of agencies, organizations, and individuals who submitted written comments on the Draft PEIR.

Written Comments on Draft PEIR Received From:

- A. Governor's Office of Planning and Research – State Clearinghouse and Planning Unit
- B. Native American Heritage Commission (NAHC)
- C. Naval Air Station Lemoore (NASL)
- D. San Joaquin Valley Air Pollution Control District (SJVAPCD)
- E. County of Fresno
- F. Defenders of Wildlife

3. COMMENT LETTERS AND RESPONSES

Introduction

This section provides responses to substantive comments received on the Draft PEIR. The individual comment items are numbered in the margins of the comment letters, with the corresponding responses appearing on the following pages. To facilitate cross-referencing, each comment has an alpha-numeric identification corresponding to the comment letter and the item number. The identification codes for the commenters are listed below.

SCH = Governor's Office of Planning and Research – State Clearinghouse and Planning Unit

NAHC = Native American Heritage Commission (NAHC)

NASL = Naval Air Station Lemoore (NASL)

APCD = San Joaquin Valley Air Pollution Control District (SJVAPCD)

FRE = County of Fresno

DW = Defenders of Wildlife

A



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

December 1, 2017

Kiti Buelna Campbell
Westlands Water District
3130 N. Fresno Street
PO Box 6056
Fresno, CA 93703

Subject: Westlands Solar Park Master Plan and WSP Gen-Tie Corridors Plan
SCH#: 2013031043

Dear Kiti Buelna Campbell:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 30, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

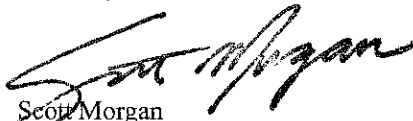
Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

SCH-1

Document Details Report State Clearinghouse Data Base

SCH# 2013031043
Project Title Westlands Solar Park Master Plan and WSP Gen-Tie Corridors Plan
Lead Agency Westlands Water District

Type EIR Draft EIR

Description Westlands Solar Park (WSP) Master Plan - 21,000-acre site plan area to accommodate solar PV generating facilities with a total generating capacity of approx 2,000 MW with construction to be phased over 12 years.

2) WSP Gen-Tie Corridors Plan - including the following two gen-tie corridors; a) WSP-South to Gates Gen-Tie - an 11.5-mile gen-tie corridor extending from the WSP plan area in a 350-ft corridor along Nevada-Gates Avenues to the Gates Substation;

b) WSP-North of Gates Gen-Tie - an 11.5-mile gen-tie corridor running parallel and adjacent to the existing 230-kV Henrietta-Gates transmission line from the northern portion of the WSP plan area southwestward to the Gates Substation.

Lead Agency Contact

Name Kiti Buelna Campbell
Agency Westlands Water District
Phone 559 241 6226 **Fax**
email
Address 3130 N. Fresno Street
 PO Box 6056
City Fresno **State** CA **Zip** 93703

Project Location

County Kings, Fresno, Merced, Madera
City Kettleman, Lemoore
Region
Lat / Long 36° 10' 44" N / 119° 57' 16" W
Cross Streets Avenal Cutoff Road and Gale Avenue
Parcel No. 026-300-032, -033, -038, -043, etc.
Township 20S **Range** 19E **Section** 14-23+ **Base** MDB&M

Proximity to:

Highways 41, 269
Airports NAS Lemoore
Railways UPRR
Waterways Kings R., San Luis Canal, Cal. Aqueduct
Schools Stratford Grammar School
Land Use Land Use - Agriculture;
 Z: AG-40, AX
 GPD - Gen. Ag. -40 ac; Excl. Ag. -40ac

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Public Services; Septic System; Solid Waste; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual; Minerals; Agricultural Land; Tribal Cultural Resources

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 6; Regional Water Quality Control Bd., Region 5 (Fresno); Air Resources Board; Air Resources Board, Major Industrial Projects; California Energy Commission; Native American Heritage Commission; Public Utilities Commission

A

**Document Details Report
State Clearinghouse Data Base**

Date Received 10/17/2017 **Start of Review** 10/17/2017 **End of Review** 11/30/2017

A. RESPONSES TO COMMENTS FROM THE GOVERNOR’S OFFICE OF PLANNING AND RESEARCH, STATE CLEARINGHOUSE, DATED DECEMBER 1, 2017

Comment SCH-1

Transmittal Letter: This is a standard form letter sent to the Westlands Water District at the close of the public and agency review period for the Draft PEIR. It indicates that WWD has complied with the State Clearinghouse review requirements for EIRs. Attached to the transmission letter from SCH was the comment letter from the Native American Heritage Commission (NAHC), which follows.

Response SCH-1

Transmittal letter received. No further response is required.

STATE OF CALIFORNIA

NATIVE AMERICAN HERITAGE COMMISSION

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

CLEAR

Edmund G. Brown, Jr., Governor



11-30-17

2

October 31, 2017

Kiti Buelna
 Westlands Water District
 3130 N. Fresno Street
 Fresno, CA 93703

Governor's Office of Planning & Research

NOV 03 2017

STATE CLEARINGHOUSE

RE: SCH#2013031043, Westlands Solar Park Master Plan and WSP Gen-Tie Corridors, Kings, Fresno, Merced, and Madera County

Dear Ms. Buelna:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

NAHC-1

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
 3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
 4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).
 7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation

monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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

Sincerely,



Sharaya Souza
Staff Services Analyst
(916) 573-0168

cc: State Clearinghouse

B. RESPONSES TO NATIVE AMERICAN HERITAGE COMMISSION (NAHC) COMMENT LETTER, DATED OCTOBER 31, 2017

The comment letter from the Native American Heritage Commission (NAHC) appears to be a standard form letter that was directed to the Revised Notice of Preparation (NOP) issued on the PEIR on August 30, 2017. The same letter was received by the State Clearinghouse on November 3, 2017 as a comment letter on the Draft PEIR. The NAHC letter does not include specific comments on the content of the Draft PEIR, but provides an overview of State requirements with respect to actions to be taken by a lead agency when addressing cultural resources in the context of discretionary decision making. Since there are no specific substantive comments in the NAHC letter on the Draft PEIR that require responses under CEQA, the following responses are intended to reconfirm that all of the required cultural resources compliance actions have been undertaken in connection with the Draft PEIR.

Comment NAHC-1

AB 52: Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. [The comment letter goes on to describe detailed substantive and procedural requirement of AB 52 with respect to tribal consultation.]

Response NAHC -1

All of the cultural resources studies and actions undertaken in connection with the Westlands Solar Park Master Plan and Gen-Tie Corridors Plan Draft PEIR are described in detail in Draft PEIR Section 3.5. *Cultural Resources and Tribal Cultural Resources.* With respect to AB 52, Westlands Water District (WWD) has received two formal requests from tribal governments to be notified of any projects to be undertaken by WWD that involve CEQA documentation, as provided in Public Resources Code Section 21080.3.1. The two tribes requesting notification include the Santa Rosa Rancheria Tachi Yokut Tribe and the Dumna Wo Wah Tribal Government. On September 8, 2017, WWD provided formal written notification of the subject WSP Master Plan and Gen-Tie Corridors Plan EIR to both tribes. Both tribal governments subsequently submitted formal requests for consultation regarding possible adverse effects of the subject plans on tribal cultural resources. Consultations with both tribal governments are currently in progress and will be concluded prior to certification of the Final PEIR in accordance with Public Resources Code Section 21080.3.1.

Comment NAHC -2

SB 18: If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18).

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). [The comment letter goes on to describe detailed substantive and procedural requirement of SB 18.]

Response NAHC -2

Neither the Westlands Solar Park Master Plan nor the WSP Gen-Tie Corridors Plan constitutes a general plan or specific plan, or an amendment thereto, nor do they involve the designation of open space. Both General Plans and Specific Plans have very specific meanings under State law, and the preparation and adoption of both of these types of plans involves compliance with detailed substantive and procedural requirements. Neither the WSP Master Plan nor the WSP Gen-Tie Corridors Plan is intended as a general plan or specific plan, or an amendment thereto, and neither plan would meet the definition of a general plan or a specific plan as set forth in State law. Therefore, SB 18 does not apply to the WSP Master Plan, the WSP Gen-Tie Corridors Plan, or the PEIR.

Comment NAHC -3

Cultural Assessments: The NAHC letter provides an overview of general requirements for cultural resources assessments. These include: contacting the California Historical Research Information Center for an archaeological records search; conducting an archaeological survey; contacting NAHC for a Sacred Lands File Search, and for a Native American Consultation List.

Response NAHC -3

As discussed in detail in Draft PEIR Section 3.5. *Cultural Resources and Tribal Cultural Resources*, all of the required and recommended actions were performed in connection with the preparation of the Cultural Resources Assessment for the WSP Master Plan and WSP Gen-Tie Corridors Plan. No further response is required.

C



DEPARTMENT OF THE NAVY
COMMANDING OFFICER
NAVAL AIR STATION
700 AVENGER AVENUE
LEMOORE, CALIFORNIA 93246-5001

IN REPLY REFER TO:

11000

Ser N00/ 0 8 4 7

NOV 30 2017

Ms. Katarina Campbell
 C/O Westlands Water District
 3130 N. Fresno Street, PO Box 6056
 Fresno, CA 93703-6056

Dear Ms. Campbell,

Thank you for allowing Naval Air Station (NAS) Lemoore the opportunity to comment on the Westlands Solar Park Master Plan and WSP Gen-tie Corridor Plan Draft Program Environmental Impact Report (PEIR), State Clearinghouse No. 2013031043. While utility scale photovoltaic solar panel projects are generally considered compatible with flight operations, given the information provided within the PEIR, I request clarification of specific information stated in the document and offer additional comments.

1. Glint/Glare Analysis: Per Aesthetics (pp 3.1-27, -28) and Hazards and Hazardous Materials, as well a 2011 Joint Land Use Study acknowledge Photovoltaic panels are designed to absorb light and therefore minimize glint and glare hazards. NAS Lemoore, consistent with practices regarding existing solar projects near our operational areas (including that which is proposed within the NAS Lemoore boundary), requests a comprehensive glint and glare study for future proposed projects. As outlined in Enclosure One (1) OSD Policy_GlintGlare_6-11-2014, the preferred method for analysis would use the Sandia National Laboratories Solar Glare Hazard Analysis Tool (SGHAT).

NASL-1

2. FAA notification: Per HAX-9 (ES-52) Transmission lines associated with the gen-tie project are proposed at 175ft. While the Federal Aviation Administration (FAA) does not require notification for obstacles shorter than 200ft per CFR, Title 14, Aeronautics and Space, §77.17 Obstruction Hazards), consistent with practices regarding existing nearby solar projects, NAS Lemoore requests Federal Aviation Administration notification prior to construction of the proposed gen-tie lines for thorough Obstruction Evaluation per CFR Title 14 Aeronautics and Space, §77.9 to evaluate any potential impact to navigational signal reception.

NASL-2

3. Helicopter Use Notification: As noted in NOI-2 (ES-58) and TR-3 (ES-67) please notify NAS Lemoore in advance of any anticipated helicopter traffic and/or construction using helicopters or cranes to ensure hazard avoidance and potential safety of flight conflicts.

