Planning Commission
Dave McCullough, District I
Heath Krug, District 2
John Troughton, Jr., District 3, Chair
Kirk Pendleton, District 4
Elizabeth Yerxa, District 5,
Vice-Chair

Community Development Department
Greg Plucker,
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COLUSA COUNTY
Planning Commission
Minutes
August 2, 2023

Board Chambers
546 Jay Street, Suite 108
Colusa, CA 95932

The Colusa County Planning Commission meets in Regular Session this 2nd day of August 2023 at the hour of 9:00 a.m. Present: Commissioners Heath Krug, Elizabeth Yerxa, Kirk Pendleton and John Troughton, Jr. Absent: Commissioner Dave McCullough.

Pledge of Allegiance

I. APPROVAL OF MINUTES

1. Minutes Approval

Planning Commission – Regular Meetings – May 3, 2023.

RESULT:	**APPROVED [UNANIMOUS]**
MOVER:	Pendleton
SECONDER:	Krug
AYES:	Krug, Yerxa, Troughton, Jr., Pendleton
ABSENT:	McCullough

II. PUBLIC COMMENT

None.

III. PUBLIC HEARINGS

Chair Troughton makes time for a Public Hearing and adoption of a Resolution approving Statutory Exemptions and approving Tentative Parcel Map (PD-23-6) for Travis Roberts (Kalfsbeek Living Trust).

Comments received by Mr. Geiger.

9:04 a.m. Chair Troughton opens the Public Hearing and calls for public comment. Hearing none, Chair Troughton closes the Public Hearing.

COMMUNITY DEVELOPMENT DEPARTMENT/TRAVIS ROBERTS (KALFSBEEK LIVING TRUST)

1. Adopt **Resolution No. 23-003** approving Statutory Exemptions and approving Tentative Parcel Map (PD-23-6) for Travis Roberts (Kalfsbeek Living Trust).

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Pendleton
SECONDER:	Yerxa
AYES:	Krug, Yerxa, Troughton, Jr., Pendleton
ABSENT:	McCullough

Chair Troughton makes time for a Public Hearing and consideration of a Resolution for the Janus Solar electrical generating and battery storage Use Permit 20-01 (PD-3829) which would: (1) certify the Environmental Impact Report including the CEQA Findings and Mitigation Monitoring and Reporting Program; (2) adopt Use Permit Findings and Conditions of Approval; and (3) direct staff to file the Notice of Determination.

9:05 a.m. Commissioner Yerxa recuses herself and leaves the room.

Comments received by Mr. Plucker.

9:28 a.m. Chair Troughton opens the Public Hearing and calls for public comment.

Chair Troughton calls for comments from supporters of the project.

Comments received by Mr. Folks and Ms. Nevis from RWE.

Mr. Moore from Maxwell states he supports this project because it's good for the County and there should be more like this. He states it will bring a lot of money to the County, Parks and Recreation and the Fire Department. He further states that the County would be in bad financial shape this year if it didn't rain.

Ms. Meeker states she would like to comment on behalf of the Maxwell Parks and Recreation District and discloses she works for the local paper. She states that the District supports the project and states that the project would provide well needed funding.

Chair Troughton calls for comments from opponents of the project.

Ms. Terkildsen states she is a landowner off Spring Valley Road in Colusa County and is opposed to this project. She says her comments she submitted are mentioned as being "insignificant" in the staff report. She further states that she has concerns about the closure and decommissioning of the project and the amount of the bonds.

Mr. Plucker states an engineer's estimate would be required to develop a cost estimate of returning the site to its pre-development condition and that this estimate would be reviewed and approved by the County. He states County Counsel would review the security instrument to ensure that the County would get access to the funds when needed.

Ms. Terkildsen further states she has concerns about the construction in the evening that would require lighting. Also, the report states that the project isn't a detriment for the health, safety, peace, comfort or general welfare of persons working or residing in the area and she disagrees.

Mr. Plucker states that the proposed use permit conditions limits the hours of operation and would restrict night time operations to prevent lighting impacts on the neighbors.

Mr. Ferrini states he lives on Walnut Drive and disagrees with everything that's been discussed by the proponents. He shows a map and states that he has almost a mile of common property line and that there isn't any way there won't be a visual impact. He also states that this area has always been in agriculture and the area could be annexed by West Side Water District for farming. He states he's lived in the area for 43 years and recently met the landowner who asked to put a transmission line through his property. He stated that he would have helped explain how to annex the property to the Westside District. He states 196,000 solar panels will have a visual impact and the money isn't worth it. He urges the Planning Commission to deny the project.

Mr. Marsh states he has concerns about water runoff if there was a fire emergency and how the contaminated water would affect the groundwater supply. He further states that he has concerns about the details of the Emergency Operations Plan.

Ms. Marsh states she has concerns in regards to the Williamson Act cancellation. She further states that she has concerns about decommission procedures for the project and also water containment if there is a fire.

Ms. Ferrini Katsaris states she has concerns that the company answered no to every question about impacts in the applicant questionnaire form which is incorrect and you cannot have confidence in a company that fills out the application dishonestly. She further states that she doesn't have confidence that mitigation measures would have been addressed unless her neighbors had raised concerns. She further states she doesn't think the funding provided for fire mitigation will be sufficient as it's a high fire risk area.

Mr. LaGrande is a neighbor to the project. He's concerned about the dust and the impacts to orchards. He asks how dust from Spring Valley Road will be addressed.

Ms. Nevis states it won't be paved and dust from construction will be mitigated.

Mr. Plucker states "Dust Off" would be applied to the area and for the life of the project.

Mr. LaGrande states dust mites are a big problem and Dust Off won't be adequate. He further states because of where the substation is located, there have been calls from realtors from out of the area looking at land for similar projects. He states we need to decide if we're going to be agriculture based or a solar based County.

Ms. Ell states she's lived all over and it is not fair that rich people can come in and take over and change the way of life and the historic character of an area.

Mr. Vann is a landowner in the area and states they don't need additional power lines as it affects the agricultural business and crop dusting. He further states Agriculture is important for the County and this will directly affect how many people are employed.

Mr. Nelson states he is representing Ms. Terkildsen, Mr. Ferrini and Ms. Katsaris and states that he sent a letter stating he takes exception to the fact County Staff says the project is in compliance to the General Plan, when it is not. He states that the following sections in the General Plan should be noted:

Agricultural Element Policies:
Policy AG-1, AG 1-8, AG 1-9, Action AG 1-A, Policy AG 1-12, and AG 2-A

Land Use Element Policies:
LU 1-7, LU 2, LU 2A, LU 2-2, LU 2-3, LU 2-5, LU 2-6, and LU 2-10

He further states the Williamson Act was meant to preserve open space lands and the permit should not be approved pending cancellation of Williamson Act Contracts pursuant to State law. He states property owners have rightful concerns and he urges the Planning Commission to vote against the project.

Mr. Katsaris asks if there will be a holding area for water runoff and states any runoff will impact the City of Williams and asks if the project will have stand pipes for fire prevention. He further states it's just a matter of time that a fire will happen and when it does, when they use 50,000 gallons to suppress it, the water and contaminants will enter the groundwater supply.

Chair Troughton calls for the proponent's response.

Mr. Folks states they will abide by all requirements made by the Commission and County staff. He states there will be grass under the solar panels to prevent flooding and fire training will begin before operations get underway. He states that a pallative will be applied to control dust as often as necessary as designated by the County. He states they will try to conduct business during daylight hours, so as not to require lighting. He further states the decommissioning bond is required before getting a building permit.

Mr. Rex Favero states his family owns the property of the site of the proposed project and states he's been working with the Westside Water District for years and they are unable to get water to the property.

Mr. Paul Favero states he was born in 1929 and raised on the farm. He states he's tried to be a good steward and it's time to do what's best for the community. He states that he feels good about turning it over and it will benefit the area.

Mr. Plucker responds to the concerns of the project opponents. He states Staff has never determined any submitted comments as insignificant. He states that in regards to hours of operation, there were proposed hours established that limit work during non-daylight hours to prevent issues with residents in the area. He states in regards to groundwater issues, the project is required to comply with local laws and requirements. He states the County has standards for runoff and they will do studies and an analysis of the project. One of the requirements is a review of any impact to groundwater and containment needs will be evaluated as part of project approval. He states fire training will need to be completed before the project starts construction. He further states that regarding the County's importance of agriculture, the General Plan looks at everything regarding the overall principal. Policy 2-2 allows commercial alternative energy facilities, including solar, with a conditional use permit, which is very specific language. He states that in regards to the Williamson Act, it is a very specific

condition that the use permit wouldn't be valid if the Williamson Act Contract is not cancelled.

11:02 a.m. Chair Troughton calls for further public comment. Hearing none, Chair Troughton closes the Public Hearing.

Mr. Plucker states if the Commission denies the project, he will bring forward a Resolution at the next meeting stating the Commission's denial of the project and the reasons for the denial.

Comments received by Ms. Sutton.

COMMUNITY DEVELOPMENT/JANUS SOLAR PV, LLC

2. Deny the certification of the Environmental Impact Report including the CEQA finding and mitigation monitoring and reporting program, based on inconsistencies with the General Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Pendleton
SECONDER:	Krug
AYES:	Krug, Troughton, Jr., Pendleton
ABSENT:	McCullough, Yerxa

Deny the adoption of the Permit Findings and Conditions of approval based on inconsistencies with the General Plan.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Pendleton
SECONDER:	Krug
AYES:	Krug, Troughton, Jr., Pendleton
ABSENT:	McCullough, Yerxa

11:08 a.m. Commissioner Yerxa rejoins the session and is now seated.

IV. PLANNING DIRECTOR COMMENTS/REPORTS

None.

V. PLANNING COMMISSIONER'S COMMENTS/REPORTS

None.

Chair Troughton adjourned the meeting at 11:09 a.m. to reconvene in Regular Session on September 6, 2023 at the hour of 9:00 a.m.

John Troughton Jr., Chair

Respectfully submitted,
Greg Plucker, Secretary to the Planning Commission

By: FOR Melissa Kitts, Deputy Clerk

Planning Commission
546 Jay Street, Suite 108
Colusa, CA 95932

SCHEDULED

Meeting: 08/02/23 09:00 AM
Department: Community Development
Category: Public Hearing
Prepared By: Greg Plucker
Initiator: Greg Plucker
Sponsors:
DOC ID: 9150

PLANNING COMMISSION (ID # 9150)

Detail

Applicant: Janus Solar PV, LLC
General Plan: Agriculture Upland (AU)
File: Use Permit #20-01 (PD-3829)
Zoning: Foothill Agriculture (F-A)

Formal Title / Summary

Janus Solar Final Environmental Impact Report and Use Permit #20-01 (PD-3829)

Action Requested

Public Hearing and consideration of a Resolution for the Janus Solar electrical generating and battery storage Use Permit 20-01 (PD-3829) which would: (1) certify the Environmental Impact Report including the CEQA Findings and Mitigation Monitoring and Reporting Program; (2) adopt Use Permit Findings and Conditions of Approval; and (3) direct staff to file the Notice of Determination.

DETAILED DESCRIPTION/BACKGROUND OF REQUEST

Janus Solar PV, LLC (Applicant) has applied for a conditional use permit to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure. The project would generate and store up to 80 megawatts of electricity on approximately 768 acres of a 1,024-acre site. The proposed battery energy storage system (BESS) would extend the period of time each day that the project could contribute the PV-generated energy to the electrical grid. The project would connect to the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the project site by aboveground electrical lines.

The subject property is also subject to a Williamson Act which restricts the use of the property to agricultural uses and certain defined compatible uses. In addition to the Use Permit application, the applicants have also submitted a request to cancel the property's Williamson Act contracts. Contingent upon project approval, the Board of Supervisors would consider the Williamson Act cancellation request, the required findings, and determine whether the property's existing Williamson Act contract will be cancelled.

The County of Colusa (County), as the CEQA Lead Agency, has prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document the analysis of the potential direct, indirect, and cumulative impacts of the proposed project.

APN:

018-050-005-000, 018-050-006-000, and 018-050-013-000

LOCATION:

The project site is located approximately 6.5 west/southwest from the City of Williams. Access to the site is provided by Spring Valley Road and is approximately 1.64 miles to the south of the Spring Valley Road/Walnut Drive street intersection. Please refer to Figure 2-1 (Project Location) of the Draft Environmental Impact Report (DEIR) for the specific location.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Overview

When staff originally reviewed the proposed application, staff determined that given the size and scope of the project that it was reasonable to determine that the project could have potential significant effects upon the environment. As such, the Community Development Department, as the CEQA Lead Agency, caused an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to be prepared in order to analyze the potential direct, indirect, and cumulative impacts of the proposed project.

An EIR is primarily an informational document intended to inform the public agency decision-makers (in case of a Use Permit the Planning Commission), other responsible agencies, and the general public of the potentially significant effects of a proposed project. The EIR discloses all known potentially significant impacts; identifies feasible means to minimize or mitigate those effects; and considers reasonable alternatives to the project that might further reduce significant impacts while still attaining the project objectives. The decision-making body then must consider the information in an EIR before taking action on the proposed project.

An EIR is prepared in two key stages. First, a Draft EIR (DEIR) is prepared and distributed for public and agency review. Once comments on the DEIR are received, responses to those comments and any additional relevant project information are prepared and compiled in a Final EIR (FEIR). Both of these documents (i.e., the DEIR and the FEIR), along with any related technical appendices, represent the complete record of the EIR.

Throughout this staff report, the term EIR may be used to refer to the DEIR together with the Final EIR, Appendices, and all other studies and documents prepared as part of the environmental review process since these documents represent the totality of the EIR

record, However, when referring to just the "Draft EIR" document, the term DEIR will be used and when referring to just the "Final EIR" document, the term FEIR will be used.

Ultimately, the EIR is used by the agency's decision making body to weigh the environmental impacts against a proposed project in order to make an informed decision. In the case of the Janus Solar Use Permit, the Planning Commission is the decision making body for the Use Permit and the Board of Supervisors is the decision making body for the proposed Williamson Act contract cancellation. Prior to acting upon the proposed Use Permit, the Planning Commission must consider the totality of the EIR record including any written comments received on the adequacy of the FEIR and proposed Use Permit.

PROJECT AND SITE DESCRIPTION:

Section 2.1 (page 2-1) through Section 2.4 (page 2-20) of the DEIR contains a detailed description of the proposed project. In general, the project consists of three major components: a solar energy generating facility, an energy storage system, and the generation tie-line (Figure 2-2 of the DEIR). A general overview of each component is as follows:

Solar Energy Generating Component

The solar energy generating component would consist of PV solar modules (also known as panels) arranged into arrays supported by a racking system and tracker units that track the sun. Each tracking assembly would consist of steel posts on which the frames for the PV modules rest. Each tracker would hold PV modules mounted on this metal framework structure and range between 6 and 13 feet above grade, depending on the topography. The trackers are organized in rows in a uniform grid pattern or solar array and the project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system. The PV modules themselves would be dark blue or black in color, with anti-reflection coating to minimize light reflection.

The project would include a substation anticipated to be located in the northwest portion of the project site. The substation would include a step-up transformer to increase the output voltage from the module blocks (34.5 kV) to the voltage of the 60-kV gen-tie line, protective relay and metering equipment, utility and customer revenue metering, lightening arrestor, disconnect, circuit breaker and a station service transformer that would provide power to the substation and its weatherproof control house. The gen-tie power poles are anticipated to be up to 80 feet in height and an emergency generator for use in the event that the regional transmission system fails also would be at this substation; this emergency generator would provide emergency power until the regional transmission system restores operations.

A complete description of this component is contained within Section 2.4.1.1 of the DEIR.

Energy Storage System

The battery energy storage system (BESS) is expected to be located adjacent to the project's substation. Batteries would be contained within metal enclosures measuring approximately 20 to 60 feet long, 8 to 12 feet wide, and 8 to 12 feet in height and situated on concrete pads. The anticipated footprint for the BESS would be approximately 3 to 5 acres depending upon separation requirements of the individual battery storage units. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers.

Each BESS container would contain a safety system that would be triggered automatically when the system senses imminent fire danger. The fire safety system inside each enclosure would shut down the unit if any hazard indicators are detected. If the safety system detects a potential issue as detected by the smoke and temperature sensors, the batteries would be automatically de-energized by opening the electrical contacts, and HVAC units and fans would be shut off.

A complete description of this component is contained within Section 2.4.1.2 of the DEIR.

Generation Tie-Line

Energy produced from the solar arrays would be collected at the project's substation and transmitted to the existing PG&E-owned Cortina Substation along Walnut Avenue. In order to interconnect the project to the Cortina Substation, the Applicant would construct a new 60 kV gen-tie line that would extend from the project's on-site substation about 2 miles within the County's ROW on Spring Valley Road to reach Walnut Drive. At Walnut Drive, the transmission line would be located within the Colusa County road ROW for approximately 2 miles on existing, retrofitted, or new poles to the Cortina substation. Along this route, the gen-tie line would cross the Colusa-Tehama Canal, administered by USBR. The gen-tie line would include tubular steel poles of up to 80 feet in height. The Applicant's gen-tie construction would terminate at the PG&E Cortina Substation property line. At the Cortina Substation, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that extends from the Cortina Substation property line to the new bay station within the existing footprint of the PG&E facility. All PG&E improvements would be constructed within the existing Cortina Substation footprint.

A complete description of this component is contained within Sections 2.4.1.3 and 2.4.1.4 of the DEIR.

PROJECT CONSTRUCTION:

Project construction would consist of two major stages. The first stage would include site preparation, grading, and preparing staging areas and on-site access routes. The second stage would involve assembling the trackers and constructing electrical interconnection facilities. It is anticipated that construction would occur during an 11-month period and would occur primarily during daylight hours, Mondays through Fridays 7:00 am to 7:00 pm and potentially 8:00 am to 8:00 pm on Saturdays and Sundays. The applicant proposes potential nighttime hours if necessary for material and equipment deliveries and/or where the schedule has been delayed due to weather or other events. These nighttime activities would be performed with temporary lighting, which would be directed downward to minimize impacts to neighboring properties and wildlife in the project vicinity.

The on-site construction workforce would consist of laborers, craftspeople, supervisory personnel, and support personnel. The on-site assembly and construction workforce is expected to reach a peak of approximately 200 workers; the average number of workers on-site is anticipated to be approximately 50 to 150. On average, it is anticipated that 25 percent of worker trips to the site would be in carpools. Workers would commute to the site from nearby communities and given the number of workers required it is anticipated that some would travel from more-distant areas in the Sacramento Valley area.

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) SUMMARY:

As previously discussed, a DEIR for the project has been prepared pursuant to the requirements of the California Environmental Quality Act. Detailed information about the project's potential impacts are contained with the DEIR documents. However, in order to provide a general overview, County staff has prepared a summary of each of the 20 sections of the DEIR. Please refer to the March 1, 2023 Planning Staff Report (Attachment #1) and the April 5, 2023 Planning Commission Staff Report (Attachment #2) for this summary on pages 6 through 21 of each staff report.

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) SUMMARY:

The 45-day public review period for the DEIR began with the filing of the Notice of Completion (NOC) on October 14 and ended on November 29, 2021. Upon conclusion of the public review period, nine comments were received from seven property owners and their representative and two State agencies. Subsequently, County staff, the EIR consultant, and the applicant have worked on addressing the submitted comments, performed additional analysis and studies, and incorporated a series of minor revisions. None of the revisions have an impact on the analysis included in the DEIR or changed

its conclusion. The totality of these revisions is included as Chapter 3 entitled Minor Revisions to the Draft EIR of the FEIR.

The FEIR provides an analysis and response to each of the issues identified in the submitted comments of the DEIR. Because several comments contained the same issues, there is some duplication of the FEIR responses. The totality of the comments (including from State agencies) and responses thereto in the FEIR must be fully reviewed and considered. In order to provide an overview of the issues contained within the submitted comments by the general public, a summary of those comments and further responses to them has been developed. Please refer to the March 1, 2023 Planning Staff Report (Attachment #1) and the April 5, 2023 Planning Commission Staff Report (Attachment #2) for this summary on pages 22 through 27 of each staff report.

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) COMMENTS:

Subsequent to the release for the FEIR, additional written and oral comments were received. As with the comments and responses included in the FEIR, the Commission must consider these comments as part of the decision-making process for the application. These comment letters were included in the Planning Commission's April meeting's staff report packet. However, for ease of reference and to ensure that they are thoroughly reviewed, the letters have been included as a separate attachment (Attachment #3) to this staff report. Please also note that in response to these comments, several additional minor revisions have been incorporated into Chapter 3 of the FEIR, such as the Fire Service Mitigation Measure (PS-1) and an amendment to the cultural pre-construction worker education awareness program (CUL-1) to expand the tribes potentially involved.