NASL-3

4. Dust Mitigation: While AQ-1 and MM AQ-1 discuss dust control mitigation measures, I would encourage continued communication with NAS Lemoore during the construction process to ensure minimal operations impacts from construction dust and traffic. | NASL-4

5. Per NOI-10 (ES-60): the PEIR indicates “workers within the WSP plan area would not be exposed to excessive noise levels from flight operations associated with public or public use airports, NAS Lemoore, or private airstrips in the vicinity.” Please note, areas of the WSP and Proposed Gen-tie lines are within NAS Lemoore’s 32L approach corridor and Ground Control Approach Box and workers may be exposed to up to 75dB Community Noise Equivalent Level (CNEL) and Sound Exposure Levels (SEL) exceeding 100dB from overhead operations. | NASL-5

6. Frequency Interference: Please ensure any associated AC converters used with future solar projects and associated infrastructure do not cause communications interference in the Very High Frequency (VHF) range. | NASL-6

7. Bird Species Data: NAS Lemoore continues to monitor the effects of land uses on Bird Aircraft Strike Hazards. Regarding MM BIO-1, BIO-2, MM BIO-3, BIO-4, BIO-7 (ES 21-27): I would respectfully request any pre-construction and/or baseline data gathered regarding avian species counts, active and/or inactive habitat and/or mortality data be shared with NAS Lemoore staff. | NASL-7

NAS Lemoore supports well-planned compatible growth and appreciates Westlands Water District’s consideration of NAS Lemoore’s need to maintain an encroachment free operating environment.

If you require additional information, please contact my Community Planning and Liaison Officer, Ms. Marlana Brown, at (559) 998-4093 or Marlana.Brown@navy.mil.

Sincerely,



DAVID C. JAMES
Commanding Officer

Enclosure 1: OSD Policy Guidance Glint Glare 6-11-2014



ACQUISITION,
TECHNOLOGY
AND LOGISTICS

OFFICE OF THE UNDER SECRETARY OF DEFENSE

3000 DEFENSE PENTAGON
WASHINGTON, DC 20301-3000

JUN 11 2014

MEMORANDUM FOR ASSISTANT SECRETARY OF THE ARMY (INSTALLATIONS,
ENVIRONMENT, AND ENERGY)
ASSISTANT SECRETARY OF THE NAVY (ENERGY,
INSTALLATIONS, AND ENVIRONMENT)
ACTING ASSISTANT SECRETARY OF THE AIR FORCE
(INSTALLATIONS, ENVIRONMENT AND LOGISTICS)

SUBJECT: Glint/Glare Issues on or near Department of Defense (DoD) Aviation Operations

In conjunction with the Department of Energy (DOE), the Federal Aviation Administration (FAA) has determined that glint/glare from some types of solar renewable energy systems could result in ocular impact to pilots and/or air traffic controllers, and thus potentially compromise the safety of the air transportation system. Glint is defined as the momentary flash of bright light, while glare is a continuous source of bright light. The FAA interim procedures require commercial airport operators who receive airport operations funding from FAA to conduct glint/glare studies for solar renewable energy systems on or near their airports. While commercial aviation has generally more rigid landing procedures, DoD flight procedures are more varied due to multiple military aircraft types and training requirements. Thus, FAA's interim guidance should only be used as a guide for consideration.

You are strongly encouraged to expand your mission compatibility evaluations to include the potential impact of glint/glare from non-residential photovoltaic and glass-enclosed solar-hot water systems. Solar renewable energy projects that are within 2 nautical miles of military airfield control towers, center of the airfields (Air Traffic Areas), or helicopter landing zones may require your consideration. The Military Departments may wish to extend the analysis to the full extent of the land surface under the Class D airspace. The FAA's interim procedures¹ associated with this subject are a reasonable general guide to follow until better procedures for military operations are defined. While this memorandum does not extend to evaluation of concentrating solar renewable systems, careful consideration of the glint/glare from concentrating solar power towers within 10 nautical miles of DoD flight operations is also suggested.

To assist in the FAA's efforts, the DOE's Sandia National Laboratories created a simple analysis tool, called the Solar Glare Hazard Analysis Tool (SGHAT)². Following the SGHAT user's manual, acceptable glint/glare considerations occur when the tool predicts a "low potential for after-image." The use of the SGHAT tool is optional, and it is not expected that DoD would follow FAA's internal glint/glare document preparation procedures. A DoD technical working group will be established to work the glint/glare issue, and adjustments to pertinent DoD Instructions and Unified Facilities Criteria will be made, as applicable.

¹ See: <https://www.federalregister.gov/articles/2013/10/23/2013-24729/interim-policy-faa-review-of-solar-energy-system-projects-on-federally-obligated-airports>

² See: <https://share.sandia.gov/phlux>

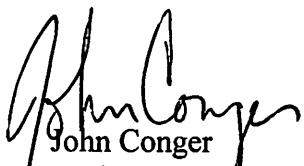
As part of the Office of the Secretary of Defense (OSD) review of solar renewable energy projects, the Directorate of Facilities Energy & Privatization (FE&P) will review your mission compatibility assessments, including the potential for glint/glare. Solar renewable energy projects using the authority found in 10 U.S.C., § 2922a or in 10 U.S.C., § 2667 (Enhanced Use Lease) will require the SGHAT analysis for OSD review/approval/certification. For renewable energy projects that do not require OSD approval (e.g. renewable energy included in Military Construction (MILCON); Facilities Sustainment, Restoration, and Modernization (FSRM); Energy Savings Performance Contract (ESPC); Utility Energy Services Contract (UESC); or Energy Conservation Investment Program (ECIP) projects), OSD encourages a mission compatibility assessment include glint/glare as applicable. The use of the SGHAT is optional, and other glint/glare tools may be used.

For those utility-scale solar renewable energy projects submitted to the DoD Siting Clearinghouse for a mission compatibility evaluation under the provisions of 32 C.F.R. Part 211, we suggest you conduct a glint/glare analysis, or seek the applicant accomplish the analysis as part of mitigation discussions. The use of the SGHAT is optional, and other glint/glare tools may be used.

Additionally, since glint/glare can occur for solar renewable energy systems that are located beyond the installation boundaries, and on private lands, you are encouraged to work with local communities on appropriate land use controls to mitigate potential hazards and risk to military test, training and operational missions.

While the intent of this memorandum is to address the possible glint and glare issues with solar renewable energy projects, your staffs are reminded that DODI 4165.57, *Air Installations Compatible Use Zones* (AICUZ), requires consideration of glare as part of restrictions in certain zones near DoD airfields, and glare issues to be incorporated in AICUZ studies. Further, Unified Facilities Criteria (UFC) 4-211-01N provides engineering standards on how to treat glare from critical surfaces, including building fenestration on aircraft maintenance hangers. As these and other DoD issuances are updated, we will ensure they include the appropriate consideration of glint and glare from nearby solar renewable energy projects or building system components.

Should your staff have questions, please contact Ms. Sara Streff, FE&P at 571-372-6843 or Mr. Steve Sample, SCH at 703-571-0067.


John Conger
Acting Deputy Under Secretary of Defense
(Installations & Environment)

C. RESPONSES TO NAS LEMOORE COMMENT LETTER, DATED NOV. 30, 2017

The substantive comments on the Draft PEIR from the NASL letter are reproduced in full below.

Comment NASL-1

Glint/Glare Analysis: Per Aesthetics (pp 3.1-27, -28) and Hazards and Hazardous Materials, as well a 2011 Joint Land Use Study acknowledge Photovoltaic panels are designed to absorb light and therefore minimize glint and glare hazards. NAS Lemoore, consistent with practices regarding existing solar projects near our operational areas (including that which is proposed within the NAS Lemoore boundary), requests a comprehensive glint and glare study for future proposed projects. As outlined in Enclosure One (1) OSD Policy_GlintGlare_6-11-2014, the preferred method for analysis would use the Sandia National Laboratories Solar Glare Hazard Analysis Tool (SGHAT).

Response NASL-1

Comment noted and acknowledged. Future solar projects proposed within the WSP plan area will include a Glint/Glare Analysis, as required by Kings County.

Comment NASL -2

FAA notification: Per HAX-9 (ES-52) Transmission lines associated with the gen-tie project are proposed at 175 ft. While the Federal Aviation Administration (FAA) does not require notification for obstacles shorter than 200 ft per CFR, Title 14. Aeronautics and Space, §77.17 Obstruction Hazards), consistent with practices regarding existing nearby solar projects, NAS Lemoore requests Federal Aviation Administration notification prior to construction of the proposed gen-tie lines for thorough Obstruction Evaluation per CFR Title 14 Aeronautics and Space, §77.9 to evaluate any potential impact to navigational signal reception.

Response NASL -2

Comment noted and acknowledged. Prior to construction of the planned gen-tie lines, the project proponent will notify the FAA regarding the evaluation of any potential impacts to navigational signal reception, as required.

Comment NASL -3

Helicopter Use Notification: As noted in NOI-2 (ES-58) and TR-3 (ES-67) please notify NAS Lemoore in advance of any anticipated helicopter traffic and/or construction using helicopters or cranes to ensure hazard avoidance and potential safety of flight conflicts.

Response NASL -3

Comment noted and acknowledged. Prior to any helicopter construction associated with the gen-tie projects, the project proponent will notify NAS Lemoore in advance, as required.

Comment NASL -4

Dust Mitigation: While AQ-1 and MM AQ-1 discuss dust control mitigation measures, I would encourage continued communication with NAS Lemoore during the construction process to ensure minimal operations impacts from construction dust and traffic.

Response NASL -4

Comment noted and acknowledged. It is important to note that the San Joaquin Valley Air Pollution Control District requires all project proponents to submit a Dust Control Plan, which the Air District must approve prior to ground disturbing activity. Given the ongoing problem of particulate matter (PM) pollution in the Valley, the Air District mandates a comprehensive set of strict dust control measures for construction projects, including regular watering to prevent generation of airborne dust, and prevention of mud tracking onto public roadways. The dust mitigations are set forth in MM AQ-1 in the Draft PEIR. As requested in the comment, the project proponent will be encouraged to coordinate with NAS Lemoore regarding dust control.

Comment NASL -5

Noise from NASL Flight Operations. Per NOI-10 (ES-60): the PEIR indicates "workers within the WSP plan area would not be exposed to excessive noise levels from flight operations associated with public or public use airports, NAS Lemoore, or private airstrips in the vicinity." Please note, areas of the WSP and Proposed Gen-tie lines are within NAS Lemoore's 32L approach corridor and Ground Control Approach Box and workers may be exposed to up to 75 dB Community Noise Equivalent Level (CNEL) and Sound Exposure Levels (SEL) exceeding 100 dB from overhead operations.

Response NASL -5

Comment noted. The noise analysis in the Draft PEIR relied on the aircraft noise contour information contained in the NAS Lemoore Joint Land Use Study (JLUS). Figure 2-6 of the JLUS shows that there are no areas within the WSP plan area that are under the 75 dB CNEL noise contour, with the nearest approach of the 75 dB CNEL contour passing ¼ mile northeast of the northeasterly corner of the plan area. Approximately 700 acres at the eastern edge of the plan area are between two parallel 70 dB CNEL noise contours that are approximately one mile apart, indicating that noise levels in this area are slightly over 70 dB CNEL. All other noise levels mapped over the plan area are well under 70 dB CNEL and the majority of the plan area is under 65 dB CNEL from NASL flight operations. As mentioned in the Draft PEIR, solar facilities are compatible with exterior noise levels of up to 76 dB CNEL.

The Sound Exposure Level (SEL) represents the acoustical energy during a single noise event, such as an aircraft overflight, compressed into a period of 1 second, expressed in decibels. The SEL acoustical descriptor is used mainly for aircraft noise because it allows for a comparison of noise created by loud but fast overflights with that of quieter but slower overflights. By definition, the acoustical energy from sounds reported as 100 dB SEL equate to the acoustical energy of a one-second sound of 100 dB Leq. For reference, the Leq is the equivalent steady-state noise level in a stated period of time that would contain the same acoustic energy as the time-varying noise level during the same period.

The United States Department of Labor, Occupational Safety and Health Administration (OSHA) has established noise level thresholds to protect workers from excessive exposure to noise. OSHA permits worker noise exposures of 100 dB Leq for up to two hours per day [29 CFR 1926.52(d)(1)]. Worker noise

exposures exceeding 100 dB for more than two hours per day would require the implementation of a hearing conservation program. In order for workers at the WSP to be exposed to excessive aircraft noise, the 100 dB noise level would have to be sustained for over two hours per day. Given the relative infrequency of NASL flight operations, the 100 dB noise level threshold would not likely be exceeded for the allowable two hour duration as established by OSHA.

This confirms the Draft PEIR conclusion that military overflights associated with NAS Lemoore would not expose workers within the WSP plan area to excessive noise levels.

Comment NASL -6

Frequency Interference: Please ensure any associated AC converters used with future solar projects and associated infrastructure do not cause communications interference in the Very High Frequency (VHF) range.

Response NASL -6

The electrical engineer associated with WSP has indicated that there are no elements of the WSP solar projects that would cause communications interference in the VHF range.

Comment NASL -7

Bird Species Data: NAS Lemoore continues to monitor the effects of land uses on Bird Aircraft Strike Hazards. Regarding MM BIO-1, BIO-2, MM BIO-3, BIO-4, BIO-7 (ES 21-27): I would respectfully request any pre-construction and/or baseline data gathered regarding avian species counts, active and/or inactive habitat and/or mortality data be shared with NAS Lemoore staff.

Response NASL -7

All future solar projects planned within the WSP plan area will be required to obtain a Conditional Use Permit (CUP) from Kings County, which will involve the preparation of Mitigated Negative Declarations (MNDs) under CEQA. As part of the biological impact analysis in each MND, a technical biological assessment will be required, including full coverage ground surveys of each solar project site. As is Kings County's standard practice, all MNDs prepared on WSP solar projects, including the supporting biological assessments, will be made available to NAS Lemoore during the project review process. The biological assessments will include inventories of species observed during the biological site surveys.



November 27, 2017

Kiti Buelna-Campbell
Westlands Water District
3130 N. Fresno Street
PO Box 6056
Fresno, CA 93703-6056

Project: Westlands Solar Park Master Plan and Westlands Solar Park Gen-Tie
Corridors

District CEQA Reference No: 20171113

Dear Ms. Buelna-Campbell:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Program Environmental Impact Report (Draft PEIR) for the Westlands Solar Park (WSP) Master Plan and WSP Gen-Tie Corridors Plan. (Project) The proposed Project consists of the construction and operation of a series of utility-scale solar photovoltaic energy generating facilities, consisting of individual solar projects. In addition the WSP proposes to construct two gen-tie corridors, providing delivery of solar power from the WSP to the Gates substation. According to the Draft PEIR, the solar park is located in west-central Kings County. One gen-tie corridor will be located in Kings County running parallel and adjacent to the north side of Nevada Avenue and Jayne Avenue, in Fresno County. The other gen-tie corridor runs parallel and adjacent to the existing Henrietta-Gates transmission line in Kings County. The District offers the following comments:

1. **Emissions Estimate and Construction Timeline**

The District recommends that the PEIR presents the annual criteria pollutant emissions from construction in a 12-month rolling period format.

Although the PEIR found the impacts from construction to be less than significant with mitigation, the information submitted presents the total construction emissions from the entire Project as one total value and does not present the information in a format that allows the District to assess the Project's potential impact on air quality. For construction emissions, the thresholds of significance are evaluated on a rolling 12-month period. Therefore, the District recommends the Project Emissions Summary tables list emissions in a 12-month rolling period in order to determine

APCD-1

Sayed Sadredin

Executive Director/Air Pollution Control Officer

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Central Region (Main Office)
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Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

whether or not estimated emissions would exceed the annual criteria pollutant emissions significance thresholds (for example, 10 tons per year of oxides of nitrogen (NO_x), 10 tons per year of reactive organic gases (ROG), 15 tons per year of particulate matter of 10 microns or less in size (PM₁₀)). Based on the information provided, construction is projected to occur over eleven years.

APCD-1

2. Voluntary Emissions Reduction Agreement (VERA)

- a) *The District recommends that the Mitigation Measure AQ-2 be clarified to indicate that a whole-Project VERA must be implemented.***

APCD-2a

The Project description indicates that there may be several different sub-project proponents constructing solar facilities under the proposed Draft PEIR. The Draft PEIR does not discuss if the future solar sub-projects under this PEIR would undergo further CEQA evaluation.

As such, it would be appropriate to consider this mitigation to be applicable to all subsequent solar sub-projects under this PEIR because the impact from construction was found to be significant and relied on this mitigation measure to reduce the impact to less than significant.

- b) *The District recommends that Mitigation Measure AQ-2 (e) be revised to clarify specific Project requirements.***

APCD-2b

The Mitigation Measure AQ-2 (e) states that “Any solar projects for which the project-specific air quality analysis shows that (project) mitigations will not be sufficient to reduce a project’s construction emissions of NO_x below 10 tons per year, the project proponent shall execute a VERA with SJVAPCD which provides for further reduction of construction NO_x to reduce the project’s NO_x emissions to less than 10 tons per year.”

However, the mitigation measure does not provide guidance on several issues such as, when the analyses are to be performed, who would perform the analyses, and who would verify the analysis. Such details are also not available in the Draft PEIR discussion.

In order to ensure accountability and consistency for the proposed mitigation measure, the District recommends that this information be clearly identified in the mitigation measure and the Draft PEIR.

- c) The District recommends that the Draft PEIR be clarified to guide the Project proponent to have a VERA entered into prior to generating emissions associated with the Project.**

APCD-2c

The District recommends that the mitigation measure be clarified to direct the Project proponent to have the VERA be entered into prior to the start of the first activity generating emissions (including but not limited to demolition, grading, etc.), whichever occurs first. This will ensure the VERA is in place in a timely manner to achieve emissions reductions contemporaneously to the Project emissions.

- d) The District suggests that the net-zero emission reduction approach also be considered.**

APCD-2d

There are two emission reduction options available to VERA participants. There is the pollutant by pollutant option under which each pollutant will be mitigated individually to their respective significance threshold level. The other option, is referred to as the “net-zero” option.

For the purposes of fulfilling the terms of a VERA with the District, the term “net-zero” means that the sum of NO_x, VOC and PM₁₀ combined Project emissions will be fully mitigated by the sum of NO_x, VOC and PM₁₀ combined emission reductions achieved under the VERA. The “net zero” concept is limited to the three pollutants NO_x, VOC and PM₁₀, due to their strong interrelatedness. NO_x is the driving pollutant for both the wintertime PM problem and the summertime ozone problem (in combination with VOC). The District considers “net zero” mitigation to result in a less than significant air quality impact for these three pollutants, even if VOC or PM₁₀ emissions remain above their individual significance thresholds after mitigation, because this means that the mitigation has achieved excess reductions of NO_x, the critical component to the Valley’s air quality issues.

The District recommends the “net-zero” approach. This method results in a significantly larger amount of NO_x reduction, which is the primary driver to the formation of ozone and PM in the Valley.

Additionally, the District recommends starting the VERA process as early as possible. Information concerning the execution of a VERA contract can be obtained by calling (559) 230-6000 and asking to speak to a District CEQA staff member.

3. Toxic Air Contaminants

The District recommends the Project be evaluated for potential health impacts to surrounding receptors resulting from Toxic Air Contaminant (TAC) emissions.

APCD-3

Page 30 of Appendix C of the Draft PEIR indicates that a Health Risk Assessment was performed for the Tranquility Solar project, located in Fresno County. This analysis does not appear to address potential health impacts from the Project since it is at a different site.

It is important to note that Health Risk Assessments must also consider project specific receptors. While projects may be same or similar in size and nature, each project will have their own unique set of potential sensitive receptors. A Health Risk Screening/Assessment identifies potential TAC's impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by OEHHA/ARB (<https://www.arb.ca.gov/toxics/healthval/healthval.htm>) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TACs generated must also be identified and quantified.

The District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i. The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and an HRA should be performed. The prioritization calculator can be found at: http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.
- ii. The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. It is recommended that the Project proponent contact the District to review the proposed modeling protocol. The Project would be considered to have a significant health risk if the HRA demonstrates that the Project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the Districts website (Modeling Guidance) at http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

APCD-3

4. Indirect Source Review

The District recommends that an ISR/Air Impact Assessment (AIA) application be submitted at this time.

APCD-4

Under the Indirect Source Review section on Page 3.3-11, the Draft PEIR reads “In accordance with ISR, each WSP solar sub-project will be required to submit an Air Impact Assessment (AIA) to the Air District prior to submittal of the last discretionary permit application to Kings County.” District Rule 9510 requires an Air Impact Assessment (AIA) application to be submitted prior to applying for final discretionary approval for a project. This PEIR process is the final discretionary approval for this Project.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval. If approval of the subject Project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

5. Other District Rules

Individual development projects may also be subject to the following District rules: Regulation VIII, (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

APCD-5

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

If you have any questions or require further information, please call Cherie Clark at (559) 230-5940.

Sincerely,

Arnaud Marjollet
Director of Permit Services

A handwritten signature in blue ink, appearing to read "Brian Clements". The signature is stylized with a large "B" and a long horizontal stroke.

Brian Clements
Program Manager

AM: cc

D. RESPONSES TO SJVAPCD COMMENT LETTER, DATED NOV. 27, 2017

The substantive comments on the Draft PEIR from the SJVAPCD letter are reproduced in full below.

Comment APCD-1

Emissions Estimate and Construction Timeline

The District recommends that the PEIR presents the annual criteria pollutant emissions from construction in a 12-month rolling period format.

Although the PEIR found the impacts from construction to be less than significant with mitigation, the information submitted presents the total construction emissions from the entire Project as one total value and does not present the information in a format that allows the District to assess the Project's potential impact on air quality. For construction emissions, the thresholds of significance are evaluated on a rolling 12-month period. Therefore, the District recommends the Project Emissions Summary tables list emissions in a 12-month rolling period in order to determine whether or not estimated emissions would exceed the annual criteria pollutant emissions significance thresholds (for example, 10 tons per year of oxides of nitrogen (NO_x), 10 tons per year of reactive organic gases (ROG), 15 tons per year of particulate matter of 10 microns or less in size (PM₁₀)). Based on the information provided, construction is projected to occur over eleven years.