The following is a summary of the letters and additional analysis of the stated concerns:

Department of Conservation

A second letter was received on March 20, 2023 from the Department of Conservation (Attachment #3.1). The letter stated that the FEIR did not address:

(1.) The Project's compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract; and

(2.) If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Early on the project review, the applicant met with the Board of Supervisor's Williamson Act ad hoc committee (then Supervisors Evans and Carter) to discuss the project and

to consider whether the project was considered a compatible use pursuant to the County's Williamson Act policies. Please refer to Attachment #4 (Resolution 02-82) for the Board's resolution setting forth the current permitted and compatible uses. Item #19 of Compatible Uses lists "The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities." While the proposed project is an electric utility facility, it will displace any permitted agricultural use on site. As such, the Ad Hoc committee believed that given the elimination of agricultural uses, the project was not compatible with agricultural uses on the site and, therefore, recommended that the existing Williamson Act contracts be cancelled. Contingent upon Use Permit approval, the cancellation request would be processed before the full Board of Supervisors for a determination of the request.

The DEIR discussed the Williamson Act and requirement for the contract cancellation process in numerous sections including but not limited to Section 4.1 - beginning at Page 4.1-10, Section 4.14 - beginning at Page 4.1-5, Section 4.1.2.2.1 - beginning at Page 4.4-1, Impact 4.1-2 - beginning at Page 4.1-5, and Section 4.11.2.2.1 - beginning at Page 4.11-1.

Beth Ferrini Katsaris

A comment letter was received from Beth Ferrini Katsaris (Attachment #3.2). The comment letter raised concerns with:

(1) Answers included in the application's project questionnaire where it was indicated that the project would not have change scenic views, the character of the general area, the amount of dust in the vicinity, noise levels, or cause a substantial demand for municipal;

(2) The Williamson Act Cancellation process and the recommendation from the Board's Ad-Hoc Committee;

(3) The response to the Department of Conservations DEIR comments;

(4) The threat to public safety from fire; and

(5) The project violates General Plan Goal AG-2 which states, "*Maintain and enhance agriculture as the County's most critical land use, economic sector, and resource*" and questions whether the omission in the FEIR of reference to Policy 2-1(i) which states "The use will not be detrimental to the rural character of the area" is proof of the project's incompatibility.

As detailed in the letter, concerns are expressed that answers to questions in the Application and Project Questionnaire form that was originally submitted with the Use

Permit application were not answered correctly and reflects on the "*competency, integrity, professionalism and honesty of the applicants and owners*". The form is intended to provide staff a generalized overview of potential impacts that proposed applications that are submitted to the County may have. Staff does not rely on the answers to conclusively determine how a project may or may not have potential impacts. In the subject case, staff determined that these issues, as well as others, did have potential impacts and, as such, were included in the EIR that is currently before the Commission for consideration.

With respect to the Williamson Act cancellation process, the applicant has applied for cancellation of the contracts. Contingent upon approval of the Use Permit, the cancellation process will be followed and this process requires that the full Board of Supervisors makes a number of project specific findings. As discussed, the Williamson Act Ad-Hoc committee reviewed the project for compatibility with the County's Williamson Act program. Based on this review, the Ad-Hoc Committee did recommend that if the project is approved that the applicable contracts be cancelled. The Ad-Hoc Committee never inferred support for the project itself; only that if the project was approved that the contracts be cancelled due it displacing the agricultural uses on the property. The Ad Hoc Committee did not determine whether or not the findings to cancel the contracts could be made because that determination was premature and was subject to the determination of the entire Board of Supervisors.

With respect the Department of Conservation comments, as previously discussed in the DOC's second letter the Department had two specific comments for which a response has been provided as detailed above.

Concerning the threat to the public from fire, following this section is a section discussing the Williams Fire Authority's comments and the additional Fire Service Mitigation Fee that addresses the Williams Fire Authority's operational concerns.

The final comment of this letter questions the compatibility of the project with the General Plan with reference to Goal AG-2 (*Maintain and enhance agriculture as the County's most critical land use, economic sector, and resource*) and Policy 2-1(i) (*The use will not be detrimental to the rural character of the area*). With respect to Goal AG-2, the proposed project is not being located on prime agriculturally soils and is being used for dry land ranching operations. In 2021, cattle ranching overall in the County resulted in approximately 2.7 percent of the overall agricultural economic activity in the County. When the 2014 Zoning Ordinance Update was approved, there was over 240,000 acres of other land zoned the F-A zoning designation. Accordingly, the property involved in the project has a negligible contribution to the County's overall agricultural operations.

It should also be noted that the property has limited water availability and during

normal rain years, the property owner supplies water to their cattle from three sources: an existing on-site hand dug well; several on-site pit type reservoirs which store winter rain runoff; and several natural on-site springs. During drought years, water has to be purchased and trucked in and the cattle herd size is reduced. Changing the existing use of this portion of the owners property will provide a revenue stream that can be used, in part, to purchase water during drought years and stem the need to reduce the cattle herd size. As such, the proposed project would support the remaining agricultural operations.

Concerning subsection (i) under Policy 2-1 which states, "*The use will not be detrimental to the rural character of the area*". It is important to note that Policy AG 2-1 deals with agricultural related industrial support operations for on-site uses. The proposed project is not providing energy of on-site uses; as such; this policy is not applicable to the project. Please refer to the following discussion of the Clark and Nelson letter for more detail as to this issue.

Clark and Nelson

David Nelson, representing Jean Terkildsen, Matthew Ferrini, and Elizabeth Katsaris, submitted a comment letter on the EIR documentation (Attachment #3.3). The comment letter raised concerns with:

(1) The project lacks consistency with Colusa County's General Plan due to Policy AG 2-1 referenced agricultural related industrial support operations for on-site uses; and

(2) The subject property is ineligible for inclusion within the Energy Production Overlay Zone.

As previously discussed, Policy AG 2-1 deals with agricultural related industrial support operations of on-site uses and is not applicable to the subject project. The General Plan contains numerous policies which apply to different situations and, as such, it is important to review the directly applicable policies to determine consistency. For example Goal ED-1 calls out to diversify the County's Economic Base and broadening the range of industries in the County. Table LU-1, General Plan Land Use Designations which provides a guide for allowed uses in each General Plan land use category specifically calls out solar energy production as an allowed us with the property's Agricultural Upland land use designation and does not limit energy production to on-site.

Mr. Nelson also states that the property is ineligible for inclusion within the County's Energy Production Overlay Zone due to the existing Williamson Act contracts. Mr. Nelson is correct in that Section 44-2.80.020.C.b (Energy Production (EP) Overlay Zone)

does state that the EP overlay zone shall not be placed on any property under Williamson Act contract unless power generation facilities are specifically allowed under the contract. Under the County's Williamson Act program Item #19 of Compatible Uses does list the erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities as a compatible use. As previously discussed, the Williamson Act Ad-Hoc Committee has recommended that the contracts be cancelled due to the solar farm displacing the existing agricultural uses. As detailed in the recommended Use Permit conditions, project approval is contingent upon the Board of Supervisors cancelling the applicable Williamson Act contracts. Accordingly, the Use Permit will not become valid unless the Board cancels the Williamson Act contracts. This is not a speculative assumption but a project specific requirement without which there is no Use Permit approval.

A final note, the Energy Production Overlay was developed so that the County could designate large areas for energy production in order to facilitate permit approvals. If the County had designated the subject property with the Energy Product Overlay zoning district, the major Use Permit approval process before the Planning Commission would have been eliminated in favor of a minor Use Permit application before the Zoning Administrator per Section 44-2.80.020.D of the Zoning Ordinance. In the subject case, the application is being processed under a major Use Permit without the energy overlay zoning designation.,

Matt Ferrini

Mr. Ferrini submitted a comment letter that is attached (Attachment #3.4). In his letter, Mr. Ferrini expresses his opposition to the project based on the conversion of "*1,024 acres of prime agricultural ground into a commercial industrial solar facility that would have an adverse effect on surrounding land owners and residents being that it is not consistent with the rural character of Spring Valley and the hazards of a 5-acre battery storage facility to those same land owners and residents*". In his letter Mr. Ferrini describes the visual qualities of Spring Valley and provides 5 photos of the current appearance of Spring Valley. He also discusses the history of Spring Valley, the agricultural resources of the area, its location in the Westside Water District, and the provisions of General Plan Policy AG 2:1 as reasons he is urging "*the Commission to deny the pending application for the major use permit*".

The proposed project will change the visual character of Spring Valley when viewed from certain viewpoints. The conclusion of the FEIR is that this change would not be a significant visual impact. The existing topography effectively screens the project from views outside of Spring Valley. Within the valley, much of the views are limited do the distances to the panels. However, along Spring Valley Road there is an approximate ½ mile stretch where the panels and project substation would be approximately 100 feet from the road.

In Mr. Ferrini's letter he mentions that the land could be used for other agricultural uses should it be annexed into the Westside Water District. As discussed in the DEIR, the project site does not contain irrigation infrastructure or an irrigation system connection to the Westside Water District. Due to lack of irrigation water, the current use on the project site is cattle ranching. The site owners farm winter crops (e.g., wheat, rye, barley, vetch, and oat) on 400 acres (not part of the project site) which is used to feed cattle. These crops are watered solely by winter rain. During normal rain years, the site owners supply water to troughs for their cattle from three sources: an existing on-site hand dug well; several on-site pit type reservoirs that store winter rain runoff; and several natural on-site springs. During severe drought years, water is purchased from neighbors and trucked in and the cattle herd size is reduced.

As the Commission is also aware, with the exception of last winter, the County, like much of the State, has been experiencing repeated years of drought. This has led to the curtailment of surface water deliveries, which has had significant impacts on agricultural production. As a result, groundwater well pumping has increased significantly to provide the necessary water to supply orchards or fields have been left fallow. This increase in groundwater pumping has led to a number of issues in the County including ground subsidence and nearby domestic wells going dry.

Long-term weather predictions suggest that the extreme weather patterns will continue and actually worsen in the coming decades. Without significant water storage projects being built in the State, reliance on groundwater will increase as will the potential negative consequences. The decades that it has taken to bring the Sites storage project to where it is today, illustrates the States inability to move storage projects forward. Ultimately, converting the dry land farming use to another agricultural use, such as orchards, would change the existing views and could result in other negative consequences.

Ultimately, the Commission needs to determine whether the visual change when viewed from a limited area along Spring Valley Road either constitutes a significant visual impact for purposes of certifying the EIR or would be detrimental to persons residing or working in the area for purposes of the Use Permit approval. In making this determination, the Commission does have some flexibility in making these determinations. For example, should the Commission determine that the proximity of the equipment to Spring Valley Road would either be a negative visual impact or would be detrimental to persons in the area, the Commission could require additional mitigation, such as requiring a larger setback along Spring Valley Road for example.

With respect to Mr. Ferrini's General Plan comment regarding Policy AG 2:1, as previously discussed this policy deals with agricultural related industrial support

operations for on-site uses. Mr. Ferrini is correct that the intent was to ensure that these on-site accessory uses that support existing on-site agricultural operations be allowed. However, it does not prohibit the proposed project as the other previously discussed General Plan policies do support energy production for off-site use.

Jean Terkildsen

Jean Terkildsen also submitted a comment letter that is attached as Attachment #3.5. In her letter, she identified the following three areas of concerns and requests that the Planning Commission deny the use permit accordingly:

(1.) As a neighboring landowner with land in the Williamson Act she is concerned with future commercial and industrial encroachment along Spring Valley Road due to the removal of 1,000 + acres from the Williamson Act;

(2.) She believes that property values will be devalued on adjacent properties in the area due to the Janus Solar Project and that this should be considered before the project is allowed to continue; and

(3.) She is concerned that the source and supply for the on-site 50,000 gallon water tank has not been identified and that a plan for fire protection and training of "primarily a volunteer fire department" has not been required.

With respect to her concerns, regarding future encroachments of other projects in the area, the DEIR has evaluated the known projects that can be quantified in the area. In addition, as discussed in the FEIR, the Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County to the south of the project or near the Cortina Substation as a battery energy storage project. The technology, footprint, and specific location are undefined and, thus, unknown at this time but it anticipated to include just battery storage. This project was a variation of an earlier potential project that was informally presented to County staff several years ago. Because of a number of differences in the land form to the south and energy tie-in requirements to the Cortina substation, staff was not supportive of another large scale solar project in the area. In addition, the previous developer did discuss the potential Williamson Act cancellation process with the Board's Williamson Act Ad-Hoc committee at that time. The Ad-Hoc Committee also informed that developer that they would not support cancelling additional contracted lands in the area. Staff cannot prevent applicants from applying for other discretionary types of projects, as each project has to be reviewed and considered on its own merits. However, to date both staff and the former Williamson Act Ad-Hoc committee have been consistent in our lack of support for another large-scale solar project in the area.

Regarding potential impacts to property values, staff has not been able to identify any evidence that large-scale solar projects by themselves have a negative impact on property values, nor has any evidence been presented. Potential property value impacts would be caused by negative attributes of a proposed project; whether it be a solar project or another land use. The purpose of the EIR and Use Permit approval process is to ensure that that there are no significant environmental impacts and that a proposed project would not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area.

The final identified issues relates to water supply and fire protection. As discussed in the DEIR, project water would be trucked to the site and would be sourced from the City of Williams Public Works Department. Concerning fire mitigation, the proposed mitigation measures (PS-1 and Fire-1) were specifically developed to address fire safety, fire response, and operational concerns and have satisfied the Williams Fire Authority's Chief's concerns with respect to the project. Please see the following section with respect to these fire issues.

Williams Fire Authority

Chief Gilbert, Williams Fire Authority, submitted a comment letter dated March 7, 2023 (Attachment #3.6). In the letter, the Chief Gilbert expresses a concern that should there ever be a fire, despite the mitigation measures, it would result in a potentially significant impact due to operational staffing issues. At issue is that the Williams Fire Authority is staffed by paid and volunteer personnel. As detailed in the letter, currently the Fire Authority is staffed with a two (2) man engine company, chief officer and is supplemented with volunteers. The Fire Authority's four paid firefighting line staff are funded by a grant that will expire in 2024. As such, there is a concern that should there be an incident at the Janus project, there is no guarantee what the volunteer response will be or that there be full-time firefighters available to respond. Accordingly, from an operational perspective, the Fire Authority lacks the permanent funding to be able to ensure an adequate response to an incident at the Janus project.

At issue is that lithium-ion battery fires present a triple-hazard threat due to potential explosion, fire, and the release of toxic gases. It is imperative that there be permanent funding to ensure full-time fire staff, with the proper training, are available to respond to a lithium-ion battery fire. Since the submittal of the Fire Authority's letter, the Fire Authority and the applicant have discussed the required funding necessary to ensure that the permanent, trained firefighting staff is available to respond to an incident at the Janus project. As a result of these discussions, Mitigation Measure PS-1 has been developed. This mitigation measure would require the payment of a $300,000 annual payment (adjusted each year for inflation) for the life of the project to the Fire Authority to fund the 24 hours a day and 365 days a year permanent fire fighter staff. Prior to any

building permit issuance for the solar or battery components of the project, the Williams Fire Authority's Board will have to approve the actual funding agreement and a pro-rata payment for the first year's operational costs will have to be paid. In addition, the mitigation measure requires that the developer pay for the cost for additional response vehicles and any damaged Personnel Protective Equipment in the event of a call for service. With this mitigation measure, as well as Mitigation Measure Fire-1, Chief Gilbert and the Williams Fire Authority Board are satisfied that the fire risk from the project has been adequately mitigated.

Charlie Wright

At the Planning Commission's April 5, 2023 meeting, Chairman Wright from the Kletsel Dehe Wintun Nation stated that his tribe considers the project area to be a part of their aboriginal territory and they have cultural concerns related to the project. Pursuant to AB52 tribal cultural resources notification consultation requirements (Public Resources Code §21080.3.1), prior to preparation of the DEIR, County staff sent letters to a total of 7 tribes with potential interest in the area, including the Kletsel Dehe Wintun Nation in July of 2020. One letter was received from the Yocha Dehe Wintun Nation which requested that they be involved in a pre-construction worker education and awareness program. As such, Mitigation Measure CUL-1 was developed requiring such a program and the Yocha Dehe Wintun Nation was specifically referenced in that mitigation measure.

After the April 5th Planning Commission meeting, County staff contacted Chairman Wright to discuss the cultural resource mitigation measures that had been included in the DEIR. As a result of this discussion, Chairman Wright forward to staff a copy of the Patwin Cultural Protection and Preservation Plan. This plan was developed by three sovereign tribes (the Cachil Dehe, Kletsel Dehe and Yocha Dehe) for the purpose of supporting and strengthening their shared interest in preserving and protecting their common Patwin history. As a result of this information and discussion with Chairman Wright, Mitigation Measure CUL-1 within the FEIR has been amended to reference the inclusion of all three tribes in the pre-construction worker education and awareness program. In addition, Mitigation Measure CUL-1 also specifies that the protocols of the Patwin Cultural Protection and Preservation Plan shall be incorporated into the preconstruction training and education training.

USE PERMIT (UP 20-01):

Land Use

The solar facility would be located on land designated in the Colusa County General Plan as "Agriculture Upland," in which cultivated agriculture, industrial and commercial

agriculture, agricultural tourism, resource production, energy production (including solar), single family housing, and farmworker housing are allowed as appropriate uses (Colusa County General Plan Land Use Element Table LU-1). The gen-tie power lines along Walnut Drive are located on land designated in the Colusa County General Plan as "Agriculture General" in which the same land uses are also allowed by the Colusa County General Plan Land.

With respect to the zoning, the solar facility would be located on land designated as the Foothill Agriculture zoning district and the gen-tie power lines along Walnut Drive are located on land with the zoning designation of Exclusive Agriculture. Pursuant to Section 44-2.20.30 (Allowed Uses in the Agricultural Zones) of the Zoning Code, Energy Generation for Off-Site Use are permitted subject to obtaining a Conditional Use Permit.

Pursuant to Section 44-1.70.010 (Review Authority) the Planning Commission is the review authority of Use Permits. Section 44-1.80.030 (Use Permits) of the County Code specifies that in order to approve a Use Permit application, the Planning Commission must make the following findings:

1. The proposed use is consistent with the General Plan and all applicable provisions of this title; and

2. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use.

With respect to Finding #1, as detailed in this staff report, the proposed solar facility is allowed as an energy production facility by the General Plan subject to obtaining a Use Permit.

With respect to Finding #2, the FEIR has identified potential impacts and a series of mitigation measures have been developed to mitigate the project's environmental impacts below the level of significance. In order to approve the Use Permit, the Planning Commission must also find that the proposed project is not detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area. In the proposed Use Permit, staff has also included additional conditions that have been developed in an effort to ensure that the project is a "good neighbor" and is not detrimental to persons in the area. These conditions include:

1.) Requiring that the colors for the battery enclosures be non-reflective and earth tones to blend into the surrounding environment to the satisfaction of the Community Development Director;

2.) Restricting semi-truck construction traffic and off-site construction to Mondays through from Friday 7:00 am to 7:00 pm and restricting on-site construction activities Monday through Friday 7:00 am to 7:00 pm and from 8:00 am though 5 pm on Saturday and Sundays;

3.) Requiring that the applicant identify a single point of contact to receive any complaints (including but not limited to noise, traffic, and other issues). A notice of this contact information is required to be mailed to all property owners adjacent to the project development and that within 48 hours of receiving any complaint, the complaint contact shall notify the Community Development Director of any such complaint;

4.) Should metal power poles be used for the gen-tie connection, the poles are required to be finished in a non-reflective (flat) dark brown color to resemble the coloration of adjacent wooden power poles and that prior to installation of the poles, the finish shall be submitted to the Community Development Director for review and approval;

5.) Prior to building permit issuance, a bond or other shall be submitted to the Community Development Director the cost of decommissioning the project has been secured:

6.) The design of the security fencing shall incorporate rural fencing characteristics to avoid industrial or institutional designs;

7.) Prior to installation of any security fencing, the design of this fencing shall be submitted to the Community Development Director for review and approval;

8.) Prior to construction commencing, the application shall coordinate with Caltrans and the Colusa County Public Works Department any appropriate locations for Construction Warning signs along Highway 20 and along County Roads; and

9.) The approval of the Use Permit is contingent upon the Board of Supervisors approving the cancellation of the properties' Williamson Act Contracts.

SUMMARY

As required by CEQA, a DEIR was prepared for the project and comments regarding the adequacy of that document were received. An FEIR has been prepared responding to those comments and additional studies, analysis and several minor amendments have been made. Together, these documents comprise the entirety of

the environmental record for the proposed project.