Response APCD-1

Comment noted. In response, it is important to understand that the subject of the Program EIR is a "Plan" (i.e., Westlands Solar Park Master Plan) and not a "Project." The Master Plan is intended to provide an overall planning framework within which a series of individual solar generating projects will be designed and developed at the construction level. Each solar project within the Westlands Solar Park (WSP) will be subject to Conditional Use Permit (CUP) approval by Kings County, which will require the preparation of a Mitigated Negative Declaration (MND) in conjunction with each CUP application within WSP. Each MND will require the preparation of a project-specific air quality analysis prepared by a qualified consultant in accordance with the SJVAPCD's GAMAQI. Prior to CUP approval by Kings County, the project proponent will be required to complete an Air Impact Assessment (AIA) per District Rule 9510 (ISR) and pay mitigation fees as determined by the District.

The PEIR construction emissions estimates are contained in Table AQ-7. The intent of this table is to show annual emissions associated with each individual solar project within WSP, in accordance with District CEQA thresholds which are expressed in tons per year. In order to present the worst-case annual emissions which could potentially occur during development of individual projects within the Master Plan area, it was hypothetically assumed that two 250-MW solar projects would be developed in the near-term (when emissions rates would be highest) and have overlapping construction schedules, and would be constructed in a year when substation upgrades would also be constructed (which was intended to capture conditions when several projects might be generating emissions concurrently). The results of this overlap analysis are presented as a separate line item in the table for the specific purpose of demonstrating the effects of such overlapping construction.

The District is incorrect in stating that the information submitted presents the total construction emissions from the entire Project. The information provided relates only to the year of maximum emissions for each individual solar project within WSP, and these values are not aggregated anywhere in

the air quality analysis. It would make no sense to aggregate emissions since these would all be individual projects with no connection to each other apart from being located in the same master plan area. The only emissions that are aggregated are the CO₂ emissions associated with the greenhouse gas emissions analysis, as is required to determine total GHG emissions associated with full implementation of the Master Plan area.

With respect to the suggestion that “rolling emissions” be calculated, it is not clear how this would work. First, WSP solar development would not occur as a single project, as stated, but rather as a series of individual solar projects, each of which would have a different applicant or developer. Each project proponent would submit a CUP application to Kings County, along with an air quality assessment that would identify impacts and mitigation under CEQA, and concurrently would prepare an AIA under ISR to identify measures for emissions reductions under ISR. As such, the total emissions from each project would be accounted for and mitigated as required. It is unclear what benefit an analysis of “rolling emissions” would provide in further identifying air quality impacts and mitigations associated with the development of Westlands Solar Park. Moreover, it would be infeasible to undertake such a rolling emissions analysis in the absence of project specific information on actual projects that might be proposed within WSP in the future, as opposed to hypothetical projects that were evaluated in the PEIR at a programmatic level. No further response is required.

Comment APCD-2a

Voluntary Emissions Reduction Agreement (VERA)

The District recommends that the Mitigation Measure AQ-2e be clarified to indicate that a whole-Project VERA must be implemented.

The Project description indicates that there may be several different sub-project proponents constructing solar facilities under the proposed Draft PEIR. The Draft PEIR does not discuss if the future solar sub-projects under this PEIR would undergo further CEQA evaluation.

As such, it would be appropriate to consider this mitigation to be applicable to all subsequent solar sub-projects under this PEIR because the impact from construction was found to be significant and relied on this mitigation measure to reduce the impact to less than significant.

Response APCD-2a

Comment noted. In response it is pointed out that the Draft PEIR Section 1.2. *Uses of this EIR* states that “[i]ndividual projects proposed within WSP would be subject to the several discretionary approvals from Kings County.” These include “[c]onditional use permits for individual solar development projects proposed within WSP, and for gen-tie projects located within Kings County” (Draft PEIR, p. 1-7). Since CUPs are discretionary approvals, they are required to undergo CEQA review and clearance, as are all discretionary approvals in California. All solar projects proposed in Kings County are required to comply with CEQA and have an environmental review document prepared, which could either be an MND or an EIR, depending on the circumstances.

As discussed in Draft PEIR Section 2.3.2. *Westlands Solar Park Master Plan*, the individual solar projects that will be proposed under the Master Plan may vary significantly in size. For analysis purposes, it was assumed that project sizes would vary from 90 MW to a maximum of 250 MW (see Table PD-1 on page

2-13). As shown in Table AQ-7 (on p. 3.4-24), several of these hypothetical SGFs would not exceed CEQA thresholds for any criteria pollutants, and therefore would be no need for VERAs in such cases. As such, it is not appropriate to include a mitigation measure which requires VERAs for all solar projects proposed within Westlands Solar Park. In general, the comment seems to be based on the assumption that the Westlands Solar Park is a single project, whereas it is in fact only a “plan.” Accordingly, the air quality analysis in the PEIR is also a plan- or program-level analysis and is not intended to be applied at the project-specific level. No further response is required.

Comment APCD-2b

Provide Guidance for the Preparation of Future Air Quality Studies

The District recommends that Mitigation Measure AQ-2 (e) be revised to clarify specific Project requirements.

The Mitigation Measure AQ-2 (e) states that “Any solar projects for which the project-specific air quality analysis shows that (project) mitigations will not be sufficient to reduce a project’s construction emissions of NOx below 10 tons per year, the project proponent shall execute a VERA with SJVAPCD which provides for further reduction of construction NOx to reduce the project’s NOx emissions to less than 10 tons per year.

However, the mitigation measure does not provide guidance on several issues such as, when the analyses are to be performed, who would perform the analyses, and who would verify the analysis. Such details are also not available in the Draft PEIR discussion.

In order to ensure accountability and consistency for the proposed mitigation measure, the District recommends that this information be clearly identified in the mitigation measure and the Draft PEIR.

Response APCD-2b

Comment noted. As discussed in the above responses, individual solar projects under the Master Plan will be required to obtain discretionary approvals from Kings County, which will involve CUP applications, CEQA clearances, air quality assessments and identification of air quality mitigations, including the execution of VERAs where needed. Individual solar projects will also be required to comply with SJVAPCD rules and requirements, including approval of Dust Control Plans, Indirect Source Review (including offsets), and compliance with other District rules. These requirements apply to all development projects, and are the responsibility of each developer to understand and comply with, and the responsibility of each lead agency to enforce. It is not reasonable to suggest that programmatic mitigation measures in this PEIR should include specific guidance or instructions to developers as to how to obtain discretionary permits and to describe all of the regulatory requirements that their projects will be subject to, including guidance on who should prepare air quality studies. No further response is required.

Comment APCD-2c

Provide Clarification on VERA Implementation

The District recommends that the Draft PEIR be clarified to guide the Project proponent to have a VERA entered into prior to generating emissions associated with the Project.

The District recommends that the mitigation measure be clarified to direct the Project proponent to have the VERA be entered into prior to the start of the first activity generating emissions (including but not limited to demolition, grading, etc.), whichever occurs first. This will ensure the VERA is in place in a timely manner to achieve emissions reductions contemporaneously to the Project emissions.

Response APCD-2c

Comment noted and acknowledged. In response to the comment, the Draft PEIR MM AQ-2.e. has been modified as follows:

“e. Execute Voluntary Emissions Reduction Agreements. Any solar projects for which the project-specific air quality analysis shows that the above mitigations will not be sufficient to reduce a project’s construction emissions of NOx below 10 tons per year, the project proponent shall execute a Voluntary Emissions Reduction Agreement (VERA) with SJVAPCD which provides for further reduction of construction NOx to reduce the project’s NOx emissions to less than 10 tons per year. Any required VERA shall be executed prior to commencement of construction.”

Comment APCD-2d

Alternative Approaches to Air Quality Mitigation

The District suggests that the net-zero emission reduction approach also be considered.

There are two emission reduction options available to VERA participants. There is the pollutant by pollutant option under which each pollutant will be mitigated individually to their respective significance threshold level. The other option, is referred to as the "net-zero" option.

For the purposes of fulfilling the terms of a VERA with the District, the term "net-zero" means that the sum of NOx, VOC and PM10 combined Project emissions will be fully mitigated by the sum of NOx, VOC and PM10 combined emission reductions achieved under the VERA. The "net zero" concept is limited to the three pollutants NOx, VOC and PM10, due to their strong interrelatedness. NOx is the driving pollutant for both the wintertime PM problem and the summertime ozone problem (in combination with VOC). The District considers "net zero" mitigation to result in a less than significant air quality impact for these three pollutants, even if VOC or PM10 emissions remain above their individual significance thresholds after mitigation, because this means that the mitigation has achieved excess reductions of NOx, the critical component to the Valley's air quality issues.

The District recommends the "net-zero" approach. This method results in a significantly larger amount of NOx reduction, which is the primary driver to the formation of ozone and PM in the Valley.

Additionally, the District recommends starting the VERA process as early as possible. Information concerning the execution of a VERA contract can be obtained by calling (559) 230-6000 and asking to speak to a District CEQA staff member.

Response APCD-2d

Comment noted. At the time when individual solar projects within WSP are brought forward to Kings County for CUP approval, the extent of air quality mitigation required will be determined through completion of project-specific air quality analyses. If it is determined that a VERA is required for any solar projects, the appropriate approach to emissions reduction will be evaluated at that time. It is currently premature to specify which mitigations would be necessary and appropriate for individual solar projects within WSP. No further response is required.

Comment APCD-3

Toxic Air Contaminants

The District recommends the Project be evaluated for potential health impacts to surrounding receptors resulting from Toxic Air Contaminant (TAC) emissions.

Page 30 of Appendix C of the Draft PEIR indicates that a Health Risk Assessment was performed for the Tranquility Solar project, located in Fresno County. This analysis does not appear to address potential health impacts from the Project since it is at a different site.

It is important to note that Health Risk Assessments must also consider project specific receptors. While projects may be same or similar in size and nature, each project will have their own unique set of potential sensitive receptors. A Health Risk Screening Assessment identifies potential TAG's impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAG's are air pollutants identified by OEHHA/ARB (<https://www.arb.ca.gov/toxics/healthval/healthval.htm>) that pose a present or potential hazard to human health. A common source of TAGs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TAGs generated must also be identified and quantified.

The District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAG emissions.

- i. The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and an HRA should be performed. The prioritization calculator can be found at:

<http://www.valleyair.org/busind/pto/emission factors/Criteria/Taxies/Utilities/PRIORITIZATION%20RMR%202016.XLS>.

- ii. The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. It is recommended that the Project proponent contact the District to review the proposed modeling protocol. The Project would be considered to have a significant health risk if the HRA demonstrates that the Project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices

More information on toxic emission factors, prioritizations and HRAs can be obtained by: E-Mailing inquiries to: hramodeler@valleyair.org; or The District can be contacted at (559) 230-6000 for assistance; or visiting the District's website (Modeling Guidance) at <http://www.valleyair.org/busind/pto/Tox Resources/AirQualityMonitoring.htm>

Response APCD-3

Comment noted. For the programmatic analysis in the Draft PEIR, there was no evidentiary value in undertaking a full Health Risk Assessment for a hypothetical project within the Westlands Solar Park, particularly given that the WSP Master Plan does not include precise information on the size, location, configuration, or timing of solar projects that will be proposed within WSP in the future. However, in an effort to provide a reasonable program-level of analysis of toxic exposure that could be expected at sensitive receptor locations in the vicinity of WSP, it was valid to consider the HRA results from the similarly situated Tranquillity solar project. The Tranquillity site has almost identical site conditions to the WSP plan area with respect to climate, atmospheric conditions, topography and soils. Additionally, all solar PV projects share close similarities with regard to project characteristics and construction inputs and schedules. The Tranquillity project represents worse-case emissions conditions compared to any solar project that might be proposed within WSP, particularly since the Tranquillity project is larger, at 400 MW, than any solar project anticipated in WSP, where the maximum project size is expected to be 250 MW. In addition, there are several residential receptors at the Tranquillity site that will be surrounded by or immediately adjacent to the Tranquillity solar project, which represents conditions of maximum exposure potential. Therefore, the results of the Tranquillity HRA were valid as an indication of the exposure levels that might be expected at sensitive receptors in the vicinity of the WSP solar projects, at the program level of analysis being undertaken for the WSP Master Plan. The Tranquillity HRA found the lifetime cancer risk for the maximally exposed receptor to be 2.45 in 1 million, which is very low relative to the District's significance threshold of 20 in 1 million. This analysis approach represents a good faith effort to evaluate potential impacts given the general level of project information available and the program-level of analysis presented in the PEIR.

It is important to note that the Draft PEIR on WSP does not assert that the results of the Tranquillity HRA are a valid substitute for project-specific level HRAs to be conducted for the WSP solar projects. As individual solar projects are brought forward for CUP approval from Kings County, a qualified air quality consultant will make a preliminary assessment of health risk, which will include a screening analysis as mentioned in the comment. Based on the results of the screening analysis, a determination will be made as to whether a full Health Risk Assessment is warranted. If so, an HRA will be conducted by a qualified air quality consultant, and the results of the HRA will be addressed in the MND on the solar project. No further response is required.

Comment APCD-4

Indirect Source Review

The District recommends that an ISR/Air Impact Assessment (AIA) application be submitted at this time.

Under the Indirect Source Review section on Page 3.3-11, the Draft PEIR reads "In accordance with ISR, each WSP solar sub-project will be required to submit an Air Impact Assessment (AIA) to the Air District prior to submittal of the last discretionary permit application to Kings County." District Rule 9510 requires an Air Impact Assessment (AIA) application to be submitted prior to applying for final discretionary approval for a project. This PEIR process is the final discretionary approval for this Project.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval. If approval of the subject Project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

Response APCD-4

Comment noted. As discussed in the previous responses above, the WSP Master Plan is a planning level or policy document to be adopted by Westlands Water District as District policy regarding the reuse of certain lands within the District, namely the Westlands Solar Park Master Plan area. The adoption of the Master Plan by WWD confers no form of discretionary approval for the construction of the WSP solar projects, particularly since WWD does not have the legal authority to grant discretionary land use approvals for private development projects. The WSP plan area is located entirely within the unincorporated area of Kings County, where the agency with sole jurisdictional authority for granting discretionary land use development approvals is the County of Kings. The approval authority for Conditional Use Permits rests with the Kings County Planning Commission, and ultimately with the Board of Supervisors in the event of an appeal. Therefore, the appropriate time for the submittal of an AIA is in conjunction with the CUP application for each individual WSP solar project. Kings County never grants a CUP until the SJVAPCD approves the AIA under ISR. No further response is required.

Comment APCD-5

Other District Rules

Individual development projects may also be subject to the following District rules: Regulation VIII, (Fugitive PM₁₀ Prohibitions), Rule 4102 (Nuisance), Rule 4601 (Architectural Coatings), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants).

The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance Office at (559) 230-5888. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm.

Response APCD-5

Comment noted. The other District rules that may be applicable to solar projects within WSP are discussed in the PEIR at page 3.3-12. All WSP solar projects will prepare and implement Dust Control Plans as required under Regulation VIII, and will also comply with all other applicable District rules, as required. No further response is required.



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

November 30, 2017

Kiti Campbell, Senior Resources Engineer
Westlands Water District
3130 N. Fresno Street
Fresno, CA 93703-6056

SUBJECT: Westlands Solar Park Master Plan and WSP Gen-Tie Corridors Plan Draft
Program Environmental Impact Report (PEIR)

Dear Ms. Campbell:

The County of Fresno appreciates the opportunity to review and comment on the subject Westlands Solar Park Master Plan and WSP Gen-Tie Corridors Plan. In addition to the environmental impacts identified in the Draft PEIR, Fresno County requests that the following items be addressed in the Draft PEIR document:

In regards to transportation and traffic, the department requests the following be considered in the Environmental Document:

1. The study did not address the project's truck traffic impacts on the structural section of impacted roadways. Fresno County Transportation requests a traffic index analysis be performed and routed to the County of Fresno for review. | FRE-1
2. The County's minimum LOS requirement in a rural setting is LOS C and LOS D within the Spheres of Influence of an incorporated city. | FRE-2

For further information about these specific comments, please contact Tong Xiong with the Design Division of the Department of Public Works and Planning at (559) 600-4532 or tonxiong@co.fresno.ca.us.

Specifically in regards to grading, flood zones, and construction in the right of way, the department requests the following be considered in the Environmental Document:

1. Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. According to the project site plan, the two proposed Gen-Tie Corridors intersect or run along several County-maintained roads. | FRE-3
2. Appropriate easements may be required for the two Gen-Tie Corridors traversing through the Fresno County parcels, if not already in place. | FRE-4
3. According to FEMA, FIRM Panel 3275H, portions of the subject parcel are in Zone A which is subject to flooding from the 100-year storm. If any development is within the area identified as Zone A, it must comply with the County Flood Hazard Ordinance (Title 15.48). | FRE-5

E

Westlands Water District
November 30, 2017
Page 2 of 2

4. The U.S.G.S. Quad Map shows that the California Aqueduct intersects sections of the proposed Gen-Tie Corridors. Typically, any improvements constructed near the aqueduct should be coordinated with the owners of the aqueduct.

FRE-6

5. Records indicate that the subject area is within an Agricultural Preserve. Typically, any construction or development proposed will require approval from Policy Planning.

FRE-7

6. A grading permit or voucher may be required for any grading that has been done without a permit and any grading proposed with this application within Fresno County limits.

FRE-8

For further information about these specific comments, please contact Scott Tigson with the Development Engineering Division of the Department of Public Works and Planning at (559) 600-4248 or stigson@co.fresno.ca.us.

We appreciate the opportunity to comment on the project. If you have any questions, you may also contact me at (559) 600-9669 or dacrider@co.fresno.ca.us.

Sincerely,



Danielle Crider, Planner
Development Services Division

DTC:ksn

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Comment Letter.docx

cc. Bernard Jimenez, Assistant Director
William M. Kettler, Development Services Division
Chris Motta, Development Services Division

E. RESPONSES TO FRESNO COUNTY COMMENT LETTER, DATED NOV. 30, 2017

The substantive comments on the Draft PEIR from the Fresno County letter are reproduced in full below.

Comment FRE-1

Truck Impacts to Roadways: The study did not address the project's truck traffic impacts on the structural section of impacted roadways. Fresno County Transportation requests a traffic index analysis be performed and routed to the County of Fresno for review

Response FRE-1

Comment noted and acknowledged. During the County's project review for the gen-tie projects, the project proponent will confirm study parameters for potential project roadway impacts, as required. No further response is required.

Comment FRE-2

Traffic Operations Level of Service. The County's minimum LOS requirement in a rural setting is LOS C and LOS D within the Spheres of Influence of an incorporated city.

Response FRE-2

As shown in Draft PEIR Table TR-1, there are no Fresno County roadways that will operate at a level of service lower than LOS C, under worse-case conditions assuming simultaneous construction of two adjacent 250-MW solar facilities within Westlands Solar Park. No further response is required.

Comment FRE-3

County Encroachment Permits: Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. According to the project site plan, the two proposed Gen-Tie Corridors intersect or run along several County-maintained roads.

Response FRE-3

Comment noted and acknowledged. The gen-tie lines will involve overhead crossings of Fresno County roads, and may include the construction of temporary driveways within County rights-of-way. Prior to commencing any work within Fresno County rights-of-way, the project proponent will obtain the necessary encroachment permits from the County, as required. No further response is required.

Comment FRE-4

Gen-Tie Easements. Appropriate easements may be required for the two Gen-Tie Corridors traversing through the Fresno County parcels, if not already in place.

Response FRE-4

Comment noted and acknowledged. The project proponent is currently identifying detailed right-of-way requirements for the first gen-tie line, prior to initiating the easement acquisition process. No further response is required.

Comment FRE-5

Flood Zones. According to FEMA, FIRM Panel 3275H, portions of the subject parcel are in Zone A which is subject to flooding from the 100-year storm. If any development is within the area identified as Zone A, it must comply with the County Flood Hazard Ordinance (Title 15.48).

Response FRE-5

Comment noted and acknowledged. As shown on Figure HYD-1 in the Draft PEIR, most of the gen-tie alignment lengths within Fresno County are in the 100-year flood zone as mapped by FEMA. For work on the gen-tie lines within the mapped flood zones, the project proponent will comply with all applicable provisions of the County's Flood Hazard Ordinance, as required. No further response is required.

Comment FRE-6

California Aqueduct: The U.S.G.S. Quad Map shows that the California Aqueduct intersects sections of the proposed Gen-Tie Corridors. Typically, any improvements constructed near the aqueduct should be coordinated with the owners of the aqueduct.

Response FRE-6

Comment noted and acknowledged. The gen-tie lines will involve overhead crossings of the California Aqueduct. Prior to work in the vicinity of the Aqueduct, the project proponent will obtain the required encroachment permits for work within the Aqueduct right-of-way from the California Department of Water Resources (DWR). No further response is required.

Comment FRE-7

Agricultural Preserve: Records indicate that the subject area is within an Agricultural Preserve. Typically, any construction or development proposed will require approval from Policy Planning.

Response FRE-7

Comment noted and acknowledged. The improvements planned within Fresno County will consist solely of gen-tie lines, which are deemed compatible with Agricultural Preserves (including Farmland Security Zones) under the Williamson Act (California Government Code Section 51238). The project proponent will comply with all County requirements pertaining to the construction of the gen-tie lines. No further response is required.

Comment FRE-8

Grading Permit: A grading permit or voucher may be required for any grading that has been done without a permit and any grading proposed with this application within Fresno County limits.

Response FRE-8

Comment noted and acknowledged. Prior to any ground disturbing activity in Fresno County, the project proponent will obtain a grading permit from the County, as required. No further response is required.



November 30, 2017

Kiti Buelna-Campbell
Westlands Water District
PO Box 6056
Fresno, CA 93703-6056

Delivered via email to kcampbell@westlandswater.org

RE: Comments on Draft Program Environmental Impact Report for Westlands Solar Park Master Plan and Westlands Solar Park Gen-Tie Corridors Plan

Dear Ms. Campbell:

Thank you for the opportunity to review and comment on the Draft Program Environmental Impact Report (PEIR) being prepared for the Westlands Solar Park (WSP) Master Plan and WSP Gen-Tie Corridors Plan (Project). The PEIR is intended to provide program-level CEQA review and clearance for the following actions by the Westlands Water District Board of Directors:

- Adoption of the Westlands Solar Park Master Plan as the policy and planning framework for the incremental development of solar photovoltaic (PV) generating facilities within the WSP plan area.
- Adoption of the Westlands Solar Park Gen-Tie Corridors Plan for delivery of WSP renewable solar generation to the State electrical grid at the Gates Substation.