Attached to this staff report, Planning Staff has prepared a resolution for the Commission's consideration that would certify the FEIR and approved the proposed Use Permit. If the Planning Commission determines that that the FEIR along with the proposed mitigation measures and Use Permit's conditions of approval reduce potential impacts below a level of significance and that the project would not be detrimental to surrounding properties and residents, then the Planning Commission can adopt the resolution which would approve the project. During this review, the Commission could also determine that additional project changes or conditions are necessary in order to reduce potential impacts below a level of significance and/or to ensure that the project would not be detrimental to surrounding properties and residents. Should that be the case, the Commission can require those changes and/or conditions be incorporated into the proposed project should they be fairly straightforward and can be sufficiently detailed to allow for incorporation into the proposed Mitigation Monitoring and Reporting Program and/or Use Permit.

Alternatively, should the Commission identify additional mitigations or conditions of approval that require additional review or are more complex in nature that prevents their incorporation into the project at today's hearing, then the Commission should instruct staff to return at a subsequent meeting with that language for the Commission's consideration. In addition, should the Commission have any questions regarding the project that have not been fully addressed, the Commission should detail those questions so that they can be fully analyzed prior to the Commission taken formal action on the project. Depending on the nature of such questions, it may be possible that they can be answered to the Commission's satisfaction during the current hearing. Should this not be the case, then the Commission should direct staff to perform the necessary analysis and return at a later meeting with this analysis for the Commission's consideration prior to acting upon the FEIR and Use Permit application.

Finally, after considering the totality of the record before the Commission, the Commission may determine:

1.) There are potential environment impacts that have not been mitigated to below the level of significance which prevents certification of the FEIR; and/or

2.) The project is not consistent with the General Plan or Zoning Code, or that the project would be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area such that the Commission cannot approve the project.

If the Commission makes one of the determinations set forth above, the Commission must detail the specific reasons preventing it from certifying the FEIR and/or approving

the Use Permit and direct staff to return to the next available Commission meeting with a draft resolution denying the project based on the Commission's specified reason(s).

RESOLUTION NO. 23-____

RESOLUTION OF THE COLUSA COUNTY PLANNING COMMISSION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING USE PERMIT #20-01 (PD-3829) FOR JANUS SOLAR PV, LLC

WHEREAS, Janus Solar PV, LLC (Applicant) has applied for a conditional use permit to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure (Project); and

WHEREAS, the County of Colusa is considered a Lead Agency under the California Environmental Quality Act (CEQA) for this Project and has determined that an Environmental Impact Report was necessary to fully review and consider all potentially significant impacts for the Project; and

WHEREAS, a Draft Environmental Impact Report and a Final Environmental Impact were prepared and processed pursuant to all requirements of Title 14 (Natural Resources), Division 6 (Resources Agency), Chapter 3 (Guidelines for Implementation of the California Environmental Quality Act) of the California Code of Regulations; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing regarding the proposed Final Environmental Impact Report and Use Permit on March 1, 2023, April 5, 2023, May 3, 2023, and on August 2, 2023 at which time any and all comments were received during the public hearing process; and

WHEREAS, after the close of the Public Hearing the Planning Commission fully considered the Final Environmental Impact Report, Planning Staff's report on the Project, all public testimony, all other written and orally testimony, and totality of the public record of the Project.

I. NOW, THEREFORE, BE IT RESOLVED that the Colusa County Planning Commission based on facts contained within the Final Environmental Impact Report, the Draft Environmental Impact Report, Planning Staff's report on the Project, all public testimony, all other written and orally testimony, and totality of the public record of the Project makes the following findings:

A. The Final EIR has been completed in compliance with the California Environmental Quality Act;

B. The Final EIR was presented to the Planning Commission acting as the decision making body of the lead agency and that the Planning Commission has reviewed and considered the information contained in the Final EIR prior to taking any action upon the project;

C. The Final EIR reflects the lead agency's independent judgment and analysis; and

D. The Final EIR has identified potential significant impacts of the Project but all said potential impacts have been reduced to a level of non-significance through project changes and/or mitigation measures that have been fully considered and incorporated into the Project.

II. NOW, THEREFORE, BE IT FURTHER RESOLVED that based upon the findings of Section I of this Resolution, that the Colusa County Planning Commission does hereby take the following actions:

A. Certifies the Final EIR attached hereto as Exhibit "A" and incorporated by reference;

B. Adopts the Mitigation Monitoring and Report Program attached hereto as Exhibit "B" and incorporated by reference;

C. Finds that the Proposed Use Permit 20-01 (PD-3829) with the adopted Mitigation Measures and the Conditions of Approval detailed in Exhibit "C" is consistent with the General Plan and all applicable provisions of Chapter 44 of the Colusa County Code and that the establishment, maintenance or operation of the Project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area surrounding the Project and does hereby approve Use Permit 20-01 (PD-3829) as detailed in Exhibit "C" attached hereto and incorporated by reference.

PASSED AND ADOPTED this 2nd day of August, 2023 by the following vote:

AYES:

NOES:

ABSENT:

_____
John Troughton, Jr, Chair
Planning Commission

ATTEST: Greg Plucker, Secretary to the Colusa County Planning Commission

_____
Melissa Kitts, Deputy Clerk

APPROVED AS TO FORM

_____
Jennifer Sutton, Sr. Deputy County Counsel

Attachment: Janus Solar Resolution Certifying FEIR Adopting MMRP and Approving UP 20-01 (9150 : Janus Solar Use Permit #20-01 (PD-3829))

FINAL
ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT



COUNTY OF COLUSA
COMMUNITY DEVELOPMENT DEPARTMENT
220 12th Street
Colusa, California 95932

State Clearinghouse No. 2020070577

February 3, 2023
Chapter 3 - July 2023

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

JANUS SOLAR FINAL ENVIRONMENTAL IMPACT REPORT
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B Recipients of the Final EIR
C Dust Suppressant Effectiveness Study Photo Log
D Additional Photographic Simulations

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

1 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This Final Environmental Impact Report (Final EIR) (State Clearinghouse No. 2020070577) is an informational document which examines and discloses the potential impacts of the Janus Solar Project (Project), as proposed by Janus Solar I, LLC (Applicant). Colusa County (County) will rely on the findings of this EIR, along with all other information in the formal record, to decide whether to approve, approve with modifications, or disapprove the application for the Conditional Use Permit as requested for the Project (UP No. 20-01).

The Final EIR consists of the Draft Environmental Impact Report (Draft EIR) published October 15, 2021, and responses to comments, as provided in Chapter 2. The Draft EIR and a digital copy of this Final EIR are contained on a CD in the cover of printed copies of this Final EIR and are available for viewing at the Community Development Department and local public libraries. An electronic version is available at the Colusa County's Community Development Department's website.

The County is the lead agency for reviewing the potential environmental impacts of the Project pursuant to the California Environmental Quality Act (CEQA), and directed the preparation of this Final EIR. The County will use this Final EIR, along with any other information developed in the County's formal record, when considering whether to certify the Final EIR and whether to approve the Applicant's CUP application to the County Development Department.

The Draft EIR detailed the Project; evaluated and described the potential environmental impacts associated with Project construction, and operation and maintenance; identified those impacts that have the potential to be significant; and presented mitigation measures that would avoid or minimize impacts, if adopted. The Draft EIR also evaluated alternatives to the Project, including the Reduced Acreage Alternative, Distributed Solar Alternative, Northeast Site Alternative, and the CEQA-required No Project Alternative.

1.2 INTENDED USE OF THE EIR

The EIR is intended to evaluate the potential environmental impacts that a proposed project may have to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to analyze all planning and permitting actions associated with the proposed Project. For detailed information on the proposed project, please refer to Chapter 2, Project Description of the Draft EIR, which provides a discussion of the proposed Project.

1.3 ORGANIZATION OF THE FINAL EIR

As required by CEQA Guidelines 15132, this Final EIR consists of the following elements:

1. The Draft EIR;
2. Comments received on the Draft EIR;

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.a
3.2.b

3. A list of persons, organizations, and public agencies that commented on the Draft EIR;
4. The County's responses to significant environmental points raised in the review and consultation process;
5. Other information added by the County; and
6. Minor revisions to the Draft EIR.

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.a
3.2.b

2 RESPONSE TO COMMENTS

2.1 LIST OF COMMENTERS

The following individuals and agencies provided comments on the Draft EIR:

A. Vance Boyes

B. Leo LaGrande

C. Bob and Cindy Freed

D. David R. Nelson, representing Jean Terkildsen, Elizabeth Katsaris, and Matthew Ferrini

E. Garnett A. Vann

F. Elizabeth Katsaris

G. Sid LaGrande

H. Peter G. Minkel, Central Valley Regional Water Quality Control Board

I. Monique Wilber, California Department of Conservation

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print)	VANCE BOYES
Mailing Address	757 MAIN STREET COLUSA, CA 9593
Telephone No. (daytime)	530 263-3310
E-mail address	VRBOYES@GMAIL.COM
Organization/Affiliation	LAND OWNER

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1. SINCE THE PROJECT WILL HAVE MAJOR IMPACT ON THE ROAD I BELIEVE THE ROAD NEEDS TO BE PAVED, ESPECIALLY SINCE THE COUNTY WILL NOT HAVE ANY MAJOR TAX REVENUE, AT A MINIMUM. 1
2. I FEEL LOOKING AT ROLLING HILLS THAN SOLAR PANELS IS ESTETICALLY BETTER 2
3.

Signature Vance Boyes

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Colusa County

EIR Public Meeting
Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Leo LaGrande

Mailing Address PO Box 279, Williams CA.

Telephone No. (daytime)

E-mail address leo@SBLagrande.com

Organization/Affiliation LaGrande Ranch

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar P

High [illegible]ess using Spring Valley Rd (gravel) in regards to damaging tree crops and livestock forage.

Defoliation and loss of crop or crops occurs when excess dust is present.

Defoliation of an orchard would also effect crop yields the following year.

1

Signature

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Bob & Cindy Freed

Mailing Address PO Box 151, Williams 95987

Telephone No. (daytime) 530.681.2412 or 530.304.8899

E-mail address cfreed@colusanet.com

Organization/Affiliation residence on East Camp Rd, Williams

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

Please See attached:

Signature _____

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

November 22 2021

Dear Mr. Plunker,

This letter is regarding the proposed Janus Solar Project, which is being considered west of Williams, off of Spring Valley Road. Our home is located on East Camp Road, which apparently would be a main thoroughfare for construction and maintenance of the project. With this in mind, we are adamantly opposed to the project. We are aware of several injury accidents, as well as fatalities, at the intersection of Highway 20 and East Camp Road --there is no turn lane on either roadway, making it a very dangerous area. In addition, East Camp Road is known to flood, closing the roadway in both directions (I've attached photos of from this year). With the proposed construction, more vehicles and trucks will be utilizing Highway 20 and East Camp Road, creating more traffic and likely more accidents. Furthermore, the additional wear and tear of the already rough East Camp Road will only add to more maintenance required on said roadway. 1

Please take into consideration all of the negative aspects of this project before agreeing to move forward. If you should have questions or would like to discuss our thoughts, please feel free to contact either of us.

Sincerely,

Bob & Cindy Freed

530-304-8899

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))




BOB & CINDY FREED
2458

Letter D

CLARK & NELSON
ATTORNEYS AT LAW
521 MARKET STREET
POST OFFICE BOX 968
COLUSA, CALIFORNIA 95932
(530) 458-5157
FAX (530) 458-2183
dave.clarkandnelson@gmail.com

DAVID R. NELSON
CHARLES T. YERXA, JR.

ROBERT D. CLARK
(1935-2004)

November 22, 2021

NOV 22 2021

Greg Plucker
Community Development Director
County of Colusa
1213 Market Street
Colusa, CA 95932

Re: Draft EIR - Janus Solar Project

Dear Mr. Plucker:

Please be advised that we are the attorneys for Jean Terkildsen, Elizabeth Katsaris and Matthew Ferrini, who own agricultural real property adjacent to and in the near vicinity of the real property upon which the above referenced project is proposed. Within this letter I will set forth my clients comments to the Draft EIR ("DEIR") for the Janus Solar Project.

1. **SIZE AND SCOPE OF PROPOSED PROJECT**: The proposed project seeks to convert 1,024 acres of real property from its historical use of cattle grazing and sheep grazing to a totally different use of an industrial/commercial utility use. This significant alteration of the use of this real property is sought to be done by means of a use permit. While it is recognized that the Colusa County Zoning Ordinance permits an energy production overlay zone within the Foothill/Agricultural Zoning classification, it is difficult to believe that the decision makers who adopted the current zoning ordinance contemplated a project in the Foothill/Agricultural zone of this magnitude. The conversion of more than 1,000 acres, from its historical farm and grazing use, to an industrial use, should be attempted only by means of a general plan amendment and rezoning of the property. The potential impacts and changes that would result if this project is built cannot be properly contemplated nor fully understood as a project of this type and of this size has never been developed in Colusa County. Colusa County should not permit and convert more than 1,000 acres from an agricultural use to an industrial use on the hope and expectation that unknown and undiscovered impacts will not occur. The development of this project will change the nature and use of not only the project area but also the surrounding agricultural areas. Solar projects of much smaller size should be considered in agricultural areas to determine what the long term impacts can be before undertaking a project of more than 1,000 acres. 1

Furthermore, approval of this project will prohibit the 2

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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future expansion of prime agricultural property should future water sources be found for the property (Sites Reservoir perhaps). This conversion of agricultural property to an industrial use conflicts with the overriding policy set forth in the General Plan that favors and protects the County's agricultural heritage.

2. **INADEQUATE REVIEW OF POTENTIAL DRAINAGE IMPACTS:** The DEIR indicates that there will not be any significant impact from drainage in that the water will drain from the property after the project is built in the same way that it does presently. However, the DEIR fails to consider the potential for the accelerated and increased offsite drainage flows, especially those related to peak flows during a storm event. The project contemplates placing 196,000 solar panels over 738 acres of the project site. While currently there are no improvements that would prevent water from rains to permeate into the soil and pond upon the property, the 196,000 solar panels will be impermeable and the rainwater will accelerate off of the panels and quite likely create a significant increase in downstream drainage. The criteria of the Energy Production Overlay zone provides in Section E(g) the following: "there shall be no net increase in offsite drainage flows, including peak flows during a storm event." Our clients contend that there is a great likelihood of a significant increase in offsite drainage which must be analyzed and mitigated within the DEIR.

3. **DUST IMPACTS:** The DEIR references that dust will be created as a part of the construction of the project. The dust will occur not only on the project site itself but along unpaved portions of Spring Valley Road which will serve as the primary means of ingress and egress to the project site. The DEIR proposes that the dust issue be mitigated by watering dust producing areas twice a day by water truck. The DEIR fails to analyze the potentially significant impact upon neighboring almond orchards. It is common knowledge within almond growing districts that the creation of dust near orchards significantly increases the infestation of mites that are detrimental to almond trees and can cause significant and long lasting impacts to the trees and their production capabilities. The DEIR needs to fully analyze the potential for damage from dust mites and provide mitigation measures that will be more significant than watering twice a day.

4. **TRANSMISSION POLES:** The DEIR recognizes that there will be numerous transmission poles located in the county road right of way from the project site down Spring Valley Road and then along Walnut Drive to the PG&E substation. The DEIR further advises that these transmission poles will be as high as 80 feet. That results in the poles and transmission cables being some 20 to 40 feet higher than the existing power poles along Spring Valley Road and Walnut Drive. This

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increase in the number of poles and the height of the poles could have a significant impact upon agricultural aerial applicators servicing the orchard and open ground in the area. Poles and wires are a significant hazard to both fixed wing aircraft and helicopters used in agricultural application. Increasing the height of the poles and wires to 80 feet will result in a greater safety hazard for the applicators and may result in aerial application not being feasible in close proximity to the poles and wires. Alternatives to the proposed transmission lines, such as underground lines, should be considered.

5. **TRAFFIC AND ROADWAY IMPACTS:** As property owners and residents of the area in question, our clients are very familiar with the local roads and have concerns with regard to the impacts this project would have on the local roads. With Spring Valley Road being unimproved it may not be adequate in its current condition to accommodate the traffic f ows during construction, nor for emergency vehicle access to the project site both during construction and afterwards. As mentioned, Spring Valley Road is in large part unpaved and does not have adequate or appropriate drainage facilities. As a result, in times of rain events, the road becomes either unpassable or dangerous to travel upon. While Spring Valley Road presents transportation impacts the additional surrounding roadways will also be impacted. The DEIR acknowledges that Walnut Drive and East Camp Road will also be major routes to access the project site. While traffic will be greatly increased, particularly during construction, safety concerns must be addressed at both the intersection of Highway 20 and East Camp Road where there are no turn lanes as well as at the intersection of Highway 20 and Walnut Drive where again, there are no turn lanes. The DEIR is silent with regard to traffic safety concerns.

Furthermore, the number of truck trips is vastly understated. The DEIR references that during construction there will be a need of 15,000,000 gallons of water that would be trucked to the site. Projecting that a water truck can carry 4,000 gallons per load, that equates to 7,500 truck trips during construction. The most likely route for the water trucks would be Highway 20 to East Camp Road to Walnut Drive and to Spring Valley Road. That number of trucks making turns on the State Highway and County Roads without turn lanes creates significant safety issues. The actual number of truck trips will also impact the need for additional road maintenance.

6. **HAZARDOUS MATERIALS ASSOCIATED WITH BATTERIES:** The DEIR references that the project will include a battery energy storage system. Batteries are known to have hazardous waste and toxic materials associated with them and have the ability to leak, burn and/or explode. The DEIR fails to adequately analyze what threats the battery energy storage system as proposed will create for both humans,

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wildlife and the environment. The DEIR further fails to adequately discuss whether local emergency personnel are capable of responding to an accident at the project site and if not, what training will be necessary. 8

7. **IMPACTS TO COLUSA COUNTY AND THE CITY OF WILLIAMS**: It does not appear that the project will provide any significant revenue source to either the County of Colusa or to the City of Williams. However, it goes without saying that the project will have impacts to county and city roadways, fire and emergency responders, drainage improvements, law enforcement amongst others. There is no analysis as to the economic benefits that would come to the County of Colusa or the City of Williams, nor is there any analysis of the economic costs to the County of Colusa and City of Williams. The citizens of Colusa County and the decision makers should be fully advised of impacts upon public agencies and particularly the fiscal impacts that will result from this project. 9

8. **IMPACTS TO USE AND VALUE OF NEIGHBORING PROPERTY**: As the owners of adjacent and neighboring agricultural property, our clients have concerns over what impact a project of this size and nature will have upon their farming operations and the value of their agricultural realty. The DEIR does not address what impacts a 1,000 acre industrial utility complex will have upon current and future neighboring agricultural properties and the extensive cattle and sheep grazing that occur in the area. The potential impacts include changes to the vistas, potential acceleration of drain waters, roadway impacts, hazardous material exposure, altering the safety and availability of aerial agricultural applications and potential impacts to local wildlife. The DEIR should address and adequately review what these cumulative impacts will have upon nearby property owners, their workers and their property. 10

9. **ADDITIONAL EXPANSION**: Could the creation of a 1,000 acre industrial utility complex lead to additional expansion of this type of use in the area? If so, the DEIR should review what the potential cumulative and future impacts could be to agricultural properties similarly situated within the County of Colusa. Cumulative impacts could be in conflict with Colusa County's General Plan that seeks to preserve and expand the County's agricultural heritage. 11

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Thank you for your consideration of these comments and should you have questions with regard to these comments please feel free to contact the undersigned.

Very truly yours,

CLARK & NELSON

By
David R. Nelson

DRN:d
cc: Jean Terkildsen
Elizabeth Katsaris
Matthew Ferrini

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Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Garnett A. Vann

Mailing Address 365 Ruggieri Way, Williams Ca. 95

Telephone No. (daytime) 530-473-2607

E-mail address gvann@vannbros.com

Organization/Affiliation Vann Bros, Vann Family Orchards

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1 We have had our fill of powers lines and disruptio in our agricultural operations related to power lines going though many of our properties. We have alread had our easement agreements broken by P,G+E and Western Power. Our original agreements allowed us to farm under the power lines. Then the lawyers got ahold of it and found loopholes to make us quit farming below the transmission wires. We will vigorously resist any attempt to build this facility.

Signature _____

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

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Place
Stamp
Here

Colusa County
Community Development Department
Attn: Mr. Greg Plucker, Director
1213 Market Street
Colusa, CA 95932

Colusa County

EIR Public Meeting
Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Elizabeth Katsaris

Mailing Address

Telephone No. (daytime)

E-mail address katsaris@comcast.net

Organization/Affiliation

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1.) Keeping in mind the threat to public health and safety in the event of a fire, will fire fighting equipment for the Fire Department be kept on site? If so, what type? 1

2.) Are there any alternative projects with a bigger or smaller scope? 2

3.) Is anything about this project going to change? 3

4.) What is the maximum amount of acreage the project could entail? 4

Signature Elizabeth Katsaris

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

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The proposed Solar Project one spring Valley road is on the western edge of the pacific flyaway. My concern is the migrating ducks and geese will see this reflection and thinking it is water will try to land on these panels. injuring or killing themselves.