These comments are submitted on behalf of Defenders of Wildlife (Defenders); a non-profit environmental organization with 1.2 million supporters nationally, including 170,000 in California. We have previously provided comments relative to the March 2013 and September 2017 Notices of Preparation for this project.

Defenders is dedicated to protecting all wild animals and plants in their natural communities. To that end, Defenders employs science, public education and participation, media, legislative advocacy, litigation, and proactive on-the-ground solutions in order to prevent the extinction of species, associated loss of biological diversity, and habitat alteration and destruction.

Defenders strongly supports the State of California's emission reduction and climate goals. The development of renewable energy is a critical component of efforts to reduce greenhouse gas emissions, avoid the worst consequences of

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global warming, and assist California in meeting its mandated emission reductions. We also support the development of renewable energy production in appropriate locations, with the application of sound impact avoidance, minimization and mitigation measures.

In meeting our renewable energy portfolio standard in California, we urge that renewable energy projects be located in environmentally suitable locations and designed in the most sustainable manner possible. Like any project, “Smart from the Start” planning is essential. Such projects should be sited in a manner that avoids impacts to our native wildlife, plants, limited water supplies, prime agricultural lands and well-being of local communities. Proximity to areas of electrical end-use should be emphasized to both maximize energy transmission efficiency and benefit local communities.

The proposed Project includes the Westlands Solar Park (WSP) Master Plan and WSP Gen-Tie Corridors Plan. The WSP would be located in the unincorporated area of west-central Kings County and the gen-tie facilities would traverse portions of Kings and Fresno Counties. The components of the Project are as follows:

Westlands Solar Park Master Plan

The WSP Master Plan is intended to serve as the planning framework for a series of utility-scale solar photovoltaic (PV) energy generating facilities on approximately 21,000 acres generally located south of SR-198, west of SR-41 and the Kings River, and east of Fresno County. The WSP Master Plan area consists almost entirely of highly disturbed and chemically impaired cultivated agricultural land. There are no dwellings or agricultural buildings within the plan area. The future solar generating facilities will consist solely of PV solar arrays and associated electrical equipment and interconnections, along with support facilities, substations, and other utilities infrastructure. Individual solar PV projects would be built incrementally within the WSP and would have varying generating capacities depending on size and technology. The combined generating capacity of WSP is estimated to be 2,000 MW; however the final power output could increase with improved solar PV technology. Individual projects are expected to range in size up to 250 MW. Buildout is expected to take approximately 12 years with an average of 167 MW (or 1,670 acres) developed per year. Individual projects proposed within the WSP would be subject to CEQA review and discretionary approval by Kings County.

WSP Gen-Ties Corridors Plan

The WSP Gen-Tie Corridors Plan addresses the two gen-tie lines that would deliver power from the WSP to the Gates Substation in Fresno County where it would then be transferred to the State electrical grid. The two proposed gen-tie lines are:

WSP-South to Gates Gen-Tie Corridor

This new 11.5± mile, 230-kV transmission line would run parallel and adjacent to the existing Nevada and Jayne Avenues from WSP to the Gates Substation. The corridor would begin at a planned substation in WSP near the junction of Nevada Avenue and 25th Avenue in Kings County. It would then run westward along the north side of Nevada Avenue to the Fresno County line where Nevada Avenue becomes Jayne Avenue. The line would continue to run westward along the north side of Jayne Avenue in Fresno County until it reached the Gates Substation. Although two corridors (WSP-South and WSP-North) are planned, an optional configuration would run both

transmission lines parallel together in just one of the corridors. The corridors are both planned to be 350' to accommodate this flexibility.

WSP-North to Gates Gen-Tie

This second new 11.5± mile, 230-kV transmission line would be constructed in Kings and Fresno Counties. This line would begin at a planned substation in the northern portion of the WSP site in Kings County and then run southwestward to the Gates Substation in Fresno County. It would be located parallel and adjacent to the existing 230-kV Henrietta-Gates transmission line. This northern gen-tie alignment may not be pursued if it is ultimately determined that a second parallel gen-tie along the WSP-South to Gates Gen-Tie would be preferable. Alternatively, this gen-tie corridor may accommodate parallel WSP gen-ties if the WSP-South to Gates Gen-Tie is not utilized. This corridor is planned to be 350 wide to accommodate two parallel gen-tie lines.

COMMENTS

The proposed Project represents a comprehensive approach to renewable energy development on highly disturbed land which, due to drainage and chemical complications, is severely impaired for continued agricultural use and is being retired from farming. Defenders has long advocated for just this type of master planned renewable energy development and is pleased to see WSP moving forward. At the same time, the Project, if built, would entail the significant conversion of open lands to the light industrial nature of a solar power plant. Although the WSP plan area is highly disturbed and impaired, the site does provide some habitat for special status species. The 23± miles of new transmission lines also traverse the potential habitat of a variety of special status species. The proposed Project could result in the loss of habitat and displacement of a broad suite of State and Federally listed wildlife and plant species. Defenders has reviewed the draft PEIR and offers the following comments:

Specific Mitigation Measures

MM BIO-1 (Pre-Project Design) and MM BIO-2 (Raptors and Migratory Birds)

MM BIO-1 and MM BIO-2 should be expanded to include all special status species.

DW-1

MM BIO-1 and MM BIO-2 lack specificity for the pre-project design and pre-construction survey areas and methodology. Survey areas and methodology should be determined in consultation with the California Department of Fish and Wildlife (CDFW). Pre-construction surveys should be repeated if construction halts for more than 14 days. Please revise these measures accordingly.

DW-2

MM BIO-4(a) (Burrowing Owl)

Pre-construction surveys should be repeated if construction halts for more than 14 days. Please revise these measures accordingly.

DW-3

MM BIO-4(b) and (c) (Burrowing Owl)

The proposed 250' construction-free buffer zones are not consistent with CDFW's 2012 *Staff Report on Burrowing Owl Mitigation*¹ (2012 BO Staff Report) which requires buffers ranging between 50 to 500 meters depending on season and level of intensity of the disturbance activity. These measures should be revised to be consistent with the 2012 BO Staff Report.

DW-4

MM BIO-4(e) (Burrowing Owl)

This measure proposes the use of "restrictive covenant" for foraging/breeding habitat preservation at a 1:1 ratio and does not provide for management funding for the mitigation lands. This is not consistent with 2012 BO Staff Report. It must also be noted that Live Oak Associate's October 2017 Biological Report prepared for this PEIR also clearly states that a conservation easement would be required for foraging/breeding habitat preservation. Conservation easements are defined by CA Civil Code 815 et seq² and a restrictive covenant does not qualify as a conservation easement. Please review the 2012 BO Staff Report (e.g. pages 11 – 13), consult with CDFW staff, and revise MM BIO-4 to bring it into compliance with the 2012 BO Staff Report.

DW-5

MM BIO-6(b) (American Badger)

MM BIO-6(b) calls for a "*construction-free buffer of up to 300 feet (or distance specified by CDFW).*" Such language is vague and could result in no protective buffer at all. Please revise to require "*...a construction-free buffer of 100-300 feet, or a distance specified by CDFW, shall be established...*"

DW-6

General Comments**Rodenticides**

The use of rodenticides presents a significant risk to special status species including the San Joaquin kit fox, Swainson's hawks, burrowing owls, northern harriers, Nelson's antelope squirrel, and Giant, Tipton, and Fresno kangaroo rats. The use of all rodenticides should be prohibited. This requirement has been agreed to on other solar projects such as California Valley Solar Ranch and Topaz Solar Farms. Therefore, it is a feasible requirement for this project. Defenders requests the following mitigation measure:

DW-7

Prohibit the use of all rodenticides (including, but not limited to, brodifacoum, bromadiolone, bromethalin, chlorophacinone, cholecalciferol, difenacoum, difethialone, diphacinone (and its sodium salt), warfarin (and its sodium salt), and zinc phosphide) on the Project sites and prohibit the use of all rodenticides on the off-site mitigation lands.

Revegetation

¹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>

² http://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=CIV&division=2.&title=2.&part=2.&chapter=4.&article=

Seed and plant mixes for revegetation should give preference to native plant species appropriate for the region. These native plants are already adapted to the soils and climate and will benefit wildlife. Please incorporate a preference for native plant species into the protocols for revegetation and vegetation management.

DW-8

Cumulative Impact Analysis

The cumulative impact analysis appears to be limited to solar projects in the Project's vicinity and does not address other types of development including any residential, industrial, or commercial projects in Lemoore or Huron. Nor does it address any development at the Lemoore Naval Air Station. The PEIR should address any reasonably anticipated development in these areas or indicate the lack thereof.

DW-9

Conclusion

Thank you again for the opportunity to provide comments on the Westlands Solar Park project draft PEIR and for considering our comments. If you have any questions, please contact me at (916) 442-5729 or via email at kdelfino@defenders.org.

Respectfully submitted,



Kim Delfino
California Program Director

Cc:

Julie Vance, CDFW

Bert Verrips, Verrips Consulting

Dan Kim, Westlands Solar Park

F. RESPONSES TO DEFENDERS OF WILDLIFE COMMENT LETTER, DATED NOV. 30, 2017

The substantive comments on the Draft PEIR from the Defenders of Wildlife letter are reproduced in full below.

Comment DW-1

MM BIO-1 (Pre-Project Design) and MM BIO-2 (Raptors and Migratory Birds). MM BIO-1 and MM BIO-2 should be expanded to include all special status species.

Response DW-1

With respect to MM BIO-1 (pre-project design and construction-level mitigation measures), the mitigation language states that the specified measures “shall be implemented to minimize impacts to special-status animal species.” All special-status wildlife species are covered under this mitigation measure. Since there are no special-status plant species present within the study area or in the vicinity, it is not necessary to extend this mitigation measure to plants.

With respect to MM BIO-2 (avoidance measures for raptor and migratory bird nests), this measure covers all special-status bird species. To provide additional emphasis and clarity, the introductory language to MM BIO-2 has been modified as follows: *“The following measures shall be implemented to minimize disturbance to any active raptor and other migratory bird nests, as necessary, prior to the construction and decommissioning of any WSP solar project or gen-tie project:”* No further response is required.

Comment DW-2

MM BIO-1 and MM BIO-2 lack specificity for the pre-project design and pre-construction survey areas and methodology. Survey areas and methodology should be determined in consultation with the California Department of Fish and Wildlife (CDFW). Pre-construction surveys should be repeated if construction halts for more than 14 days. Please revise these measures accordingly.

Response DW-2

With respect to MM BIO-1, (pre-project design and construction-level mitigation measures), it should be noted that this measure is not intended to provide detailed direction on conducting the surveys, but rather is intended as a programmatic measure to ensure that potential biological impacts are considered in the design of specific projects that are brought forward under the Plans. Also, specific survey methodologies for the various species of concern are set forth in subsequent mitigation measures. To clarify this point, the following text has been added to MM BIO-1: *“Specific survey methodologies for the potentially affected species are set forth in subsequent mitigation measures herein.”*

With respect to MM BIO-2 (avoidance measures for raptor and migratory bird species), as requested by the commenter, the language in MM 2.a. has been revised to include the following language: *“Pre-construction surveys shall be repeated if construction halts for more than 14 days.”*

Comment DW-3

MM BIO-4(a) (Burrowing Owl). Pre-construction surveys should be repeated if construction halts for more than 14 days. Please revise these measures accordingly.