Also, this project will not be beneficial to the county or local land owners. best to serve only one land owner.

530-681-6378
Sid La Grande

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California Water Boards

Gavin Newsom
Governor

Jared Blumenfeld
Secretary for
Environmental Protection

Central Valley Regional Water Quality Control Board

29 November 2021

Colusa County
Community Development Department
1213 Market Street
Colusa, CA 95932
gplucker@countyofcolusa.com

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, JANUS SOLAR PROJECT, SCH#2020070577, COLUSA COUNTY

Pursuant to the State Clearinghouse's 15 October 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Janus Solar Project, located in Colusa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

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For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

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NOVEMBER 16, 2021

Letter I

VIA EMAIL: GPLUCKER@COUNTYOFCOLUSA.COM
Greg Plucker
County of Colusa
1213 Market Street
Colusa, CA 95932

Dear Mr. Plucker:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE JANUS SOLAR PROJECT, SCH#2020070577

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report for the Janus Solar Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

Project Description

Janus Solar PV, LLC has applied to the Colusa County Community Development Department for a Use Permit to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, to be known as the Janus Solar Project.

The Project would generate and store up to 80 megawatts alternating current on an approximately 1,024-acre site, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, an estimated 768 acres of the 1,024-acre site would be used for the Project. The proposed battery energy storage system (BESS) would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the Project site. The entirety of the Project site is included in a Williamson Act contract.

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Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project. 1

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]) 2

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at: 3

https://www.calandtrusts.org/resources/conserving-californias-harvest/

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG Farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland). 4

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Conclusion

The Department recommends further discussion of the following issues:

- The Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Janus Solar Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor

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Janus Solar Project

Responses to Public Comments

February 2023

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A VANCE BOYES

A-1

Comment Summary:

Since the project will have major impact on the road. I believe the road needs to be paved, especially since the county will not have any major tax revenue, at minimum.

Response:

The Draft Environmental Impact Report (DEIR) analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR page [p.] 4.17-6).

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, the **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through*

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photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.

The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust (PM_{10}) from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C to the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven.

Due to the observed effectiveness of application of the dust suppressant, its use was recommended as part of **Mitigation Measure AQ-1**. To address the concern raised in this comment, the following additions to **Mitigation Measure AQ-1** are proposed:

"AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices:

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- *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
- *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
- *Limit traffic speeds on unpaved roads to 15 miles per hour.*
- *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
- *Curtail construction activities when the County's Air Quality Index exceeds 150.*
- *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
- *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
- *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*
- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:*
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*
- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*

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- *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
- *Soil conditions (damp, dry, etc.)*
- *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, **Mitigation Measure AQ-3** has been included to require the application of dust suppressant once a year to Spring Valley Road for the life of the Project.

"***AQ-3: Long-Term Dust Control***

Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."

The California Environmental Quality Act (CEQA) does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

"***PS-1: Public Services Mitigation Fee***
Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*

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- *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*

- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation Distict, a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District.*"

A-2

Comment Summary:

I feel looking at rolling hills is esthetically better than solar panels.

Response:

Impacts to visual resources are discussed in Chapter 4, Section 4.3 of the DEIR. An additional visual simulation was completed depicting the view from the gate of the commenter and is provided as Appendix D to the Final EIR. This visual simulation is from Key Observation Point (KOP) 6.

KOP 6 is located near Spring Valley Road, approximately 0.2 miles north of the Project site. KOP 6, Orientation 2 depicts views oriented southwest toward the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with relatively flat terrain. Existing structural features include a residence and fencing in the foreground. Vegetation includes grasses and trees. Dominant colors for the landscape are green-brown, tan, and green while the structures are gray, brown, and white. The vegetation consists of irregular, organic forms of contiguous grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area. This KOP also provides a typical view for the occupants of the residence west of Spring Valley Road. Considering the frequent viewing by local residents, viewers would have a moderate sensitivity to the visual changes in the area.

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible from this location by a casual observer. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess gray color and horizontal and vertical lines (fencing). This viewpoint reflects the views of drivers traveling along Spring Valley Road. These impacts would be short term for travelers because they would only be approaching or paralleling the Project site for a limited time and their focus would be on

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the road ahead. This viewpoint also reflects the views of the occupants of the residence west of Spring Valley Road. For views from residence, while appearing as new and visible features, the Project infrastructure would be consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape. As the Project would attract attention to the casual observer and the portion of the Project that would be visible would co-dominate the landscape, the contrast would be considered moderate. However, the Project would not block views of the surrounding agricultural open space or the trees in the middleground. Therefore, the impacts would be less than significant.

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B LEO LAGRANDE

B-1

Comment Summary:

High [unreadable (concern?)] using Spring Valley Rd (gravel) in regards to damaging tree crops and livestock forage.

Defoliation and loss of crop or crops occur when excess dust is present.

Defoliation of an orchard would also effect crop yields the following year.

Response:

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road was driven. Due to the observed effectiveness of application of the dust suppressant, its use was recommended as part of Mitigation Measure AQ-1. To address the concern raised in this comment, the following additions to Mitigation Measure AQ-1 are proposed:

"AQ-1: Dust Control Measures

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  - *Wind speed*
  - *Temperature*
  - *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
  - *Soil conditions (damp, dry, etc.)*
  - *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, **Mitigation Measure AQ-3** has been included to require the application of dust suppressant once a year to Spring Valley Road for the life of the Project.

"***AQ-3: Long-Term Dust Control***

Once a year generally in late spring the Applicant shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."

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To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

"***PS-1: Public Services Mitigation Fee***

Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

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C BOB AND CINDY FREED

C-1

Comment Summary:

Our home is located on East Camp Road, which apparently would be a main thoroughfare for construction and maintenance of the project. With this in mind, we are adamantly opposed to the project. We are aware of several injury accidents, as well as fatalities, at the intersection of Highway 20 and East Camp Road -- there is no turn lane on either roadway, making it a very dangerous area. In addition, East Camp Road is known to flood, closing the roadway in both directions (I've attached photos of from this year). With the proposed construction, more vehicles and trucks will be utilizing Highway 20 and East Camp Road, creating more traffic and likely more accidents. Furthermore, the additional wear and tear of the already rough East Camp Road will only add more maintenance required on said roadway.

Response:

The DEIR analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR p. 4.17-6).

The Transportation Injury Mapping System[1] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties.

[1] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, the **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Project Owner shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Project Owner shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*
>
> *The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."*

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D CLARK & NELSON, ATTORNEYS AT LAW

D-1

Comment Summary:

The proposed project seeks to convert 1,024 acres of real property from its historical use of cattle grazing and sheep grazing to a totally different use of an industrial/commercial utility use. This significant alteration of the use of this real property is sought to be done by means of a use permit. While it is recognized that the Colusa County Zoning Ordinance permits an energy production overlay zone within the Foothill/Agricultural Zoning Classification, it is difficult to believe that the decision makers who adopted the current zoning ordinance contemplated a project in the Foothill/Agricultural zone of this magnitude. The conversion of more than 1,000 acres, from its historical farm and grazing use, to an industrial use, should be attempted only by means of a general plan amendment and rezoning of the property. The potential impacts and changes that would result if this project is built cannot be properly contemplated nor fully understood as a project of this type and of this size has never been developed in Colusa County. Colusa County should not permit and convert more than 1,000 acres from an agricultural use to an industrial use on the hope and expectation that unknown and undiscovered impacts will not occur. The development of this project will change the nature and use of not only the project area but also the surrounding agricultural areas. Solar projects of much smaller size should be considered in agricultural areas to determine what the long-term impacts can be before undertaking a project of more than 1,000 acres.

Response:

As stated in Chapter 4, Section 4.11.2.4 of the DEIR, the County's Zoning Code allows for energy production in areas zoned as Foothill Agriculture and Exclusive Agriculture with a Use Permit, or a Minor Use Permit if the project site is located in an Energy Production Overlay Zone. The County has determined that a Use Permit is required for the Project. Colusa County General Plan **Policy AG 2-1** states that alternative energy is permitted on agricultural land. In support of alternative energy, **Policy AG 2-5** describes that solar facilities should be encouraged.

> ***"Policy AG 2-1****: Agricultural-related industrial support operations shall be permitted on agricultural lands. Such uses may include, but are not limited to, processing, assembly, distribution and warehousing of agricultural materials and commodities and alternative energy systems that provide energy for on-site uses. These uses should be permitted on agricultural lands as principal permitted uses subjected to the standards of the Zoning Ordinance provided the following findings are made:*
>
> *a. The use provides a needed service to the surrounding agricultural area which cannot be provided more efficiently within designated industrial or commercial areas or which requires location in a non-urban area because of unusual site requirements, operational characteristics, or proximity to agricultural goods and products.*
>
> *b. The use avoids prime agricultural lands to the greatest extent feasible.*

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c. *If the use is sited on productive agricultural lands, less productive agricultural lands are not available in the vicinity.*

d. *The operational or physical characteristics of the use will not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least one-quarter (1/4) mile radius.*

e. *The use supports local agricultural productions.*

f. *The use is compatible with existing uses in the area.*

g. *The use will not adversely affect agricultural production in the area.*

h. *The use will not result in significant adverse traffic or air quality impacts.*

Policy AG 2-5: *Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.*

The Land Use section in the Colusa County General Plan includes ***Table LU-1*** *which outlines the minimum parcel size, maximum dwelling density and allowed uses for each of the land use designations. Categories for the allow uses under Agricultural Upland which the project site is designated as, includes cultivated agriculture, agricultural industrial, livestock and animal keeping, agricultural commercial, agricultural-base tourism, low-intensity recreation, resource production, energy production, single family residential, and farmworker housing. Energy Production under Agriculture Upland states that solar facilities are permitted as allowed uses."*

D-2

Comment Summary:

Furthermore, approval of this project will prohibit the future expansion of prime agricultural property should future water sources be found for the property (Sites Reservoir perhaps). This conversion of agricultural property to an industrial use conflicts with the overriding policy set forth in the General Plan that favors and protects the County's agricultural heritage.

Response:

The Project site is located in the Westside Water District which supplies water for agricultural irrigation. An adequate baseline for agricultural impacts is provided in the DEIR. As described in Section 15125(a) of the CEQA Guidelines, the environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. Under the current environmental setting, the Project site does not contain irrigation infrastructure or an irrigation system connection to the Westside Water District and to assume future access to irrigation infrastructure would be highly speculative. Due to lack of irrigation water, the current use on the Project site is cattle ranching.

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CEQA recognizes that the conversion of prime, unique, or farmland of statewide importance can result in a significant impact on agricultural resources (CEQA Guidelines, Appendix G). In this case, the Project site is grazing land (DEIR at 4.1-1) and is not considered prime, unique, or farmland of statewide importance (DEIR p. 4.1-5). Based on information from the United States Department of Agriculture Natural Resources Conservation Service, there are three soil types found on the Project that may be considered prime farmland when irrigated: Capay clay (approximately 23 percent of the Project site), Clear Lake Clay (approximately 6 percent of the Project site), and Corval loam (approximately 5 percent of the Project site). As stated previously, the property does not have irrigation infrastructure or an existing agreement or connection with the Westside Water District that would supply irrigation water. Therefore, the availability of irrigation water in the future is highly speculative, and conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources due to the conversion of prime, unique, or farmland of statewide importance (DEIR p. 4.1-5).

D-3

Comment Summary:

The DEIR indicates that there will not be any significant impact from drainage in that the water will drain from the property after the project is built in the same way that is does presently. However, the DEIR fails to consider the potential for the accelerated and increased offsite drainage flows, especially those related to peak flows during a storm event. The project contemplates placing 196,000 solar panels over 738 acres of the project site. While currently there are not improvements that would prevent water from rains to permeate into the soil and pond upon the property, the 196,000 solar panels will be impermeable, and the rainwater will accelerate off of the panels and quite likely create a significant increase in downstream drainage. The criteria of the Energy Production Overlay Zone provide in Section E(g) the following: "there shall be no net increase in offsite drainage flows, including peak flows during a storm event." Our clients contend that there is a great likelihood of a significant increase in offsite drainage which must be analyzed and mitigated within the DEIR.

Response:

The 196,000 solar panels would not introduce impervious ground surfaces with the exception of those surfaces required for the battery energy storage system (BESS) foundations, the substation, the operations and maintenance building, tracking assembly piles and inverter foundations. These features would introduce a proportionately small amount of impervious surfaces to the 1,024-acre site. The Project will minimize grading by using portions of the site that are flat and will not significantly alter the existing drainage patterns. As discussed in the DEIR, the Project is not within a flood zone and would include minimal new impervious surfaces. Solar panel posts, fences, generation-tie (gen-tie) line poles, the BESS, the operations and maintenance building, and the substation would not prevent stormwater flow, and the Project's design would follow the natural drainage of the site (DEIR p. 4.10-9).

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Under Section 402 of the Clean Water Act, a National Pollutant Discharge Elimination System (NPDES) General Permit would be required for the Project because it would disturb more than 1 acre of soil with the potential to discharge to the waters of the United States. The NPDES permit would regulate any stormwater discharge associated with construction, and would require the development and implementation of a Stormwater Pollution Prevention Plan that would include Best Management Practices designed to prevent sediment and other pollutants from reaching receiving waters. Additionally, the Stormwater Pollution Prevention Plan would be required to contain visual and chemical monitoring programs for non-visable pollutants (DEIR p. 4.10-3).

Section 44-2.20.20 of the Colusa County Code, states that "there shall be no net increases in off-site drainage flows, including peak flows during a storm event, and water quality measures shall be implemented to reduce stormwater pollutants." The Project would be required to be built compliant with the Colusa County Code.

D-4

Comment Summary:

The DEIR references that dust will be created as part of the construction of the Project. The dust will occur not only on the Project site itself but along unpaved portions of Spring Valley Road which will serve as the primary means of ingress and egress to the Project site. The DEIR proposed that the dust issue be mitigated by watering dust producing areas twice a day by water truck. The DEIR fails to analyze the potentially significant impact upon neighboring almond orchards. It is common knowledge within almond growing districts that the creation of dust near orchards significantly increases the infestation of mites that are detrimental to almond trees and can cause significant and long-lasting impacts to the trees and their production capabilities. The DEIR needs to fully analyze the potential for damage from dust mites and provide mitigation measures that will be more significant than watering twice a day.

Response:

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust (PM_{10}) from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of

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concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C of the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven.

Due to the observed effectiveness of application of the dust suppressant, its use was recommended for as part of **Mitigation Measure AQ-1**. To address the concern raised in this comment, the following additions to Mitigation Measure AQ-1 are proposed:

> ***"AQ-1: Dust Control Measures***
>
> *During construction of the Project, the primary construction contractor shall implement the following practices:*
>
> - *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
> - *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
> - *Limit traffic speeds on unpaved roads to 15 miles per hour.*
> - *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
> - *Curtail construction activities when the County's Air Quality Index exceeds 150.*
> - *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
> - *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
> - *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*

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- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:*
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*
- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*
  - *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
  - *Soil conditions (damp, dry, etc.)*
  - *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, an additional **Mitigation Measure AQ-3** has been recommended that the application be required to apply the dust suppressant once a year in for the life of the Project.

> *"**AQ-3: Long-Term Dust Control***
>
> *Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."*

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the

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economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> ***"PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
>   - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
>   - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-5

Comment Summary:

The DEIR recognizes that there will be numerous transmission poles located in the county road right of way from the project site down Spring Valley Road and then along Walnut Drive to the PG&E substation. The DEIR further advises that these transmission poles will be as high as 80 feet. That results in the poles and transmission cables being some 20 to 40 feet higher than the existing power poles along Spring Valley Road and Walnut Drive. This increase in the number of poles and the height of the poles could have a significant impact upon agricultural aerial applications servicing the orchard and open ground in the area. Poles and wires are a significant hazard to both fixed wing aircraft and helicopters used in agricultural application. Increasing the height of the poles and wires to 80 feet will result in a greater safety hazard for the applicators and may result in aerial application not being feasible in close proximity to the poles and wires.

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Alternatives to the proposed transmission lines, such as underground lines, should be considered.

Response:

Some of the existing transmission lines in the vicinity of the Project exceed 80 feet in height, such that the Project would not introduce pole heights taller than those that exist in the area. Additionally, the gen-tie line for the Project would be built entirely within the public right-of-way and would not intersect private property. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

To further address this comment, additional visual simulations were prepared, including a simulation of the gen-tie line at Spring Valley Road and Beauchamp/Walnut Drive. This KOP is KOP 2, approximately 1.3 miles north of the Project site, as shown in Appendix D of the Final EIR. KOP 2, Orientation 2 depicts views oriented south toward the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to steep terrain in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes trees. Dominant colors for the landscape are green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Beauchamp/Walnut Drive and Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Most of the Project solar facility components, such as the solar photovoltaic (PV) generating components, substation, and BESS, would not be visible from KOP 2, Orientation 2 because of the screening of the Project site by rolling terrain, see Appendix D of the Final EIR. The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend from the northeast corner of the Project site within the County's right-of-way on Spring Valley Road.

A second visual simulation was prepared looking west on Walnut Drive, just west of the Cortina Substation. KOP 6 depicts views oriented west toward Spring Valley Road, approximately 1.9 miles west. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with flat terrain to steep terrain in the background. Existing structural features include Walnut Drive, transmission and utility lines, and agricultural equipment. Vegetation includes trees. Dominant colors for the landscape are green, brown, and tan while the structures are gray, brown, and white. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers

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traveling west along Beauchamp Drive. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location because of the screening of the Project site by vegetation, see Appendix D of the Final EIR. The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend along Walnut Drive from Spring Valley Road to the Cortina Substation.

The colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line will appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (utility and transmission lines). This viewpoint reflects the views of drivers traveling west along Walnut Drive and would be short term because travelers would only be paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from Viewpoint 2B, the visual impacts are considered minor and less than significant.

A third visual simulation was prepared for KOP 7, further south on Spring Valley Road, as shown in Appendix D of the Final EIR. KOP 7 is located on Spring Valley Road, approximately 0.25 miles north of the Project site. KOP 7 depicts views oriented northeast away from the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to hilly terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes grasses and trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. As the orientation of KOP 7 is directed away from the Project site, most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location, see Appendix D of the Final EIR.

For both KOP 2 and KOP 7, the colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line would appear very similar to the structures visible from this location that also possess brown and gray colors and horizontal and vertical lines (fencing, utility line, transmission lines). These impacts would be short-term for travelers because they would only be approaching or paralleling the Project gen-tie line for a

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limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from KOP 2 and KOP 7, the visual impacts are considered minor and less than significant. Regarding aerial agricultural pesticide applications, based on information obtained from the Colusa County Agricultural Commissioner's office[2], there are nine growers with a total of 15 permitted sites adjacent to the proposed gen-tie line. These sites include orchards and field crops. Based on data available for the last three years, there were 27 aerial pesticide applications in 2019, five aerial pesticide applications in 2020, and one aerial pesticide application in 2021. The pole heights proposed as part of the Project are similar to existing obstacles for aerial applicators.

D-6

Comment Summary:

As property owners and residents of the area in question, our clients are very familiar with the local roads and have concerns with regard to the impacts this project would have on the local roads. With Spring Valley Road being unimproved it may not be adequate in its current condition to accommodate the traffic flows during construction, nor for emergency vehicle access to the project site both during construction and afterwards. As mentioned, Spring Valley Road is in large part unpaved and does not have adequate or appropriate drainage facilities. As a result, in times of rain events, the road becomes either unpassable or dangerous to travel upon. While Spring Valley Road presents transportation impacts the additional surrounding roadways will also be impacted. The DEIR acknowledges that Walnut Drive and East Camp Road will also be major routes to access the project site. While traffic will be greatly increased, particularly during construction, safety concerns must be addressed at both the intersection of Highway 20 and East Camp Road where there are no turn lanes as well as at the intersection of Highway 20 and Walnut Drive where again there are no turn lanes. The DEIR is silent with regard to traffic safety concerns.

Response:

The DEIR analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR p. 4.17-6).

[2] Data request response from the Colusa County Agricultural Commissioner's office. January 7, 2022.

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The Transportation Injury Mapping System[3] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*

[3] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."

D-7

Comment Summary:

Furthermore, the number of truck trips is vastly understated. The DEIR references that during construction there will be a need of 15,000,000 gallons of water that would be trucked to the site. Projecting that a water truck can carry 4,000 gallons per load, that equates to 7,500 truck trips during construction. The most likely route for the water trucks would be Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. That the number of trucks making turns on the State Highway and County Roads without turn lanes creates significant safety issues. The actual number of truck trips will also impact the need for additional road maintenance.