Response DW-3

As requested by the commenter, the language in MM 4.a. has been revised to include the following language: *“Pre-construction surveys shall be repeated if construction halts for more than 14 days.”* No further response is required.

Comment DW-4

MM BIO-4(b) and (c) (Burrowing Owl). The proposed 250' construction-free buffer zones are not consistent with CDFW's 2012 *Staff Report on Burrowing Owl Mitigation*¹ (2012 BO Staff Report) which requires buffers ranging between 50 to 500 meters depending on season and level of intensity of the disturbance activity. These measures should be revised to be consistent with the 2012 BO Staff Report.

Response DW-4

In response to this comment, the language in MM 4.b. and c. has been revised to require that: *“...a construction-free buffer 250 feet with a radius of not less than 50 meters and not more than 500 meters shall be established around all active owl nests. The specific dimensions of the exclusion zone in each case shall be established by a qualified biologist based on site conditions and the level of intensity of the disturbance activity.”*

Comment DW-5

MM BIO-4(e) (Burrowing Owl). This measure proposes the use of “restrictive covenant” for foraging/breeding habitat preservation at a 1:1 ratio and does not provide for management funding for the mitigation lands. This is not consistent with 2012 BO Staff Report. It must also be noted that Live Oak Associate's October 2017 Biological Report prepared for this PEIR also clearly states that a conservation easement would be required for foraging/breeding habitat preservation. Conservation easements are defined by CA Civil Code 815 et seq² and a restrictive covenant does not qualify as a conservation easement. Please review the 2012 BO Staff Report (e.g. pages 11 – 13), consult with CDFW staff, and revise MM BIO-4 to bring it into compliance with the 2012 BO Staff Report.

Response DW-5

In response to the comment, MM BIO-4.e. has been revised to replace references to “restrictive covenants” with “conservation easements” as follows:

- e. Mitigation for Loss of Burrowing Owl Habitat. If it is determined that burrowing owl nest(s) are located on or near the solar project site, the biologist shall coordinate with the project applicant and resource agency to determine whether relocation of these nest(s) is unavoidable. If so, measure #1 below (~~restrictive covenants~~ conservation easements) would apply. If the on-site or

nearby nest(s) are to remain in place, the biologist shall determine whether sufficient foraging habitat is available on adjacent or nearby lands, and if so, no further mitigation is required. (Approximately 200 acres of year-round foraging habitat within about 2 miles of the burrowing owl burrow is required to support a burrowing owl pair.) If it is determined that there is insufficient nearby foraging habitat, the biologist shall determine the amount of onsite foraging habitat that is required to sustain the burrowing owl nest. In this case, the potential impact to foraging habitat shall be either avoided through implementation of measure #2 below (onsite buffer zone), or compensated through implementation of measure #1 (~~restrictive covenants~~ conservation easements) or measure #3 (long-term agreement on adjacent lands) below:

- 4) Establishment of ~~restrictive covenants~~ conservation easements with a 1:1 ratio for foraging/breeding habitat preservation. These ~~restrictive covenants~~ conservation easements would include habitats determined to be suitable for foraging and/or breeding year-round and seasonal use, and shall be implemented in accordance with the specifications contained in the CDFW "Staff Report on Burrowing Owl Mitigation" (2012) <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline=true>
- 5) Establishment of permanent buffer zones of adequate size around current burrowing owl locations. These buffer zones would require adequate management for the life of the project and buffer zones to ensure the buffer area remains suitable for burrowing owls. Annual monitoring of the suitability of management activities may be required by CDFW.
- 6) Short or long-term compensation for foraging habitat by providing farmers in adjacent lands incentives to plant particular crops known to be suitable forage habitat for burrowing owls (i.e., winter wheat, alfalfa, etc.) and to enact a farmer burrowing owl safety program where farmers are trained how to reduce burrowing owl mortalities on their lands and farm driveways. A 1:1 ratio would be required to be in the program as long as the project is active.

Comment DW-6

MM BIO-6(b) (American Badger). MM BIO-6(b) calls for a *"construction-free buffer of up to 300 feet (or distance specified by CDFW)."* Such language is vague and could result in no protective buffer at all. Please revise to require *"...a construction-free buffer of 100-300 feet, or a distance specified by CDFW, shall be established..."*

Response DW-6

In response to this comment, the language in MM 6.b. has been revised to require that: *"...a construction-free buffer of ~~up to~~ 100 to 300 feet (or distance specified by CDFW) shall be established around the den."*

Comment DW-7

Rodenticides. The use of rodenticides presents a significant risk to special status species including the San Joaquin kit fox, Swainson's hawks, burrowing owls, northern harriers, Nelson's antelope squirrel, and Giant, Tipton, and Fresno kangaroo rats. The use of all rodenticides should be prohibited. This requirement has been agreed to on other solar projects such as California Valley Solar Ranch and Topaz Solar Farms. Therefore, it is a feasible requirement for this project. Defenders requests the following mitigation measure:

Prohibit the use of all rodenticides (including, but not limited to, brodifacoum, bromadiolone, bromethalin, chlorophacinone, cholecalciferol, difenacoum, difethialone, diphacinone (and its sodium salt), warfarin (and its sodium salt), and zinc phosphide) on the Project sites and prohibit the use of all rodenticides on the off-site mitigation lands.

Response DW-7

The Draft PEIR currently includes provisions regarding rodenticides. These are contained in MM BIO-5.d. (San Joaquin Kit Fox Mitigation) which references the "U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance" (USFWS 2011) which are set forth in full in Table BIO-3. Item 7 in the Standardized Recommendations states that use of rodenticides and herbicides in project areas should be restricted due to the potential for secondary poisoning, but states that "[i]f rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox." The USFWS is currently recommending these standardized recommendations for projects. Research into current guidelines by Live Oak Associates (LOA) is consistent with the "U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior To or During Ground Disturbance" (USFWS 2011) that zinc phosphate presents a low risk of secondary poisoning, as zinc phosphate reacts with stomach acid to produce toxic phosphide gas. The poison is not stored in muscle tissue or other tissue; therefore, any secondary poisoning would occur due to poison still present in the gut of the animal (CDPR 2015 http://www.cdpr.ca.gov/docs/dept/factshts/faq_rodents_rodenticides.pdf). The California Department of Pesticide Regulation requires additional limitations and protocols when zinc phosphide is used near endangered species. This information can be found in the online tool called PRESCRIBE (<http://calpip.cdpr.ca.gov/county.cfm>). These additional limitations and protocols include active ingredient amount limitations, bait station design specifications, station monitoring protocols, carcass survey and disposal protocols, optional pre-baiting to reduce the time of toxic bait exposure, pellet formulation, commercial uses, and use protocols specifically for areas where kangaroo rats exist. The project would be required to adhere to all California Department of Pesticide Regulation limitations, restrictions, and protocols, which are in place to reduce the potential for poisoning of non-targeted and endangered species.

In this context, it is noted that the two projects referenced in the comment are located within or adjacent to Carrizo Plain, where several protected rodents are known to be present (e.g., San Joaquin antelope squirrel, giant kangaroo rat), or have a high likelihood of occurrence (e.g., short-nosed kangaroo rat). The conditions at Westlands Solar Park are not comparable to those in Carrizo Plain since there are no protected rodent species present (or likely to occur) within or near the WSP plan area that would be subject to direct poisoning by the rodenticides. Secondary poisoning of protected bird species that are known to be present at the Westlands Solar Park, namely Swainson's hawk and burrowing owl, are subject to a very low risk of secondary poisoning by zinc phosphide. As such, it is LOA's position that

it is not unreasonable to adhere to the USFWS recommendation that a low impact rodenticide such as zinc phosphide may be used “when rodent control must be conducted.” As such, this aspect of the PEIR has not been modified. No further response is required.

Comment DW-8

Revegetation. Seed and plant mixes for revegetation should give preference to native plant species appropriate for the region. These native plants are already adapted to the soils and climate and will benefit wildlife. Please incorporate a preference for native plant species into the protocols for revegetation and vegetation management.

Response DW-8

As discussed in PEIR Section 3.2. *Agricultural Resources*, solar projects in the WSP plan area would be required to prepare an Agricultural Management Plan (AMP) which would be implemented in conjunction with the WSP solar projects to facilitate sheep grazing, as specified in MM AG-1, in accordance with Kings County requirements for all solar projects. As stated in MM AG-1, the AMPs are to include “specifications for a seed mix which is appropriate to the soil and climatic conditions in the absence of irrigation...” In addition, each solar project will be required to prepare and implement a Weed Abatement and Pest Control Plan as required by the Kings County Development Code. At the project-specific level, one solar project (Westside Solar) has been approved within the Westlands Solar Park to date. As a condition of CUP approval of that project by Kings County, an AMP was prepared and is being implemented in conjunction with the project. The Westside Solar AMP includes the requirement that all species and seed used for revegetation at the project site must be: “[n]ative to California and propagated from seeds collected from the southern San Joaquin Valley or ecologically analogous areas (i.e., semiarid California grassland) as close to the project site as possible,” and that the seed mixes shall be “certified to be free of weeds.” This will facilitate the establishment of native grasses and forbs at the project site, where 90 percent of the surface area will be retained in soil cover and revegetated as required by Kings County. In addition, the Pest Management and Weed Abatement Plan for the Westside Solar Project contains provisions and BMPs to prevent and control the spread of damaging weeds that could threaten natural habitats and native species in the project region.

Currently, the PEIR Project Description includes the following description under “Revegetation of Completed SGF Areas”: “The exposed areas would be planted with an approved seed mix that would contain only “low water use” plant species, thus minimizing water use, discouraging weed infestation, and providing habitat value for native wildlife species.” To reinforce the emphasis on native species, the following sentence has been added: “The selection of species and seed mixes for revegetation would incorporate a preference for native plant species.” No further response is required.

Comment DW-9

Cumulative Impact Analysis. The cumulative impact analysis appears to be limited to solar projects in the Project’s vicinity and does not address other types of development including any residential, industrial, or commercial projects in Lemoore or Huron. Nor does it address any development at the Lemoore Naval Air Station. The PEIR should address any reasonably anticipated development in these areas or indicate the lack thereof.

Response DW-9

As discussed in the PEIR discussion of cumulative biological impacts, the study area for cumulative biological impacts is variable depending on the species or resource under consideration. The largest study areas are associated with foraging ranges for raptors. For example, the foraging area for Swainson's hawks is generally considered to encompass lands within a 10-mile radius of the nest, while the burrowing owl foraging area includes lands within about two miles of the nest. Study areas for other species' foraging habitat, and study areas for cumulative impacts to breeding habitat for all species would be smaller.

With respect to burrowing owl foraging habitat, there are no urbanized areas or military installations within two miles of the WSP plan, so the only development within the cumulative burrowing owl study area would be solar projects. The PEIR cumulative analysis for biological impacts includes consideration of all pending, approved, and completed solar projects within a two mile radius of the WSP plan area.

With respect to Swainson's hawk foraging habitat, the PEIR cumulative analysis for impacts to Swainson's hawk foraging habitat includes consideration of all pending, approved, and completed solar projects within a 10-mile radius of the WSP plan area. Within this study area, there are 21 solar projects that along with the WSP plan area occupy a total of 31,472 acres. The cumulative habitat analysis conservatively assumed that all of this acreage is suitable foraging habitat for Swainson's hawks. After subtracting this acreage from the total acreage of suitable habitat, the analysis showed that there remains 156,064 acres of surplus foraging habitat in the study area, i.e., habitat that is not required to support existing Swainson's hawks already nesting in the study area. (For context, each pair of Swainson's hawks requires approximately 4,800 net acres of foraging habitat.)

In response to the comment, estimates were made of potential cumulative urban development that could occur within the Swainson's hawk cumulative foraging habitat study area through 2030, the planned buildout year for the Westlands Solar Park. As mentioned in the comment, these potential areas of urbanization would be contained within the City of Lemoore, the City of Huron, and NAS Lemoore. Small amounts of development could also occur in the communities of Stratford and Kettleman City, and very little development is anticipated to occur in the rural unincorporated areas. The General Plans and land use plans for these places were consulted to obtain estimates of projected urban development through 2030. The City of Lemoore General Plan (2007) indicates that approximately 2,080 acres of vacant land within the plan area could be developed through 2030. The City of Huron General Plan (2007) indicates a total of 650 acres of developable land, and the NAS Lemoore Installation Master Plan (2014) indicates that there is potential for development of approximately 4,300 acres of unrestricted land within the base, including 3,000 acres for PV solar, 1,200 acres for private development, and less than 100 acres of infill development within the military use portion of the base. (The PV acreage within NAS Lemoore does not include the currently planned NAS Lemoore solar facility on 930 acres which is included in the PEIR cumulative analysis.) Thus the total development potential for NAS Lemoore is approximately 3,370 acres (4,300 acres minus 930 acres for the current PV solar project planned on the base). The Kings County General Plan (2010) indicates that the Kettleman City plan area has approximately 420 vacant acres, and the Stratford community plan area contains about 110 vacant acres. In summary, the aggregate acreage that could be developed for urban uses under the land use plans within a 10 mile radius of the Westlands Solar Park is approximately 6,630 acres. This acreage represents the total area of urban development that could occur by 2030; however, given that the Lemoore, Huron and Kings County general plans are 7 to 10 years old, some of these lands would already have been developed and thus would already not be counted in the vacant lands inventory conducted by LOA within the 10-mile radius area. It is also expected that actual development of all of the vacant land identified in the General Plans and land use plans would extend

well beyond 2030, considering that general plans typically designate more land for urban development than can be absorbed during the planning period (in order to prevent artificial scarcity of developable land toward the end of the planning period). Assuming that all 6,630 acres of vacant land indicated in the agency planning documents are still vacant as of this writing, and further (conservatively) assuming that all of this vacant land is suitable Swainson's hawk foraging habitat that should be subtracted from the PEIR estimate of surplus foraging habitat (i.e., 156,064 acres), the resulting net surplus Swainson's hawk foraging acreage in the study area would be 149,434 acres. For context, this represents sufficient foraging habitat to support an additional 31 Swainson's hawk nests in the study area, or almost double the existing 32 nests within the study area. This confirms the Draft PEIR conclusion that the cumulative impacts to Swainson's hawk foraging habitat associated with implementation of the WSP Master Plan would be less than significant.

This response to comment reconfirms the Draft PEIR conclusion that the cumulative biological impacts associated with implementation of the WSP Master Plan would be less than significant.

4. REVISIONS TO THE TEXT OF THE DRAFT PEIR

This section contains revisions to the Draft Program Environmental Impact Report for the Westlands Solar Park Master Plan and WSP Gen-Tie Corridors Plan. Double underlining depicts text added while ~~strikeouts~~ depict text removed.

2. PROJECT DESCRIPTION

2.3.4. CONSTRUCTION OF WSP SOLAR GENERATING FACILITIES

Pages 2-30 – 2-31 ADD the following sentence to the end of the last paragraph, as follows:

“Revegetation of Completed SGF Areas

Upon completion of each increment of solar development, the exposed soils beneath and around the solar arrays would be vegetated to prevent erosion and provide dust control, as required by Kings County and the San Joaquin Valley Air Pollution Control District. The exposed areas would be planted with an approved seed mix that would contain only “low water use” plant species, thus minimizing water use, discouraging weed infestation, and providing habitat value for native wildlife species. The selection of species and seed mixes for revegetation would incorporate a preference for native plant species.”

3. ENVIRONMENTAL SETTING, IMPACTS, AND MITIGATION MEASURES

3.4. BIOLOGICAL RESOURCES

3.4.3. ENVIRONMENTAL IMPACT ANALYSIS

Impact BIO-2. Impacts to Special Status Animals Habitat

Page 3.4-30 ADD the following sentence at the end of MM BIO-1.a., as follows:

“MM BIO-1: Pre-Project Design and Construction-Level Mitigation Measures. Prior to the final planning and design of any WSP solar or gen-tie project, the following measures shall be implemented to minimize impacts to special-status animal species:

- a. Conduct Seasonal Surveys for Potentially Affected Species. Prior to final planning and design of any solar or gen-tie project, full coverage ground biological surveys shall be conducted by a qualified biologist within the potential disturbance areas of the

solar or gen-tie project to identify the presence or absence of individuals or habitat of special-status animal species. Surveys for each potentially affected species shall be conducted during seasons that are optimal for identification of individuals and habitat of the species. Specific survey methodologies for the potentially affected species are set forth in subsequent mitigation measures herein.”

Impact BIO-3. Disturbance to Active Raptor and Migratory Bird Nests

Page 3.4-32 Revise the first 2 paragraphs of MM BIO-2, as follows:

“MM BIO-2: Avoidance Measures for Raptor and Migratory Bird Nests. The following measures shall be implemented to minimize disturbance to any active raptor and other migratory bird nests, as necessary, prior to the construction and decommissioning of any WSP solar project or gen-tie project:”

- a. Pre-Construction Surveys for Active Nests. If tree removal, site preparation, grading, construction, or decommissioning is planned to occur within the breeding period (i.e., between February 1 and August 31), a qualified biologist shall be retained to conduct pre-construction surveys for active nests of migratory birds within 14 days of the onset of these activities. Pre-construction surveys shall be repeated if construction halts for more than 14 days. If construction or decommissioning activity is planned to commence outside the breeding period, no pre-construction surveys are required for nesting birds and raptors.”

Impact BIO-5. Impacts to Burrowing Owls

Pages 3.4-37 – 3.4-39 Revise MM BIO-4, as follows:

“MM BIO-4. Burrowing Owl Mitigation. The following measures shall be implemented to minimize impacts to the individual burrowing owls and burrowing owl breeding and foraging habitat, as necessary, prior to construction or decommissioning of any WSP solar or gen-tie project:

- a. Pre-Construction Surveys for Burrowing Owl. Pre-construction surveys for burrowing owls shall be conducted by a qualified biologist no more than 14 days in advance of the on-set of ground-disturbing activity at each project site. Pre-construction surveys shall be repeated if construction halts for more than 14 days. These surveys shall be conducted according to methods described in the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). The surveys shall cover all areas of suitable burrowing owl habitat within project site.”
- b. Avoidance of Active Burrowing Owl Nests During Breeding Season. If pre-construction surveys are undertaken during the breeding season (February through August) and active nest burrows are located within or near construction

or decommissioning zones, a construction-free buffer ~~of 250 feet~~ with a radius of not less than 50 meters and not more than 500 meters shall be established around all active owl nests. The specific dimensions of the exclusion zone in each case shall be established by a qualified biologist based on site conditions and the level of intensity of the disturbance activity. These exclusion zones shall be enclosed with temporary fencing, and construction equipment and workers shall not be allowed to enter the enclosed setback areas. Exclusion zones shall remain in place for the duration of the breeding season. After the breeding season (i.e., once all young have left the nest), passive relocation of any remaining owls may take place, but only under the conditions described below.

- c. Avoidance of Occupied Burrows During Non-Breeding Season, and Passive Relocation of Burrowing Owls. During the non-breeding season (September through January), any burrows occupied by resident owls in areas planned for construction or decommissioning disturbance shall be protected by a construction-free buffer with a radius of ~~250 feet~~ not less than 50 meters and not more than 500 meters around each burrow. The specific dimensions of the exclusion zone in each case shall be established by a qualified biologist based on site conditions and the level of intensity of the disturbance activity. Passive relocation of resident owls is not recommended by CDFW where it can be avoided. If passive relocation is not avoidable, resident owls may be relocated to alternative habitat nearby. The relocation of resident owls shall be conducted according to a relocation plan prepared by a qualified biologist.
- d. Tailgate Training for Workers. All workers shall attend a tailgate training session conducted by a qualified biologist. The training is to include a description of the species, a brief summary of their biology, and minimization measures and instructions on what to do if a burrowing owl is observed on a solar project site.
- e. Mitigation for Loss of Burrowing Owl Habitat. If it is determined that burrowing owl nest(s) are located on or near the solar project site, the biologist shall coordinate with the project applicant and resource agency to determine whether relocation of these nest(s) is unavoidable. If so, measure #1 below (~~restrictive covenants~~ conservation easements) would apply. If the on-site or nearby nest(s) are to remain in place, the biologist shall determine whether sufficient foraging habitat is available on adjacent or nearby lands, and if so, no further mitigation is required. (Approximately 200 acres of year-round foraging habitat within about 2 miles of the burrowing owl burrow is required to support a burrowing owl pair.) If it is determined that there is insufficient nearby foraging habitat, the biologist shall determine the amount of onsite foraging habitat that is required to sustain the burrowing owl nest. In this case, the potential impact to foraging habitat shall be either avoided through implementation of measure #2 below (onsite buffer zone), or compensated through implementation of measure #1 (~~restrictive covenants~~ conservation easements) or measure #3 (long-term agreement on adjacent lands) below:
 - 1) Establishment of ~~restrictive covenants~~ conservation easements with a 1:1 ratio for foraging/breeding habitat preservation. These restrictive covenants would include habitats determined to be suitable for foraging and/or breeding year-round and seasonal use, and shall be implemented in

accordance with the specifications contained in the CDFW “Staff Report on Burrowing Owl Mitigation” (2012)

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline=true>

- 2) Establishment of permanent buffer zones of adequate size around current burrowing owl locations. These buffer zones would require adequate management for the life of the project and buffer zones to ensure the buffer area remains suitable for burrowing owls. Annual monitoring of the suitability of management activities may be required by CDFW.
- 3) Short or long-term compensation for foraging habitat by providing farmers in adjacent lands incentives to plant particular crops known to be suitable forage habitat for burrowing owls (i.e. winter wheat, alfalfa, etc.) and to enact a farmer burrowing owl safety program where farmers are trained how to reduce burrowing owl mortalities on their lands and farm driveways. A 1:1 ratio would be required to be in the program as long as the project is active.”

Impact BIO-7. Impacts to American Badgers

Page 3.4-44 Revise MM BIO-6.b., as follows:

- a. Avoidance of Active Badger Dens and Monitoring. If an active badger den is identified during pre-construction surveys within or immediately adjacent to an area subject to construction or decommissioning, a construction-free buffer of ~~up to~~ 100 to 300 feet (or distance specified by CDFW) shall be established around the den. Once the biologist has determined that badgers have vacated the burrow, the burrow can be collapsed or excavated, and ground disturbance can proceed. Should the burrow be determined to be a natal or reproductive den, and because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present onsite during construction activities in the vicinity of the burrows to ensure the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor shall be required onsite until it is determined that young are of an independent age and construction or decommissioning activities would not harm individual badgers.