Response:

Use of 4,000-gallon capacity water delivery trucks would result in 3,750 round trips or 7,500 one way trips to deliver 15,000,000 gallons of water during construction. The vendor and hauling trips described in Table 4.2-5 Construction Scenario Assumptions, account for these truck trips. Water use for dust control would be significantly reduced due to the use of additional dust suppressant control measures; however, the maximum, reasonable number of trips is included for a conservative analysis.

As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months. **Table 4.2-4** of the DEIR describes five main phases of construction, which include preparation, excavation, utilities/sub-grade, construction, and paving. The shortest phase would be 9 days for preparation and the longest phase would consist of 233 days for construction. During peak construction it is estimated that approximately 200 workers would be commuting to the Project site as seen in **Table 4.17-1** of the DEIR, with 25 percent participating in carpools.

The Transportation Injury Mapping System[4] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

[4] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months. Per **Mitigation Measure AQ-1**, a flagger would be located on Spring Valley Road during peak truck trip periods to manage traffic.

In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*
>
> *The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."*

D-8

Comment Summary:

The DEIR references that the project will include a battery energy storage system. Batteries are known to have hazardous waste and toxic materials associated with them and have the ability to leak, burn and/or explode. The DEIR fails to adequately analyze what threats the battery energy storage system as proposed will create for both humans, wildlife, and the environment. The DEIR further fails to adequately discuss whether local emergency personnel are capable of responding to an accident at the project site and if not, what training will be necessary.

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Response:

As discussed in Chapter 4, Section 4.9, Hazards and Hazardous Materials of the DEIR, Section 608 of the International Fire Code has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

As discussed in the DEIR, all battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (DEIR p. 4.9-17).

Wildfire impacts are discussed in Chapter 4, Section 4.20 of the DEIR. The risk of wildfire due to operation of the BESS component of the Project was analyzed and determined to be a less than significant impact because each BESS used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the International Fire Code and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the BESS would include fire protection systems (DEIR p. 4.20-9).

The Project would include four federally required fire safety elements set forth by the National Fire Protection Association (NFPA):

1. There would be separation requirements which would include larger spacing than required.
2. Software limits and alarms would be installed in state-of-the-art operating systems based on regulations, operational experience, and supplier recommendations.
3. Thermal runaway protection would be tested in accordance with UL9540a.
4. Explosion control for the BESS would include mechanical deflagration prevention ventilation per NFPA 69.

The following fire prevention design measures are included in the Project:

- Fire breaks around the Project site boundary.
- Vegetation and agricultural products located on and around the Project site would be managed.
- Perimeter roads would be 18 feet wide and interior roads would be 9 feet wide to allow access by emergency vehicles.

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- An Emergency Response Plan would be prepared in consultation with the Fire Department and BESS supplier, and local emergency response staff would be trained and oriented at the Project site.
- Infrared cameras would be used to monitor the temperature of enclosed areas.
- Smoke and fire protection where smoke detectors would be provided.
- Gas detection where gas detectors would be provided.
- Fire control and suppression where the BESS would have open sprinkler heads inside the cabinet enclosures with fire department connections outside the fenced area to ensure firefighter safety.

Additionally, over the last year, the Applicant, Chief Gilbert of the Williams Fire Protection Authority (WFPA), and WFPA's consultant have worked together to develop the following **Mitigation Measure FIRE-1, to be included** in Chapter 4, Section 4.20 Wildfire in the EIR:

"***FIRE-1: Wildfire Protection Measures***

- *Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.*
- *Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:*
  - *On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.*
  - *Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval.*

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- *The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.*

- *Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.*
- *As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief."*

D-9

Comment Summary:

It does not appear that the project will provide any significant revenue source to either the County of Colusa or to the City of Williams. However, it goes without saying that the project will have impacts to county or city roadways, fire and emergency responders, drainage improvements, law enforcement among others. There is no analysis as to the economic benefits that would come to the County of Colusa or the City of Williams, nor is there any analysis of the economic costs to the County of Colusa or the City of Williams. The citizens of Colusa County and the decision makers should be fully advised of impacts upon public agencies and particularly the fiscal impacts that will result from this project.

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Response:

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> " ***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
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> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
>   - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
>   - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-10

Comment Summary:

As the owners of adjacent and neighboring agricultural property, our clients have concerns over what impact a project of this size and nature will have upon their farming operations and the value of their agricultural realty. The DEIR does not address what impacts a 1,000-acre industrial utility complex will have upon current and future neighboring agricultural properties and the extensive cattle and sheep grazing that occur in the area. The potential impacts include changes to the vistas, potential acceleration of drain waters, roadway impacts, hazardous material exposure, altering the safety and availability of aerial agricultural applications and potential

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impacts to local wildlife. The DEIR should address and adequately review what these cumulative impacts will have upon nearby property owners, their workers and their property.

Response:

In the DEIR, impacts to agricultural resources are addressed in Chapter 4, Section 4.1, impacts to visual resources are addressed in Chapter 4, Section 4.3, impacts to hydrology and water quality resources are discussed in Chapter 4, Section 4.10, impacts to transportation are included in Chapter 4, Section 4.17, hazards and hazardous materials impacts are discussed in Chapter 4, Section 4.9, and impacts to biological resources are addressed in Chapter 4, Section 4.4. Cumulative impacts to each of these resources are discussed in their respective sections.

Given the prevalence of existing transmission lines in the vicinity of the Project which exceed 80 feet in height, the gen-tie line for the Project would not introduce a new element to the area with which aerial applicators are not currently encountering. Additionally, the gen-tie line for the Project would be built entirely within the public right-of-way and would not intersect private property. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

As mentioned in comment D-4, a dust suppressant study was conducted to measure the amount of dust picked up by vehicles during construction using a dust suppressant such as "Dust-Off." Mitigation Measure AQ-1 would reduce the potential impacts dust may have on the surrounding environment.

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> "***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
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> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*

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- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
  - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-11

Comment Summary:

Could the creation of a 1,000 acre industrial utility complex lead to additional expansion of this type of use in the area? If so, the DEIR should review what the potential cumulative and future impacts could be to agricultural properties similarly situated within the County of Colusa. Cumulative impacts could be in conflict with Colusa County's General Plan that seeks to preserve and expand the County's agricultural heritage.

Response:

The Land Evaluation and Site Assessment (LESA; Appendix B to the DEIR) addresses potential impacts on agricultural production on the Project site and a Zone of Influence. This study and the Agricultural Resources section of the DEIR (Chapter 4, Section 4.1) provide analysis that demonstrates the Project would have a less than significant impact on agricultural resources on the Project site and in adjacent areas.

The Colusa County General Plan includes the following policies related to agricultural land and energy development:

Policy AG 1-2: *Lands designated for agricultural use shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:*

a. *The lot(s) for which conversions is requested is adjacent to agriculture or agricultural support uses (e.g., receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities)*
b. *Conversion will not be detrimental to existing agricultural operations*
c. *The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of designated urban area*

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d. *The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of conservation lands from nuisances associated with typical agricultural practices*

e. *No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.*

f. *The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding*

Policy AG 2-5: *Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.*

Policy LU 2-11*: Develop accommodations for the development of large-scale commercial energy production, such as solar, on agricultural parcels. Such parcels shall require the following:*

- *A Use Permit.*
- *An Energy Production (EP) Overlay Zone.*
- *Detailed and rigorous site planning and development.*

Such projects shall only be located on agricultural parcels with marginal or poor farmland. Prime farmlands are not appropriate for this type of development.

The Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County south of the project site, or more preferably near the Cortina Substation as a battery energy storage project. This undefined, potentially future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time, but are anticipated to include battery storage within 1 mile of the Cortina Substation. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still defining the project site, which is anticipated to be less than 25-acres and limited to approximately 30 battery storage units. Project proponents have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area. Environmental impacts would be analyzed as part of the application process, should the currently undefined project be proposed through a Use Permit application.

The Community Development Department is interested in maintaining the agricultural character of the area and intends to site future, potential projects to avoid cumulative impacts to agriculture in the area. Given that the scope of the Beauchamp Project is unknown at this time, it would be speculative for the County to attempt to analyze its cumulative impacts, such that it is not considered a probable, future project and it is not included in the cumulative projects evaluated in the EIR.

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the

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economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

"***PS-1: Public Services Mitigation Fee***

Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
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E VANN BROS, VANN FAMILY ORCHARDS

E-1

Comment Summary:

We have had our fill of power lines and disruptions in our agricultural operations related to power lines going through many of our properties. We have already had our easement agreements broken by PG&E and Western Power. Our original agreements allowed us to farm under the power lines. Then the lawyers got ahold of it and found loopholes to make us quit farming, below the transmission wires. We will vigorously resist any attempt to build this facility.

Response:

Thank you for providing context for your previous experience with transmission lines. Existing transmission lines in the vicinity of the Project exceed 80 feet in height, such that the Project would not introduce pole heights taller than those that exist in the area.

The gen-tie line for the Project would be built entirely within public right-of-way. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

Most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location because of the Project site screening by vegetation (Appendix D of the Final EIR). The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend along Walnut Drive from Spring Valley Road to the Cortina Substation.

The colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line will appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (utility and transmission lines). This viewpoint reflects the views of drivers traveling west along Walnut Drive. These impacts would be short term for travelers because they would only be paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from Viewpoint 2B, the visual impacts are considered minor and less than significant.

A third visual simulation was prepared for KOP 7, further south on Spring Valley Road, as shown in Appendix D of the Final EIR. KOP 7 is located on Spring Valley Road, approximately 0.25 miles

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north of the Project site. KOP 7 depicts views oriented northeast away from the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to hilly terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes grasses and trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. As the orientation of KOP 7 is directed away from the Project site, most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location, see Appendix D of the Final EIR.

For both KOP 2 and KOP 7, the colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line would appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (fencing, utility line, transmission lines). These impacts would be short-term for travelers because they would only be approaching or paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from KOP 2 and KOP 7, the visual impacts are considered minor and less than significant.

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F ELIZABETH KATSARIS

F-1

Comment Summary:

Keeping in mind the threat to public health and safety in the event of a fire, will firefighting equipment for the Fire Department be kept on site? If so what type?

Response:

As discussed in Chapter 4, Section 4.9, Hazards and Hazardous Materials of the DEIR, Section 608 of the International Fire Code has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

As discussed in the DEIR, all battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving fires (DEIR p. 4.9-17).

Training sessions with the local fire department will be conducted at the facility so that local firefighting personnel can become familiar with the facility equipment and appropriate emergency procedures.

The Project would include four federally required fire safety elements set forth by the NFPA:

1. There would be separation requirements which would include larger spacing than required.
2. Software limits and alarms would be installed in state-of-the-art operating systems based on regulations, operational experience, and supplier recommendations.
3. Thermal runaway protection would be tested in accordance with UL9540a.
4. Explosion control for the BESS would include mechanical deflagration prevention ventilation per NFPA 69.

The following fire prevention design measures are included in the Project:

- Fire breaks around the Project site boundary.
- Vegetation and agricultural products located on and around the Project site would be managed.

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- Perimeter roads would be 18 feet wide and interior roads would be 9 feet wide to allow access by emergency vehicles.
- An Emergency Response Plan would be prepared in consultation with the Fire Department and BESS supplier, and local emergency response staff would be trained and oriented at the Project site.
- Infrared cameras would be used to monitor the temperature of enclosed areas.
- Smoke and fire protection where smoke detectors would be provided.
- Gas detection where gas detectors would be provided.
- Fire control and suppression where the BESS would have open sprinkler heads inside the cabinet enclosures with fire department connections outside the fenced area to ensure firefighter safety.

Additionally, over the last year, the Applicant, Chief Gilbert of the Williams Fire Protection Authority (WFPA), and WFPA's consultant have worked together to develop the following **Mitigation Measure FIRE-1, to be included** in Chapter 4, Section 4.20 Wildfire in the EIR:

"***FIRE-1: Wildfire Protection Measures***

- *Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.*
- *Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:*
    - *On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.*
    - *Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling*

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software. The computational fluid dynamic modeling shall be submitted for review and approval.

- *The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.*

- *Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.*
- *As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief."*

F-2

Comment Summary:

Are there any alternative projects with a bigger or smaller scope?

Response:

As discussed in Chapters 3 and 5 of the DEIR, four alternatives to the Project were analyzed, including the No Project Alternative, the Distributed Solar Alternative, the Reduced Acreage Alternative, and the Northeast Site Alternative.

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No Project Alternative

In the No Project alternative, the Project site would continue to be used for agricultural grazing and the existing environmental setting would be maintained. Changes to the setting, including changes to the landscape (visual resources, habitat, and land use/agriculture); Project related impacts such as construction noise, traffic, and air emissions would not occur; and potential ground disturbance impacts to cultural and tribal resources, wildlife habitat would not occur. Additionally, the environmental benefits of renewable energy generation would not be realized from solar development of the site.

Distributed Solar Alternative

The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County, which would increase energy efficiency and renewable energy availability. Under this alternative, solar PV panels would be mounted on existing rooftops, such that no new land would be disturbed. It is anticipated that a similar amount of rooftop acreage (approximately 768 acres) would be required for the Project's 80 megawatts (MW) of solar generating capacity. Similar to the proposed Project, the Distributed Solar Alternative would be designed to operate year-round using solar PV technology to convert solar energy into direct current electricity. The energy generated could be used for on-site uses with the potential to be shared using a community solar arrangement that allows multiple users to share power from a single local source. No new construction of transmission facilities or electrical substations would be required for the power generated by distributed solar PV systems.

Reduced Acreage Alternative

Compared to the Project, the Reduced Acreage Alternative would reduce the Project's impacts to biological resources, cultural resources, and noise. Though none of these Project impacts are significant after mitigation, the Reduced Acreage Alternative, by reducing the acres of land disturbed and the proximity of noise-emitting facilities to offsite receptors, would reduce the potential for biological, cultural, and noise impacts compared to the Project. The Reduced Acreage Alternative also entails less surface disturbance, less construction dust, reduced construction and decommissioning emissions, and reduced demand for water. The Reduced Acreage Alternative would not meet the Project Objectives to generate 80 MW of electricity at the point of interconnection (POI) in a cost-effective manner. It would only generate up to 50 MW of electricity and would not be economically viable to develop or be commercially financeable due to its reduced capacity, and it would generate less economic benefits to the County.

The Northeast Site Alternative

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used for solar and ancillary facilities as the Project (768 acres) in order to maximize the capacity to generate electricity. Due to the anticipated set-aside areas for giant garter snake (*Thamnophis gigas*) along the existing agricultural canals, solar arrays would be required to be distributed throughout the site rather than concentrated in a single area. The scattered distribution of solar arrays would result in less efficient production of electricity and a significant decrease in capacity compared to the Project's

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80 MW. Compared to the Project, the Northeast Site Alternative is anticipated to have increased impacts to agricultural and biological resources, due to its occurrence on prime farmland, and because it includes habitat for the federally and state threatened giant garter snake.

Section 2.5 (Cumulative Projects) of the Draft EIR discusses other notable projects in the County, including one solar and 3 non-solar projects. In addition, the Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County south of the project site, or more preferably near the Cortina Substation as a battery energy storage project. This undefined, potentially future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time, but are anticipated to include battery storage within 1 mile of the Cortina Substation. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still defining the project site, which is anticipated to be less than 25-acres and limited to approximately 30 battery storage units. Project proponents have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area._Environmental impacts would be analyzed as part of any application process, should the currently undefined project be proposed through a Use Permit application.

F-3

Comment Summary:

Is anything about this project going to change?

Response:

The Project is described in Chapter 2, Project Description of the DEIR. According to Section 15064 of the CEQA Guidelines, a new CEQA document would be required if substantial changes are proposed to the Project that would require major revisions to the DEIR. Substantial changes might occur if there were new significant environmental impacts or a substantial increase in the severity of previously identified environmental impacts. Any new CEQA document required due to substantial changes to the Project would be circulated for public review.

The changes described to the DEIR to address public and agency comments and minor errata, including the additions to **Mitigation Measure AQ-1** and the addition of **Mitigation Measures AQ-3, PS-1, TRANS-1, and PS-1**, are not considered substantial changes. The changes do not result in new significant impacts or a substantial increase in the severity of previously identified environmental impacts, but are intended to further address less than significant impacts and correct minor editorial issues in the DEIR.

F-4

Comment Summary:

What is the maximum amount of acreage the project could entail?

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Response:

The Project size is described in Chapter 2 of the DEIR. The Project site is 1,024 acres, of which only an estimated 768 acres would be used for the Project. As discussed in Chapter 3, Alternatives, the Applicant used a number of criteria to efficiently site the Project (DEIR p. 3-3). These criteria included the following:

- Sufficient incoming solar radiation.
- Flat terrain (less than 15 percent slope across the majority of the site).
- Minimal environmental constraints, such as significant wetlands, protected species habitat.
- Site devoid of "permanent" structures, including orchard trees.
- Enough acreage for desired project size.
- Contiguous acreage.
- Capacity of point of interconnection.
- Distance to point of interconnection.

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G SID LAGRANDE

G-1

Comment Summary:

The proposed solar project on spring valley road is on the western edge of the pacific flyway. My concern is the migrating ducks and geese will see this reflection and thinking it is water will try to land on the panels, injuring or killing themselves.

Response:

The potential risks to migrating birds is discussed in Chapter 4, Section 4.4, Biological Resources of the DEIR. Although data from PV solar array-type facilities indicate instances of avian mortality resulting from collisions, the best available scientific information to date does not indicate a significant risk of substantial avian mortality occurring at facilities such as the Project. Current research on the topic indicates that though avian species, and specifically aquatic habitat avian species, may perceive PV solar facilities as waterbodies, it remains unclear the proportion of species that might actually land or attempt landing.[5] Risk of mortality to aquatic birds from nearby, local waterfowl hunting resulted in 30,555 waterfowl kills during the 2020-2021 season, which is much higher than that posed by PV solar facilities.[6, 7] The DEIR concludes that the Project operations and maintenance would have no substantial adverse effects on special-status migratory birds, and the impact would be less than significant with mitigation incorporated (DEIR p. 4.4-28 and 4.4-29).

G-2

Comment Summary:

Also, this project will not be beneficial to the county local landowners but to serve only one landowner.

Response:

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

[5] Kosciuch, K.; Riser-Espinoza, D.; Moqtaderi, C.; Erickson,W. Aquatic Habitat Bird Occurrences at Photovoltaic Solar Energy Development in Southern California, USA. Diversity 2021, 13, 524. https://doi.org/10.3390/d13110524.

[6] Colusa National Wildlife Refuge. Free Roam Hunt Results Season 2020-2021.

[7] Sacramento National Wildlife Refuge Complex. Hunt Results Season 2020-2021.

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"***PS-1: Public Services Mitigation Fee***

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H CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

H-1

Comment Summary:

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water issues/basin plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

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This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

Response:

Applicable water quality plans and regulations are discussed in Chapter 4, Section 4.10 of the DEIR.

H-2

Comment Summary:

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits1

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (L1D)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

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For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca .gov/centralva lley/water issues/storm water/ind ustrial ge neral permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification

Waste Discharge Requirements - Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to

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Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: http://waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

Response:

Applicable water quality plans and regulations are discussed in Chapter 4, Sections 4.4 and 4.10 of the DEIR.

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I CALIFORNIA DEPARTMENT OF CONSERVATION, DIVISION OF LAND RESOURCE PROTECTION

I-1

Comment Summary:

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

Response:

CEQA recognizes that the conversion of prime, unique, or farmland of statewide importance can result in a significant impact on agricultural resources (CEQA Guidelines, Appendix G). In this case, the Project site is grazing land (DEIR p. 4.1-1) and is not considered prime, unique or farmland of statewide importance (DEIR p. 4.1-5). As such, and as recognized by the DEIR, conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources (DEIR p. 4.1-5). This conclusion is buttressed by a LESA – a tool recommended be used by lead agencies in Appendix G of the CEQA Guidelines to determine the significance of the conversion. In this case, the project specific LESA prepared for this Project concludes that "the Project will not result in a significant loss of farmland and will not have a significant impact on agricultural land use." (Appendix B to DEIR, LESA Analysis at p. 1).

The County disagrees that mitigation is required in this instance because there is no evidence that the Project would result in a significant impact due to conversion of unirrigated, grazing land to a renewable energy use.

I-2

Comment Summary:

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conversation easements, among other measures, as potential mitigation (See Cal. Code Regs., tit. 14 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The

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conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

Response:

The Department of Conservation letter asserts that the Project will have a significant impact on California's agricultural land resources because it involves "the conversion of agricultural land" and therefore the County should require mitigation in the form of purchase of conservation easements or payment of mitigation fees.

The County disagrees that mitigation is required in this instance because there is no evidence that the Project would result in a significant impact on agricultural resources.

Mitigation is required to address a project's "significant adverse impacts." (CEQA Guidelines Section 15126.4). As recognized in the DEIR, where a project does not result in significant adverse impacts, mitigation is not warranted. The executive summary of the DEIR summarizes the conclusions of the analysis of impacts to agricultural resources and concludes that the conversion of grazing land is not significant and that "no mitigation [is] required."

The assertion that the Project has a significant impact on agricultural resources and requires mitigation is not supported by the information and analysis provided in the DEIR. The DEIR properly concludes that the Project's impacts on agricultural resources is not significant. As such, no mitigation is required.

I-3

Comment Summary:

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

https://www.calandtrusts.org/resources/conserving-californias-harvest/

Response:

Thank you. Comment noted.

I-4

Comment Summary:

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the

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holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland).

Response:

The case cited by the Department of Conservation–Kings and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal. App. 5 814 ("KG Farms") is not applicable to this Project. This case addressed the potential conversion of thousands of acres of prime, unique, and farmland of statewide importance due to oil and gas exploration activities over a 20-year time period. The EIR in that instance concluded that this conversion would be considered "significant." Here, in contrast, the conversion of grazing land is not considered significant. Therefore, the court's discussion of the adequacy of mitigation offered in the Kern County oil and gas EIR is not relevant to the Project.

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3 MINOR REVISIONS TO THE DRAFT EIR

3.1 INTRODUCTION

The revisions to the text of the Draft Environmental Impact Report (Draft EIR) and Mitigation Monitoring Program detailed below are minor corrections, additions, and revisions initiated by the Lead Agency (Colusa County) based on comments received during the public review period by reviewing agencies and/or the public, as well as minor corrections added by the County during preparation of the Mitigation Monitoring and Reporting Program (MMRP).

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and strikeout for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE DRAFT EIR

Table EX-1 is revised on pages ES-4, ES-5, ES-11, ES-17, ES-18, and ES-19 with the following additions and deletions:

Table ~~EX-1~~ES-1: Summary of Potential Impacts and Mitigation Measures

Potential Impacts	Level of Significance	Mitigation Measure
IMPACT 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less than Significant Impact	**AQ-1: Dust Control Measures** During construction of the Project, the primary construction contractor shall implement the following practices ~~during all construction related activities~~: • All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. • When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained. • Limit traffic speeds on unpaved roads to 15 miles per hour • Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduc dust associated with truck traffic. • Curtail construction activities when the County's Air Quality Index exceeds 150. • Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or

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Potential Impacts	Level of Significance	Mitigation Measure
		heavily laden vehicles, particularly during the construction period. • During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below. • Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles. • The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to: • Read and understand applicable mitigation measures and have them available at the job site • Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities • Use contingency control measures when primary controls are ineffective • Monitor the worksite for compliance with the dust control mitigation measures • Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities. • Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information: • Date • Time • Wind speed • Temperature • Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity • Soil conditions (damp, dry, etc.) • Corrective actions taken, if needed

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Potential Impacts	Level of Significance	Mitigation Measure
		AQ-3: Long Term Dust Control Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.
CULTURAL RESOURCES		
IMPACT 4.5-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than Significant Impact with Mitigation Incorporated	**CUL-1: Cultural Resource Worker Education/Training** Prior to Project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the Project proponent shall conduct a worker education awareness program for Project construction personnel. A qualified archaeologist will be retained for the Project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities. During construction, the Applicant will provide the training to all new construction personnel. The cultural resource training will include an overview of applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and procedures to follow in the event an inadvertent discovery (Inadvertent Discovery Plan discussed below) is encountered, including appropriate treatment and respectful behavior of a discovery (e.g., no posting to social media or photographs). ~~Per Mr. Kinter's request, Laverne Bill, Cultural Resources Manager of the Yocha Dehe Wintun Nation,~~ The Yocha Dehe Wintun Nation, the Cortina Rancheria Kletsel Dehe Band of Wintun Indians, and the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community shall be notified to participate in the cultural sensitivity/environmental training to discuss or provide text from a tribal cultural perspective regarding tribal cultural resources within the region during the initial pre-construction environmental training. In general, the protocols of the Patwin Cultural Protection and Preservation Plan shall be incorporated into said training and education.

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Potential Impacts	Level of Significance	Mitigation Measure
PUBLIC SERVICES		
IMPACT 4.15-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? Other public facilities?	~~No Impact.~~ Less than Significant Impact with Mitigation Incorporated	~~No mitigation required.~~ **PS-1: Fire Services Mitigation Fee** Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Fire Service Mitigation Agreement with the Williams Fire Authority that contains at least the following provisions: • A Fire Service Mitigation Fee (FSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. • The FSMF is due and payable on July 1st of each year following the building permit issuance for the solar and/or battery components of the Project. • The FSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. • For the year that the building permit is issued, the FSMF fee shall be pro-rata for said year and shall be paid prior to building permit issuance for any solar and/or battery components of the project. • The FSMF shall be a total of $300,000. The FSMF shall be comprised of the Authority's existing annual Fire Suppression and Protective Services Assessment and an additional amount which both together equal $300,000. • The FSMF shall be adjusted annually pursuant to the Consumer Prices Index for the San Francisco Bay area consistent with the annual adjustment made in the annual Fire Suppression and Protective Services Assessment • Should any Personal Protective Equipment (PPE) be damaged or rendered unusable as a result of responding to a call for service at the Project, Project Proponents shall pay the Authority the cost to repair or replace said equipment within thirty (30) days of being invoiced or a late penalty fee shall be applied. • For any service response where more than one vehicle responds, project proponents shall pay for all costs for said response according to California Office of Emergency Services' current apparatus and personnel rates within thirty (30) days of being invoiced or a late penalty fee shall be applied.

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Potential Impacts	Level of Significance	Mitigation Measure
		PS-2: Public Services Mitigation Fee Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval: • A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. • The PSMF is due and payable on July 1st of each year following the building permit issuance for the solar and/or battery components of the Project. • The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. • The PSMF fee may be pro-rata should the solar and/or battery components be put into operation in phases and/or operational for a portion of the year. • For the year that the building permit is issued, the PSMF fee shall be pro-rata for said year and shall be paid prior to building permit issuance for any solar and/or battery components of the project. • The PSMF shall be a total of $100,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $10,000 payment shall be paid to the Maxwell Park and Recreation District, and a $10,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $10,000 payment shall be paid to the Arbuckle Park and Recreation District.
TRANSPORTATION		
IMPACT 4.17-1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant Impact	~~No mitigation required.~~ **TRANS-1: Road Inspection and Repairs** Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.

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Potential Impacts	Level of Significance	Mitigation Measure
		Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director. The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.
IMPACT 4.20-2: Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?	Less Than Significant Impact	~~No mitigation required.~~ **FIRE-1: Wildfire Protection Measures** • Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary. • Prior to any building permit issuance, a Battery Storage Fire Management and Training Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief: o On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire

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Potential Impacts	Level of Significance	Mitigation Measure
		apparatus. The source and supply for the water shall be clearly identified. o Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval. o Specific details and best practices on the procedures and fire fighting tactics on responding to a fire from the solar panels and battery storage system. • The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements. Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis. • As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site.

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Potential Impacts	Level of Significance	Mitigation Measure
		Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.

Chapter 2 Project Description

Page 2-11

2.4.1.1.3.6 Access and Circulation

Access to the Project area would be via a main entrance on Spring Valley Road and/or a secondary access along private right-of-way also connecting to Spring Valley Road. An access gate would be provided at the site entry. Internal service roads would be built to access the Project, for ingress and egress to the Project site, to individual Project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would provide access to the inverter equipment pads and substation. The perimeter roads would be a minimum of 18 feet wide and interior roads would be a minimum of 9 feet wide and would be sufficient for Colusa County and California Department of Forest and Fire Protection (CAL FIRE) access.

Page 2-13

2.4.1.4 Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and an approximately 1,000 foot span of transmission line that extends from the County road right-of-way for Walnut Drive adjacent to the Cortina Substation property ~~line~~ to the ~~new~~ Project's bay ~~station~~ within the existing footprint of the ~~PG&E facility~~ Cortina Substation. All PG&E improvements will be constructed within the Cortina Substation property boundary ~~-~~and/or affect existing PG&E structures. To accommodate the gen-tie line, PG&E would potentially increase the heights of up to four existing 115 kV transmission structures west of the Cortina Substation from a current height of 110 feet to a maximum height of up to 135 feet, and within the Cortina Substation property relocate 1-2 existing poles adjacent to Cortina Substation to create space for entry of the Project's gen-tie line.

Network upgrades include a grounding system, steel support structures, outdoor lighting, and outlets, and a disconnect switch. Improvements would also include installation of underground conduits, pull boxes, and junction boxes. Civil foundation improvements consisting of site surfacing and grading would be incorporated within the substation facility.

Interconnection facilities to be constructed at the Cortina Substation would include a circuit breaker, disconnect switches, surge arresters, and a dead-end/pull off structure. A line current differential relay scheme and breaker failure and reclosing relays would be installed. Improvements would also include the installation of fiber termination for the gen-tie line.

Page 2-20 and 2-21

2.5 CUMULATIVE PROJECTS

Cumulative impacts refer to the combined effect of proposed Project impacts with the impacts of other past, present, and reasonably foreseeable future projects. According to the CEQA Guidelines Section 15355 "cumulative impacts" refer to two or more individual effects which, when

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considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the proposed Project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. In addition, as stated in the CEQA Guidelines Section 15064 (h)(4), "the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed Project's incremental effects are cumulatively considerable."

The CEQA Guidelines Section 15130 (b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of two sources, either:

1) A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
2) A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative analysis provided in this Draft Program EIR utilizes the first method and is based on a list of future projects provided by the County. Cumulative project land uses and intensities are provided in Table 2-1 and shown on Figure 2-7.

The Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County to the south of the project or near the Cortina Substation as a battery energy storage project. This undefined, potential future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time but are anticipated to include battery storage within 1 mile of the Cortina Substation. Further, the project ownership is understood to be changing which could entail further changes to the project. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still determining the location of the project site, which is anticipated to be less than 25-acres. Proponents of the Beauchamp Project have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area. Environmental impacts would be analyzed as part of the application process, should the currently undefined project be proposed through a Use Permit application.

The Community Development Department is interested in maintaining the agricultural character of the area and intends to site future, potential projects to avoid cumulative impacts to agriculture in the area. Given that the scope of the Beauchamp Project is unknown at this time, it would be speculative for the County to attempt to analyze its cumulative impacts, such that it is not considered a probable future project and it is not included in the cumulative projects evaluated in the EIR.

Agriculture and Forestry

Page 4.1-5

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Impact 4.1-1: *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* **(No Impact)**

Based on information from the United States Department of Agriculture Natural Resources Conservation Service, there are three soil types found on the Project that may be considered prime farmland when irrigated: Capay clay (approximately 23 percent of the Project site), Clear Lake Clay (approximately 6 percent of the Project site), and Corval loam (approximately 5 percent of the Project site). As stated previously, the property does not have irrigation infrastructure or an existing agreement or connection with the Westside Water District that would supply irrigation water. Therefore, the availability of irrigation water in the future is highly speculative, and conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources due to the conversion of prime, unique, or farmland of statewide importance.

The Project site is designated as Farmland of Local Importance by the California Department of Conservation and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, such that there would be no impact.

Section 4.2 Air Quality

Page 4.2-21

AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices ~~during all construction related activities~~:

- All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.
- When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.
- Curtail construction activities when the County's Air Quality Index exceeds 150.
- Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.
- During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.
- Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.

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- The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:
    - Read and understand applicable mitigation measures and have them available at the job site
    - Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities
    - Use contingency control measures when primary controls are ineffective
    - Monitor the worksite for compliance with the dust control mitigation measures
    - Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.
- Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:
    - Date
    - Time
    - Wind speed
    - Temperature
    - Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity
    - Soil conditions (damp, dry, etc.)
    - Corrective actions taken, if needed

AQ-2: Construction Equipment Requirements

During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

AQ-3: Long Term Dust Control

Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.

Section 4.15 Public Services

Page 4.15-2 through 4.15-4

IMPACT 4.15-1: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered*

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government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection

~~**No Impact.**~~ **Less than Significant Impact with Mitigation Incorporated.** The Williams Fire Protection Authority would provide fire services to the Project site. The station is located at 810 E Street in the city of Williams and is approximately 12 miles from the Project site. While t~~T~~he Project would be designed in compliance with federal, state, and local worker safety and protection codes and regulations which would minimize the potential for the occurrence of fire~~,~~, the construction of the Project would introduce a greater fire risk than exists today. While the project is not anticipated to contribute an increase in population that would cause an increase in the demand for fire protection, the high voltage nature of the project will cause an increase demand for fire protection.

Project maintenance and operation would ~~may~~ introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and photovoltaic arrays are ~~may~~ also ~~be identified as~~ a potential ignition source. However, the potential fire risk is low for these Project components. All battery components for the battery energy storage system would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Although the overall fire risk is low, there is the potential for increased calls for fire service during the construction and life of the project is greater than what exists today. In addition, the complexity and dangers associated with electrical and battery storage fires create operational challenges to a small, rural fire department such as the Williams Fire Authority. In order to address the operational challenges that would be created, **Mitigation Measure PS-1** has been developed to ensure that full-time, 24-hours a day, 365 days a year permanent fire personnel are available to respond to any fire which would reduce this potential impact to less than significant level.

~~Therefore, the proposed Project is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.~~

ii) Police protection

~~**No Impact.**~~ **Less than Significant Impact with Mitigation Incorporated.** The Project site would be serviced by the Colusa County Sheriff's Department. The County's Sheriff's office is located at 929 Bridge Street in the city of Colusa and is approximately 17 miles to the east. ~~The Project is not anticipated to contribute an increase in population that would increase the demand for police protection. No new residences are proposed as part of the Project. The construction and operation of the Project would not substantially increase the demand for police services.~~

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The facility would be secured with chain link fencing along the perimeter of the Project site. Access to the facility would be provided by individual site entry points. Controlled security lighting would be installed and would allow for the Project site to be monitored remotely. Lights would be installed at substations for maintenance and security purposes.

~~By implementing these measures, the Project would not result in any substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.~~

While the Project includes design features that would help secure the site, the construction of the Project would potentially increase sheriff dispatches as part of emergency responses associated with the Project. Due to the property tax exclusion of the solar project, property tax dollars would be limited to pay for the costs of County public services. **Mitigation Measure PS-2** would provide general funding for provision of public services in Colusa County, such that the costs for potential increased police protection would be less than significant.

iii) Schools

No Impact. The nearest school is Williams Elementary School which is 6.1 miles away from the Project site at 1404 E Street in the city of Williams. The Project is not anticipated to contribute an increase in population or the associated potential increase in school-aged children, and therefore would not result in any increase demand for schools.

While the project could employee up to 200 employees during the 11-month construction period, it is anticipated that the majority of these workers would temporarily commute during this period. Once constructed, permanent employment would include up to three employees. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.

iv) Parks

~~**No Impact.**~~ **Less than Significant.** The nearest park ~~from the Project site~~ is 11.3 miles from the Project site. The Northview Park is located at 180 Virginia St., Williams, CA 95987. The Project is not anticipated to contribute an increase in population, and therefore would not result in any increase demand for park facilities from new residents. However, temporary and permanent workers could visit park facility thereby creating an increase demand.

Due to the property tax exclusion of the solar project, property tax dollars would be limited to pay for the costs of any increased park and recreation facility demands. **Mitigation Measure PS-2** would provide funding for provision of recreation services in Colusa County, such that the costs for potential increased recreation impacts would be less than significant.

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v) Other public facilities?

~~**No Impact.**~~ **Less than Significant Impact with Mitigation Incorporated.**. The Project is not anticipated to contribute to a significant increased population growth. However, there will be an increase in employment of temporary and permanent workers and potentially their families. It is not anticipated that ~~the~~ a significant demand for public facilities ~~such as libraries or parks~~ would be created. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any other public facilities. However, the new employees, and potentially their families would use a number of County services nonetheless. Due to the property tax exclusion of the solar project, property tax dollars would be limited to pay for the costs of any County public services that are provided during construction and the life of the project. Mitigation Measure PS-2 would provide general funding for provision of public services in Colusa County, such that the costs for the increased public services would be less than significant.

Mitigation: ~~None required.~~

PS-1: Fire Services Mitigation Fee

Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Fire Service Mitigation Agreement with the Williams Fire Authority that contains at least the following provisions:

- A Fire Service Mitigation Fee (FSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.
- The FSMF is due and payable on July 1st of each year following the building permit issuance for the solar and/or battery components of the Project.
- The FSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.
- For the year that the building permit is issued, the FSMF fee shall be pro-rata for said year and shall be paid prior to building permit issuance for any solar and/or battery components of the project.
- The FSMF shall be a total of $300,000. The FSMF shall be comprised of the Authority's existing annual Fire Suppression and Protective Services Assessment and an additional amount which both together equal $300,000.
- The FSMF shall be adjusted annually pursuant to the Consumer Prices Index for the San Francisco Bay area consistent with the annual adjustment made in the annual Fire Suppression and Protective Services Assessment.
- Should any Personal Protective Equipment (PPE) be damaged or rendered unusable as a result of responding to a call for service at the Project, Project Proponents shall pay the Authority the cost to repair or replace said equipment within thirty (30) days of being invoiced or a late penalty fee shall be applied.
- For any service response where more than one vehicle responds, project proponents shall pay for all costs for said response according to California Office of Emergency

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Services' current apparatus and personnel rates within thirty (30) days of being invoiced or a late penalty fee shall be applied.

PS-2: Public Services Mitigation Fee

Prior to issuance of a building permit for the solar and/or battery components of the project, project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.
- The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the project.
    - o The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.
    - o The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.
- For the year that the building permit is issued, the PSMF fee shall be pro-rata for said year and shall be paid prior to building permit issuance for any solar and/or battery components of the project.
- The PSMF shall be a total of $100,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $10,000 payment shall be paid to the Maxwell Park and Recreation District, and a $10,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $10,000 payment shall be paid to the Arbuckle Park and Recreation District."

Section 4.17 Transportation

Page 4.17-6

IMPACT 4.17-1: *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?* **(Less than significant Impact)**

The LOS analysis performed for the Traffic Analysis Memorandum provided in Appendix J relies on the conservative estimates due to the lack of traffic count data. Given the remoteness of the Project site, the local roads are believed to have far fewer vehicles than their capacity. Applying the conservative estimate of 800 vehicles per day under current conditions, during the peak hour there would be 80 or fewer vehicles on the road using the Highway Capacity Manual standard estimation method of peak hour being 10 percent. The Highway Capacity Manual capacity for a single free flow lane is 1,800 vehicles per hour (TRB 2016). These intersections are two-way stop-controlled intersections, so they have one free-flowing lane in each direction. The estimated total number of vehicles during the peak hours, taking into account 80 vehicles per hour at Walnut Drive and at East Camp Road currently, plus 150 vehicles generated by Project construction,

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would be 230 to 310. The actual capacity of the intersection is far less than the sum of the two lanes since there would be a break in the traffic for stopped vehicles; however, the estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The LOS calculation for Walnut Drive and Spring Valley Road is provided as Appendix A and yields a LOS A during peak construction. Based on this conservative estimate, it can be reasonably concluded that the LOS will be C or better during construction.

Because the existing roadways would still be functioning under their estimated capacity, there will be no need to mitigate for traffic and a Traffic Management Plan is not anticipated to be needed for this Project.

During the construction phase, service roads would be constructed in between the solar arrays and around the Project site. Signage indicating the speed limit and stop signs would be posted where appropriate. Due to the remoteness of the Project site, it is not expected to interfere with any bicycle or pedestrian facilities.

The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the Project impact would be less than significant.

Mitigation: ~~None required.~~ **TRANS-1: Road Inspection and Repairs**

Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.

Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.

The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.

Section 4.20 Wildfire

Page 4.20-8 through 4.20-9

IMPACT 4.20-2: *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?* **(Less than Significant Impact)**

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Construction and Decommissioning

During Project construction and decommissioning, the primary fire hazards would be heat or sparks from vehicles and construction equipment. These hazards could potentially ignite dry vegetation at the site, especially during the warmer, dry months between June and October. Additionally, construction activities such as welding and grinding could generate sparks which would increase the likelihood of ignition. Therefore, dependent on the time of year and location of construction activities at the Project site, there could be a temporary increase in exacerbated fire risk in the area.

As discussed in Section 4.20.2 Regulatory Setting, wildfires release large amount of air pollutants, which can pose as a harmful exposure to first responders such as firefighters, as well as the surrounding communities. The Project site includes relatively flat topography with some rolling hills, and sparse vegetation. While the use of vehicles and equipment on the Project site could introduce an ignition source that could lead to the spread of wildfire, the risk of such an impact would be low. Due to the short-term duration of construction as well as the existing flat topography, lack of vegetation on-site, and distance to population centers, a potential ignition from Project construction is not likely to lead to the spread of wildfire. Therefore, impacts to wildfire risk from Project construction and decommissioning would be less than significant.

Operation

The Project would include battery energy storage systems and other supporting electrical equipment elements that may be susceptible to fire. However, each battery energy storage system used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the IFC, which has been adopted by the State of California, to minimize risk of fire from stationary battery energy storage systems and contain fire in the event of such an incident, and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the battery energy storage system would include fire protection systems. Intermittent maintenance activities could increase the potential for ignition on-site due to the presence of vehicles and use of equipment; however, given the low frequency and nature of maintenance activities as well as the site topography, vegetation, and surrounding land uses, Project operation and maintenance would not significantly exacerbate existing wildfire risks. The potential impacts related to wildfires would be less than significant.

Mitigation: FIRE-1: Wildfire Protection Measures

- Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.
- Prior to any building permit issuance, a Battery Storage Fire Management and Training Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate

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battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:

- On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.
- Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval.
- The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.
- Specific details and best practices on the procedures and fire fighting tactics on responding to a fire from the solar panels and battery storage system.

- Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.
- As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.

Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, and 4.20

Pages 4.1-13, 4.2-21, 4.3-18, 4.4-34, 4.5-24, 4.6-7, 4.7-12, 4.8-7, 4.9-17, 4.10-10, 4.11-4, 4.12-3, 4.13-19, 4.14-4, 4.15-4, 4.16-3, 4.17-8, 4.18-3, 4.19-8, 4.20-10

PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and an approximately 1,000-foot span of transmission lines that ~~would~~ extends from ~~where the Applicant's gen-tie line terminates at the boundary of PG&E's~~ the County road right-of-way for Walnut Drive adjacent to the Cortina Substation property to the Project's bay within

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the existing footprint of the ~~available PG&E~~ Cortina Substation ~~bay~~. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. ~~The~~ All PG&E improvements ~~made~~ would be constructed within the ~~existing~~ Cortina Substation property boundary ~~footprint~~ and/or affect existing PG&E structures. To accommodate the gen-tie line, PG&E would potentially increase the heights of up to four existing 115 kV transmission structures west of the Cortina Substation from a current height of 110 feet to a maximum height of up to 135 feet, and within the Cortina Substation property relocate 1-2 existing poles adjacent to Cortina Substation to create space for entry of the Project's gen-tie line.

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APPENDIX A
PUBLIC NOTICES

COLUSA COUNTY

NOTICE OF AVAILABILITY

DRAFT ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT (PD-3829/UP 20-01), SCH Number 2020070577

NOTICE IS HEREBY GIVEN THAT the County of Colusa, as the Lead Agency, has prepared a Draft Environmental Impact Report (DEIR) for the proposed Use Permit (UP) and Williamson Act contract cancellation to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, commonly known as the Janus Solar Project (Project).

PROJECT LOCATION: The Project is approximately 6.5 miles southwest of the City of Williams. State Highway 20 runs about one mile from the Project site, north and west. The proposed Project would be located on three parcels (APN's 018-050-005, -006, and -013) totaling 1,023.9 acres currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site.

PROJECT DESCRIPTION: The Project consists of three major components: a solar energy generating facility, the battery energy storage system (BESS), and the generation tie-line. The solar facility would include arrays of solar PV modules (or panels) and support structures, power inverters and transformers/power conditioning stations, and an on-site substation. The Project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system. Other solar facility components would include a project substation, access roads, perimeter fences, telecommunications infrastructure, a meteorological data collection system, signage, lighting, stormwater facilities, and an operations and maintenance building.

The BESS is expected to be located adjacent to the aforementioned substation. Batteries would be contained within enclosures. The combined footprint for the BESS would be approximately 5 acres. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers. The BESS enclosures would also house required heating, ventilation, and air conditioning (HVAC) and fire protection systems.

The on-site substation would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on approximately 59 new poles of up to 80 feet in height. The gen-tie line also would include fiber optic line for communications.

PUBLIC REVIEW PERIOD: The 45-day public review period for the DEIR begins on October 15, 2021 and ends on November 29, 2021. All comments must be received within this time period. Written comments should be submitted to Greg Plucker, Community Development Director, 1213 Market Street, Colusa, CA 95932 or to gplucker@countyofcolusa.com.

DOCUMENT AVAILABILITY: The DEIR and other project documentation is available for review online at: https://www.countyofcolusa.org/996/Janus-Solar-Project. Hard copies are available for review at the Colusa Main Library at 738 Market St. in Colusa, CA 95932, the Williams Branch Library at 901 E Street in Williams, CA 95987, and the Community Development Department at 1213 Market Street, Colusa, CA. 95932.

SCHEDULE PUBLIC MEETING: A public meeting has been scheduled for Thursday, November 4, 2021 at Granzella's Conference Room, 391 6th St., Williams, CA 95987 from 6:00 pm to 7:30 pm.

SIGNIFICANT ANTICIPATED ENVIRONMENTAL EFFECTS: The DEIR evaluates the Project's potentially significant impacts and recommends mitigation measures to avoid/reduce impacts. The Project is not expected to result in any significant, unmitigated impacts.

HAZARDOUS WASTE SITES: The proposed project is not located on any hazardous waste sites lists enumerated under Section 65965.5 of the Government Code.

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

QUESTIONS: If you have any questions about this project, please contact Greg Plucker, County of Colusa, Community Development Department by phone at (530) 458-0480 or by email at gplucker@countyofcolusa.com.

Dated: October 15, 2021

/s/ Melissa Kitts, Deputy Clerk

10/21/2021 – WPR #2021-5056

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Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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APPENDIX B
RECIPIENTS OF THE FINAL EIR

Individuals
Bob and Cindy Freed
Brent Edward LaGrande
Catherine Maureen Ahart
Clifford Allan Myers
David Nelson
Diane Frost
Elizabeth Ferrini Katsaris
Garnett Vann
James Charter
Jean Ferrini
Jean Terkildsen
Jeremiah and Jessica Karlonas
Joe Ferrini
Jonathan and Laura Zilli
Larry and Darlene Farmer
Leo LaGrande
Matt Ferrini
Matt LaGrande
Matthew Ferrini
Richard Mora
Salt Creek Orchards Group
Sid LaGrande
Spring Valley Ranch Partnership
Stephen Marsh
Thomas and Perry Charter
Vance and Nancy Boyes
Vann Brothers General Partnership
Ward Charter

State/Federal
Cal Fire
California Department of Wildlife Region 2
California Energy Commission
California Public Utiltiies Commission
Caltrans
Central Valley Regional Water Quality Control District
Department of Conservation Land Resource Protection
Pacific Gas and Electric
Reclamation District #1004
US Fish and Wildlife
Western Area Power Administration Sierra Neveda Region
Williams Fire Protection Authority

Local Agencies
Agricultural Commissioner
Air Pollution Control District
County Assessor
Environmental Health
Kent Boes - Supervisor District 3
Public Works
Sherrif's Department

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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APPENDIX C

DUST SUPPRESSANT EFFECTIVENESS STUDY PHOTO LOG

Photo 1: **Description:** Test #1: Untreated roadway, truck traveling at 15 mph	

Photo 2: **Description:** Test #2: Road treated with dust suppressant, truck traveling at 15 mph	

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Photo 3: **Description:** Test #2: Untreated roadway, truck traveling at 25 mph	

Photo 4: **Description:** Test #2: Treated with dust suppressant, truck traveling at 25 mph	

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Photo 5: **Description:** Test #3: Untreated roadway, truck traveling at 40 mph.	

Photo 6: **Description:** Test #3: Treated with dust suppressant, truck traveling at 40 mph	

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Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX D
ADDITIONAL PHOTOGRAPHIC SIMULATIONS

Attachment #8.a



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS LAR PROJEC

Colusa C :y, CA

PHOTO SIMULA N

Key Obs ation
Point 02
Beauchan



Photograp ormation

Time of photogra	3:35pm
Date of photogra	3/16/21
Weather conditic	Mostly Sunny
Viewing directio	South
Latitude:	39.120208°
Longtitude:	-122.263393°

Disclaimer: vis tions and
plans are for re ce only;
Not for constru

TETRA TECH

RWE

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS

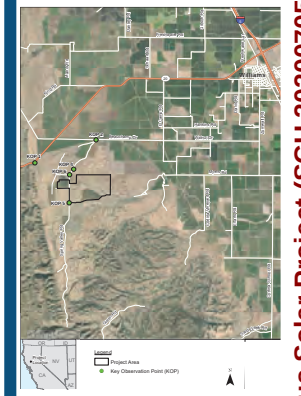


JANUS SOLAR PROJECT

Colusa County, CA

PHOTO SIMULATION

Key Observation Point 06:
Spring Valley RD Reside



Photograph Information

Time of photograph:	3:55p
Date of photograph:	12/06/
Weather condition:	Fog
Viewing direction:	Southwe
Latitude:	39.10141
Longtitude:	-122.28169

Disclaimer: visualizations and plans are for reference only; Not for construction

TETRA TECH RW

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit

Attachment #8.a



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS LAR PROJEC

Colusa C :y, CA

PHOTO SIMULA N

Key Obs ation Point 07 Spring Val d





Photograp ormation

Time of photogra	2:58pm
Date of photogra	3/16/21
Weather conditio	Mostly Sunny
Viewing directio	Northeast
Latitude:	39.104781°
Longtitude:	-122.278892°

Disclaimer: visu tions and plans are for re ce only; Not for constru

TETRA TECH

RWE

Attachment: Exhibit "A" Final EIR Janus Solar Project (SCH 2020070577) (9150 : Janus Solar Use Permit

DRAFT
ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT



COUNTY OF COLUSA
COMMUNITY DEVELOPMENT DEPARTMENT
220 12th Street
Colusa, California 95932

State Clearinghouse No. 2020070577

October 8, 2021

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

JANUS SOLAR DRAFT ENVIRONMENTAL IMPACT REPORT
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Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDICES

A Notice of Preparation
B Land Evaluation and Site Assessment
C Air Quality and Greenhouse Gas Report
D Visual Impact Assessment
E Biological Resources Report
F Paleontological Resources Technical Memorandum
G Phase I Environmental Site Assessment
H Water Supply Assessment
I Sound Survey Analysis and Report
J Traffic Analysis Technical Memorandum

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

EXECUTIVE SUMMARY

INTRODUCTION

Janus Solar PV, LLC (Applicant), a subsidiary of RWE Solar Development, LLC has applied to the Colusa County Community Development Department for a Use Permit (UP)[1] to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, to be known as the Janus Solar Project (Project). The County of Colusa (County), as the CEQA Lead Agency, is preparing this Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document its analysis of the potential direct, indirect, and cumulative impacts of the Project.

The Project would generate and store up to 80 megawatts alternating current (MW_{AC})[2] on an approximately 1,024-acre site, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, an estimated 768 acres of the 1,024-acre site would be used for the Project. The proposed battery energy storage system (BESS) would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the Project site.

“Projects” within the State of California are required to undergo environmental review to determine the environmental impacts associated with implementation of the project in accordance with the California Environmental Quality Act (CEQA). For the proposed Project, the County is the lead agency, and thus is required to conduct an environmental review to analyze the potential environmental effects associated with the proposed Project.

This document is a Draft EIR prepared in accordance with CEQA. It provides an overview of the proposed Project and considers alternatives, identifies the anticipated environmental impacts from the proposed Project and the alternatives, and identifies mitigation measures designed to reduce the level of significance of any significant impact.

PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The primary purpose of CEQA is to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision making. CEQA requires all state and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid the significant environmental impacts resulting from proposed projects, when feasible, and to identify a range of feasible alternatives to the proposed Project that could reduce those environmental effects. The EIR must include the contents required by

[1] The Use Permit process allows the County to consider, in its discretion, uses that would be essential or desirable, but that are not allowed as a matter of right within a zoning district. Energy generation for off-site use is permitted within the Foothill Agriculture Zone with approval of a Use Permit.

[2] PV panel capacity general is measured in direct current (DC) watts; however, because the DC output from panels must be converted to alternating current (AC) before being distributed on the electric grid, this EIR reports expected capacity in terms of AC watts. Although preliminary estimates indicate that 80 MW_{AC} would be the expected nominal generating capacity of the Project, the actual generating capacity would depend on the efficiency of the PV panels available at the time of construction and the layout and tracking technology approved.

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CEQA and the *CEQA Guidelines*, and examine all phases of the project, including planning, construction, operation, and any reasonably foreseeable future phases.

PROJECT LOCATION

The Project is located approximately 6.5 miles southwest of the City of Williams at 1958 and 1961 Spring Valley Road, and is within Section 1, 2, and 3 of Township 14 North, Range 4 West, on the U.S. Geological Survey 7.5-minute Quadrangle Map. Bounded by private land used for agriculture to the north, south, and west of the Project site, the Project is approximately 1 mile south and east of Highway 20 and 1.3 miles southeast of the Tehama-Colusa Canal.

PROJECT OBJECTIVES

The Applicant has identified the following Project Objectives:

1. Establish a PV solar power-generating facility of a sufficient size and configuration to produce up to 80 MW_{AC} of electricity at the point of interconnection (POI) in a cost-competitive manner.
2. Assist California utilities in meeting their obligations under California's Renewable Portfolio Standard (RPS) Program and Senate Bill 100 (SB 100), which calls for 100 percent of all electricity sold in California to come from carbon-free resources by 2045, including 60 percent renewables by 2030.
3. Assist California utilities in meeting their obligations under the California Public Utility Commission's (CPUC) Energy Storage Framework and Design Program.
4. Provide for the economically viable, commercial financeable, and environmentally beneficial use of the site's water-limited agricultural capacity.
5. Develop a site in proximity to transmission infrastructure in order to minimize environmental impacts.
6. Facilitate grid integration of intermittent and variable PV solar generation and minimize line losses associated with off-site storage by collocating battery storage at the PV solar facility site.
7. Develop a solar power generation facility in Colusa County, which would support the economy by investing in the local community, creating local construction jobs, and increasing tax and fee revenue to the County.

PROJECT DESCRIPTION

The Project would develop approximately 768 acres of the 1,023.9-acre Project site for a PV solar generating facility. The Project would generate 80 MW_{AC} of renewable energy and would include up 80 MW_{AC} of BESS. The Project would comprise of major components such as solar arrays and inverter blocks, as well as supporting facilities including a substation, BESS, a transmission line, and more.

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

PROJECT IMPLEMENTATION SCHEDULE

Construction is projected to begin by the end of 2022.

SUMMARY OF IMPACTS

Table EX-1: Summary of Potential Impacts and Mitigation Measures summarizes the potential impacts for the proposed Project. The table also identifies mitigation measures recommended to reduce, avoid or minimize significant impacts and indicates the net level of impact following implementation of all mitigation measures.

The potentially adverse effects of the proposed Project are discussed in Chapters 4.1 through 4.20 of this Draft EIR. Mitigation measures have been recommended that would avoid, reduce, or minimize impacts. All of the potential impacts associated with the proposed Project would be either less than significant or mitigated to less than significant. The proposed Project would not result in any significant unavoidable impacts.

PROJECT ALTERNATIVES

Section 15126.6 of the *CEQA Guidelines* requires consideration and discussion of alternatives to the proposed Project, which would feasibly attain most of the basic objectives of the Project and would avoid or substantially lessen any of the significant effects of the proposed Project. In addition to the proposed Project, two project alternatives were considered and are briefly summarized here (and are discussed in detail in Chapter 5 of this Draft EIR).

- **No Project Alternative:** The Project site would not be developed and would remain in its existing condition and continue to experience a reduction in agricultural production from water resource allocation constraints.
- **Distributed Solar Alternative:** The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County.
- **Reduced Acreage Alternative:** The Project site would be reduced by 342 acres (from 1,024 acres to 682 acres). See Figure 5-1. This alternative would otherwise be as described in Chapter 2, *Project Description*.
- **Northeast Site Alternative:** An alternate site which consists of 15 contiguous parcels totaling approximately 917 acres and is located approximately 5 miles northeast of the Project site, on the north side of Highway 20 and just west of Williams. See Figure 5-2.

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Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01

Table EX-1: Summary of Potential Impacts and Mitigation Measures

Potential Impacts	Level of Significance	Mitigation Measures
Agriculture and Forestry Resources		
IMPACT 4.1-1: Would the Project: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	No Impact	No mitigation required
IMPACT 4.1-2: Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than Significant Impact with Mitigation Incorporated	**AGR-1: Williamson Act Cancellation** The Applicant shall file a Petition for Cancellation of Contract for the Williamson Act Contract on the Project site, for consideration by the Colusa County Board of Supervisors, prior to construction.
IMPACT 4.1-3: Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact	No mitigation required.
IMPACT 4.1-4: Result in loss of forest land or conversion of forest land to non-forest use?	No Impact	No mitigation required.
IMPACT 4.1-5: Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	Less than Significant Impact	No mitigation required.
AIR QUALITY		
IMPACT 4.2-1: Would the project conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant Impact	No mitigation required.
IMPACT 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less than Significant Impact	**AQ-1: Dust Control Measures** During construction of the Project, the primary construction contractor shall implement the following practices during all construction related activities: • All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. • When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.

Potential Impacts	Level of Significance	Mitigation Measures
		• Limit traffic speeds on unpaved roads to 15 miles per hour • Curtail construction activities when the County's Air Quality Index exceeds 150.
IMPACT 4.2-3: Would the project expose sensitive receptors to substantial pollutant concentrations?	Less than Significant Impact with Mitigation Incorporated	**AQ-2: Construction Equipment Requirements** During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.
IMPACT 4.2-4: Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than Significant Impact	No mitigation required
AESTHETICS		
IMPACT 4.3-1: Would the project have substantial adverse effect on a scenic vista?	No Impact	No mitigation required.
IMPACT 4.3-2: Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	No mitigation required.
IMPACT 4.3-3: In non-urbanized area, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations of governing scenic quality?	Less than Significant Impact	No mitigation required.
IMPACT 4.3-4: Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
BIOLOGICAL RESOURCES		
IMPACT 4.4-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service?	Less than Significant Impact with Mitigation Incorporated.	**BIO-1: Protection of Special Status Species** **Parry's Rough Tarplant** A pre-construction survey for Parry's rough tarplant shall be conducted in work areas with potential habitat no more than 14 days prior to construction activities during the blooming period (May to October). If Parry's rough tarplant populations are located outside of the Project construction footprint (including staging areas), a qualified biologist shall flag an appropriate zone to completely avoid impacts to any individuals. If necessary, based on the timing of the construction work, populations may also be flagged based on previous survey data of the population extents. If Parry's rough tarplant populations cannot be avoided, a qualified biologist shall prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. Temporary impacts (impacts in areas that would be restored to natural conditions) may be mitigated by salvaging the first 6 inches of topsoil during ground disturbance, storing on-site and protecting the soil from weed seed dispersal, and then returning the soil horizon to its original profile to keep seeds at the appropriate soil depth. Permanent impacts (impacts in areas that would not be restored to natural conditions) may be mitigated by enhancing other Parry's rough tarplant habitat within or outside the Project site. Topsoil would not be salvaged in the case of permanent impacts, and other habitat enhancement methods would be used, such as seed collection and propagation, in other non-impacted locations. **Burrowing Owl** The Project owner shall have pre-construction surveys performed no less than 14 days prior to the initiation of equipment staging or ground-disturbing activities (e.g., vegetation clearing or grading) and within 24 hours prior to these activities. A qualified biologist shall conduct pre-construction surveys on the site and 150-meters around the site (access permitting) in areas with suitable burrowing habitat to locate any active breeding or wintering BUOW burrows and to check known burrows. Areas that have been plowed within 12 months prior to the start of ground-disturbing activities are not considered suitable habitat. The survey methodology shall be consistent with the methods outlined in the CDFW (2012) Staff Report on Burrowing Owl Mitigation and shall consist of walking parallel transects 23 to 66 feet (7 to 20 meters) apart, noting any potential burrows with fresh BUOW sign or presence of BUOWs, and visiting potential burrows during the timeframe described in the protocol. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities. Copies of the survey results shall be submitted to CDFW and the Colusa County Planning Department.

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Potential Impacts	Level of Significance	Mitigation Measures
		• If BUOWs are detected on the Project site or within 150 meters during the pre-construction survey, a Project-specific mitigation plan shall be prepared for CDFW review and approval and implemented to protect BUOWs and their nest sites. No ground-disturbing activities, such as vegetation clearance, grading, or equipment staging shall be permitted within 330 feet from an active burrow during the breeding season (February 1 to August 31), unless otherwise approved by a qualified biologist. During the non-breeding (winter) season (September 1 to January 31), no ground-disturbing work or equipment staging shall be permitted within a buffer of 165 feet from the active burrow. Depending on the level of disturbance, a smaller buffer may be established by a qualified biologist based on the visibility and sensitivity responses of each individual BUOW or pairs in consultation with CDFW. • If burrow avoidance is infeasible during the non-breeding season or during the breeding season where resident BUOWs have not yet begun egg laying or incubation or where the juveniles are foraging independently and capable of independent survival, a qualified biologist shall implement a passive relocation program in accordance with the CDFW (2012) Staff Report on Burrowing Owl Mitigation. If passive relocation is anticipated due to on-site BUOW populations, a Burrowing Owl Exclusion Plan in accordance with CDFW (2012) Staff Report on Burrowing Owl Mitigation would be included in the Project-specific mitigation plan prior to passive relocation activities. **Swainson's Hawk** If construction (i.e., equipment staging, vegetation removal, or ground disturbance) is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys or additional measures are required for Swainson's hawk. During the breeding season (March 1 to September 15), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site. The survey shall focus on potential nest sites within a 0.5-mile buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000) and occur no more than 10 days prior to construction activities. Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by Swainson's hawk without causing intrusive disturbance. If active

Potential Impacts	Level of Significance	Mitigation Measures
		Swainson's hawk nests are found, a 0.5-mile buffer shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest), adult and juvenile Swainson's hawks have left the area, or the breeding season has ended. Encroachment into the buffer for Swainson's hawk must be authorized by the CDFW. **American Badger** A pre-construction survey for the American badger shall occur during the burrowing owl surveys. Any active American badger dens shall be avoided by establishing a minimum 50-foot buffer around the den. No construction activities shall occur within this buffer unless a qualified biologist determines that the den is inactive.
		BIO-2: Worker Environmental Awareness Training and Best Management Practices for Biological Resources During construction, operation and maintenance, and decommissioning of the facility, the Project owner and/or contractor shall implement the following general avoidance and protective measures to protect special-status wildlife species and habitats: • Prior to and for the duration of construction activities, the Project owner, or its contractor, shall implement a Worker Environmental Awareness Program to train all on-site construction personnel how to recognize and protect biological resources on the Project site. The Worker Environmental Awareness Program training shall include a review of the special-status species and other sensitive biological resources that could exist in the Project area, the locations of sensitive biological resources and their legal status and protections, and measures to be implemented for avoidance of these sensitive resources, highlighting Parry's rough tarplant, burrowing owl, Swainson's hawk, American badger, nesting birds, and protected waters and wetlands. • The Project owner shall limit the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. Buffers and avoidance areas established for biological resources, as described in BIO-1 and BIO-3 above, shall be delineated with stakes and/or flagging prior to construction. Construction-related activities and use of vehicles and equipment shall not occur within protected buffers or avoidance areas. • Any sensitive habitats, including riparian areas and state and federally protected wetlands, within 50 feet of the Project impact areas shall be flagged in the field by a qualified biologist prior to Project construction. To

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Potential Impacts	Level of Significance	Mitigation Measures
		the extent feasible, the greatest buffer (up to 50 feet) should be flagged around the sensitive habitat. No work will occur in the flagged areas. The avoidance areas will be maintained for the duration of construction activities in the vicinity of these areas. • To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches with a 2-foot or greater depth shall be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected by on-site workers for trapped animals. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape. If a special-status species is trapped, the USFWS and/or CDFW shall be contacted immediately. • All construction pipes, culverts, or similar structures with a 4-inch or greater diameter that are stored at a construction site for one or more overnight periods shall be covered and/or thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until a qualified biologist has been consulted and the animal has either moved from the structure on its own accord or until the animal has been captured and relocated by the biologist. No handling of special-status species shall occur without consultation with the applicable agencies (CDFW, USFWS). • Vehicles and equipment parked on the site during construction shall have the ground beneath the vehicle or equipment inspected for the presence of wildlife prior to moving. • Vehicular traffic shall use existing routes of travel. Cross country vehicle and equipment use outside of the Project properties shall be prohibited. • A speed limit of 20 miles per hour shall be enforced within all construction areas. • A long-term trash abatement program shall be established for construction, operation, and decommissioning and submitted to the County. Trash and food items shall be contained in closed containers and removed daily to reduce the attractiveness to wildlife such as common raven (*Corvus corax*), coyote (*Canis latrans*), and feral dogs. • Workers shall be prohibited from bringing pets to the Project site and from feeding wildlife in the vicinity. • Intentional killing or collection of any wildlife species shall be prohibited.

Potential Impacts	Level of Significance	Mitigation Measures
		• Rodenticides shall not be used within the Project site except within buildings and disturbance to mammal burrows shall be avoided and minimized.
		BIO-3: Protection of Nesting Birds If construction (i.e., vegetation removal or ground disturbance) is scheduled to commence outside of the bird nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required for nesting birds, including raptors. During the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site where construction is planned. The survey shall focus on potential nest sites within a 500-foot buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted no more than 14 days prior to construction activities. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities. Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by migratory birds and all locally breeding raptor species without causing intrusive disturbance. If active nests are found, a suitable buffer (e.g., 200 feet for non-listed raptors, 50 feet for non-listed birds) shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest) or the breeding season has ended. Encroachment into the buffer may occur at the discretion of a qualified biologist for non-listed species.
IMPACT 4.4-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	No Impact	No mitigation required
IMPACT 4.4.-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	No Impact	No mitigation required.
IMPACT 4.4-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Less than Significant Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
IMPACT 4.4-5: Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Less than Significant Impact with Mitigation Incorporated	Implement **BIO-1**, **BIO-2**, and **BIO-3**.
CULTURAL RESOURCES		
IMPACT 4.5-1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	No Impact	No mitigation required.
IMPACT 4.5-2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than Significant Impact with Mitigation Incorporated	**CUL-1: Cultural Resource Worker Education/Training** Prior to Project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the Project proponent shall conduct a worker education awareness program for Project construction personnel. A qualified archaeologist will be retained for the Project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities. During construction, the Applicant will provide the training to all new construction personnel. The cultural resource training will include an overview of applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and procedures to follow in the event an inadvertent discovery (Inadvertent Discovery Plan discussed below) is encountered, including appropriate treatment and respectful behavior of a discovery (e.g., no posting to social media or photographs). Per Mr. Kinter's request, Laverne Bill, Cultural Resources Manager of the Yocha Dehe Wintun Nation, shall be notified to participate in the cultural sensitivity/environmental training to discuss or provide text from a tribal cultural perspective regarding tribal cultural resources within the region during the initial pre-construction environmental training **CUL-2: Inadvertent Discovery of Archaeological Resources During Construction** A qualified archaeologist shall be retained to prepare an Inadvertent Discovery Plan for the Project and to be on-call in the event of an inadvertent discovery. The Inadvertent Discovery Plan will provide protocols and notification procedures in the event of an inadvertent discovery. During Project construction (e.g., ground disturbing activities such as vegetation removal, excavation, trenching, grading), should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find shall cease and the qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines

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Potential Impacts	Level of Significance	Mitigation Measures
		Section 15064.5 and/or NRHP criteria (as applicable). If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agencies and any local consulting Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Under CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, Project reroute or re-design, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local consulting Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as an historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2. In regard to an inadvertent discovery of human remains: existing regulations require that if human remains and/or cultural items defined by Health and Safety Code, Section 7050.5, are inadvertently discovered, all work in the vicinity of the find would cease and the Colusa County Coroner (Sheriff-Coroner Unit Telephone Number: 530.458.0200) would be contacted immediately. If the remains are found to be Native American as defined by Health and Safety Code, Section 7050.5, the coroner will contact the NAHC by telephone within 24 hours. **CUL-3: Inadvertent Discovery of Human Remains During Construction** The County and Applicant should continue to consult with interested tribes throughout the planning process and construction of the Project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) shall be notified to participate in monitoring visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities (e.g., grading and trenching). The retained on-call Secretary of Interior qualified archaeologist shall assist in the preparation of a cultural resource monitoring plan and inadvertent discovery plan (CUL-2) that will include the worker resource education, inadvertent discovery procedures, and outline the guidelines for cultural resources monitoring. The Project archaeologist will coordinate with local tribes regarding the monitoring plan and tribal cultural resource monitoring of subsurface ground disturbing Project activities. At the completion of construction, a final monitoring report shall be prepared for the Project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the Project. The report will be submitted to the County and the NWIC.

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Potential Impacts	Level of Significance	Mitigation Measures
IMPACT 4.5-3: Would the project disturb any human remains, including those interred outside of formal cemeteries?	Less than Significant Impact	No mitigation required.
ENERGY		
IMPACT 4.6-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant Impact	No mitigation required.
IMPACT 4.6-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No Impact	No mitigation required.
GEOLOGY AND SOILS		
IMPACT 4.7-1: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii) Strong seismic ground shaking? iii) Seismic-related ground failure, including liquefaction? iv) Landslides?	Less than Significant Impact	No mitigation required.
IMPACT 4.7-2: Would the project result in substantial soil erosion or the loss of topsoil?	Less than Significant Impact	No mitigation required.
IMPACT 4.7-3: Would the Project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than Significant Impact	No mitigation required.
IMPACT 4.7-4: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than Significant Impact	No mitigation required.
IMPACT 4.7-5: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less than Significant Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
IMPACT 4.7-6: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than Significant Impact with Mitigation Incorporated	**GEO-1: Paleontological Worker Education and Awareness Program (WEAP)** Before starting construction activities, on-site personnel should be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities (an unanticipated find). **GEO-2: Unanticipated Find Contingency** A qualified paleontological specialist, meeting the Secretary of the Interior's Professional Qualification Standards for the Society of Vertebrate Paleontology shall be retained by the Project Owner on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources (an unanticipated find) and determine if additional study is warranted. If the significance of the find under CEQA or California Public Resources Code, Section 21082 does not warrant such study, the qualified paleontologist may decide to record the find and allow work to continue. If the discovery proves significant under CEQA, preparation of a paleontological treatment plan, testing, or data recovery may be required at the discretion of the paleontological specialist.
GREENHOUSE GAS EMISSIONS		
IMPACT 4.8-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant Impact	No mitigation required.
IMPACT 4.8-2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No Impact	No mitigation required.
HAZARDS AND HAZARDOUS MATERIAL		
IMPACT 4.9-1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant Impact	No mitigation required.
IMPACT 4.9-2: Would the project create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than Significant Impact	No mitigation required.
IMPACT 4.9-3: Would the project emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	No Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
IMPACT 4.9-4: Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact	No mitigation required.
IMAPCT 4.9-5: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	No Impact	No mitigation required.
IMAPCT 4.9-6: Would the project impair implementation of or physically interfere with an adopted emergency response plan?	No Impact	No mitigation required.
IMPACT 4.9-7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less than Significant Impact	No mitigation required.
HYDROLOGY AND WATER QUALITY		
IMPACT 4.10-1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Less than Significant Impact	No mitigation required.
IMPACT 4.10-2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant Impact	No mitigation required.
IMPACT 4.10-3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i) Result in substantial erosion or siltation on- or off-site? ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? iv) Impede or redirect flood flows?	Less than Significant Impact	No mitigation required.
IMPACT 4.10-4: Is the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to the project inundation?	No Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
IMPACT 4.10-5: Would the project conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?	Less than Significant Impact	No mitigation required.
LAND USE AND PLANNING		
IMPACT 4.11-1: Would the project physically divide an established community?	No Impact	No mitigation required.
IMPACT 4.11-2: Would the project cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	No Impact	No mitigation required.
MINERAL RESOURCES		
IMPACT 4.12-1: Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact	No mitigation required.
IMAPCT 4.12-2: Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	No Impact	No mitigation required.
NOISE		
IMPACT 4.13-1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than Significant Impact with Mitigation Incorporated	**NOISE-1: Noise Minimization** The Project shall implement the following construction management protocols to minimize noise impacts during construction: • Maintain all construction tools and equipment in good operating order according to manufacturers' specifications; • Limit use of major excavating and earth-moving machinery to daytime hours; • To the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable. Some limited activities, such as concrete pours, would be required to occur continuously until completion; • Equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks; • For construction devices that utilize internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating

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Potential Impacts	Level of Significance	Mitigation Measures
		material mounted on the engine housing consistent with manufacturers' guidelines, if possible; • Limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities, together with appropriate material handling equipment; and • Utilize a Complaint Resolution Procedure to address any noise complaints received from residents.
IMPACT 4.13-2: Would the project result in generation of excessive groundborne vibration or groundborne noise levels?	Less than Significant Impact	No mitigation required.
IMPACT 4.13-3: For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No Impact	No mitigation required.
POPULATION AND HOUSING		
IMPACT 4.14-1: Would the project induce substantial unplanned population growth in the area either directly (for example, by proposing new homes or businesses) or indirectly (for example, through the extension or roads or other infrastructure)?	Less than Significant Impact	No mitigation required.
IMPACT 4.14-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact	No mitigation required.
PUBLIC SERVICES		
IMPACT 4.15-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? v) Other public facilities?	No Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
RECREATION		
IMPACT 4.16-1: Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such as substantial physical deterioration of the facility would occur or be accelerated?	No Impact	No mitigation required.
IMPACT 4.16-2: Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact	No mitigation required.
TRANSPORTATION		
IMPACT 4.17-1: Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than Significant Impact	No mitigation required.
IMAPCT 4.17-2: Would the project conflict or be inconsistent with CEQA Guidelines 15064.3, subdivision (b)?	Less than Significant Impact	No mitigation required.
IMPACT 4.17-3: Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant Impact	No mitigation required.
IMPACT 4.17-4: Would the project result in inadequate emergency access?	Less than Significant Impact	No mitigation required.
TRIBAL RESOURCES		
IMPACT 4.18-1: Would the project cause adverse change in the significance of a tribal cultural resource, defined in Public Resource Code Section 21074 as either a site, feature, place, cultural landscape that is geologically defined in terms of the size and scope of the landscape, sacred plan, or object with cultural value to a California Native American tribe that is: i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code 5020.1(k) or **ii)** A resource determined by the lead agency in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (s) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code 5024.1, as	Less than Significant Impact with Mitigation Incorporated	Implementation of **Mitigation Measures CUL-1, CUL-2,** and **CUL-3** would be required.

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Potential Impacts	Level of Significance	Mitigation Measures
the CEQA lead agency, has considered the significance of the resource to a California Native American tribe.		
UTILITIES AND SERVICE SYSTEMS		
IMPACT 4.19-1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation which would cause significant environmental effects?	Less than Significant Impact	No mitigation required.
IMPACT 4.19-2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	Less than Significant Impact	No mitigation required.
IMPACT 4.19-3: Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No Impact	No mitigation required.
IMPACT 4.19-4: Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant Impact	No mitigation required
IMPACT 4.19-5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact	No mitigation required.
WILDFIRE		
IMPACT 4.20-1: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact	No mitigation required.
IMPACT 4.20-2: Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than Significant Impact	No mitigation required.
IMPACT 4.20-3: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources,	No Impact	No mitigation required.

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Potential Impacts	Level of Significance	Mitigation Measures
power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?		
IMPACT 4.20-4: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than Significant Impact	No mitigation required.

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AREAS OF CONTROVERSY

Section 15123 (b)(2) of the *CEQA Guidelines* requires that an EIR Executive Summary identify areas of controversy known to the lead agency, including issues raised by other agencies and the public.

In accordance with the CEQA Guidelines, a Notice of Preparation (NOP) was prepared and distributed to responsible agencies, affected agencies, and other interested parties on July 30, 2020. The NOP was posted in the County Clerk's office for 30 days. The NOP was submitted to the State Clearinghouse to officially solicit participation from interested public agencies in determining the scope of the EIR.

Comment letters were received in response to the NOP for this EIR from PG&E, the California Department of Transportation, the California Department of Conservation, the California Department of Fish and Wildlife, the California Native American Heritage Commission, the California Department of Forestry and Fire Protection, and the Williams Fire Protection Authority. The issues raised in these comment letters are addressed in this EIR. A copy of the NOP and the comment letters are included in Appendix A of this Draft EIR. No outstanding issues of controversy are known at this time.

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

1 INTRODUCTION

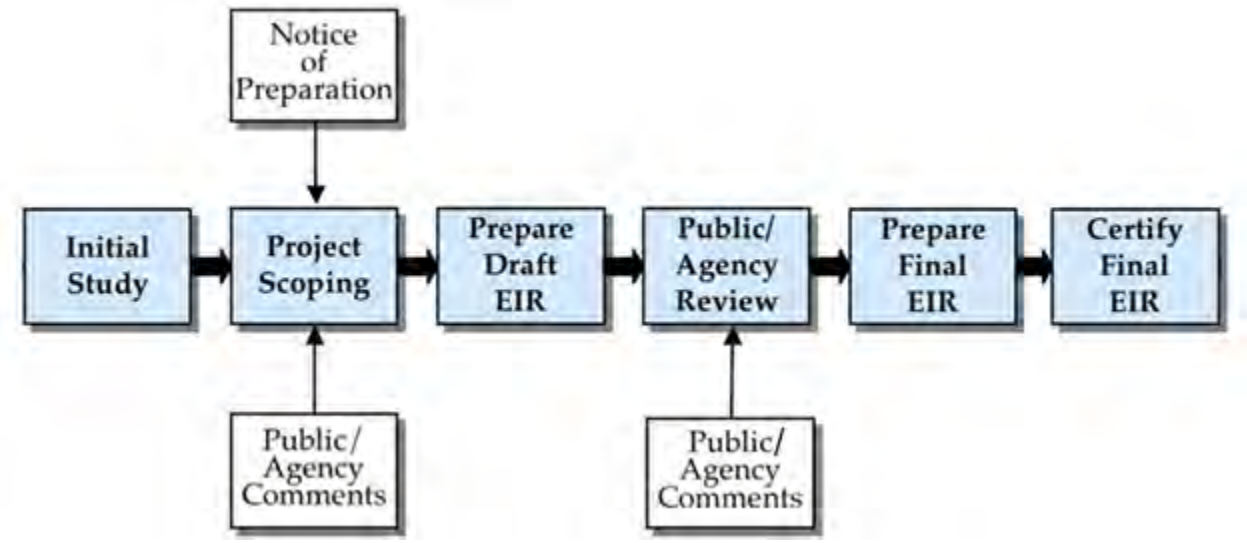
1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

In accordance with the California Environmental Quality Act (CEQA; California Public Resources Code (PRC), Sections 21000 through 21189), all “projects” within the State of California are required to undergo environmental review to determine the environmental impacts associated with implementation of the project.

CEQA was enacted in 1970 by the California Legislature to disclose to decision-makers and the public the anticipated significant environmental effects of a proposed project and identify possible ways to avoid or minimize those significant environmental effects by recommending mitigation measures or feasible alternatives to the project. As the “Lead Agency” under CEQA, the Department is required to conduct an environmental review to analyze the potential environmental effects associated with proposed projects located within the County. When an Environmental Impact Report (EIR) is to be prepared, the Department is the lead agency for the preparation of the EIR.

Once completed, a Draft EIR is circulated to the public and affected agencies for review and comment. One primary objective of CEQA is to enhance public participation in the planning process and inform the public. During the environmental review process, CEQA provides several opportunities for the public to participate and provide input. The diagram below illustrates the CEQA process and points generally when public and agency input is received. Additionally, lead agencies are required to respond to public comments in the Final EIR. All this information is then considered by the decision-makers prior to taking final action on a proposed project.

The Environmental Review Process



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1.2 SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

The required contents and scope of an EIR are set forth in CEQA and its companion document, the CEQA Guidelines (California Code of Regulations, Section 15000 through 15387). This section provides a summary of the issues addressed in this Program EIR. Under the CEQA Guidelines, the analysis in the Draft EIR need only focus on issues determined to be potentially significant, whereas issues found to have less than significant impacts or no impact, do not require further evaluation.

As Lead Agency, the County completed a preliminary analysis of the proposed Janus Solar PV Project (the "proposed Project") and determined that due to the potential for significant environmental effects, an EIR must be prepared.

Based on that preliminary review, environmental effects that were determined to be potentially significant or less than significant after mitigation are discussed in detail under Chapter 4 of this Draft EIR and include the following:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils (including Paleontological Resources)
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities
- Wildfire

Mitigation measures to reduce impacts to a less-than-significant level are proposed whenever feasible and appropriate. In addition to the environmental issues identified above, this Draft EIR includes all of the sections required by the CEQA Guidelines, including a discussion of feasible alternatives to the proposed Project, evaluation of cumulative and other related projects, growth-inducing effects of the proposed Project and irreversible environmental changes.

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1.3 PUBLIC SCOPING PROCESS

This Draft EIR was prepared following input from the public, responsible agencies, and affected agencies through the EIR scoping process (see Appendix A), which included the following:

- In accordance with the CEQA Guidelines, a Notice of Preparation (NOP) was prepared and distributed to responsible agencies, affected agencies, and other interested parties on July 30, 2020.
- The NOP was posted in the County Clerk's office for 30 days. The NOP was submitted to the State Clearinghouse to officially solicit participation from interested public agencies in determining the scope of the EIR.
- Information requested and input provided during the 30-day public review period, regarding the contents of the NOP and the scope of the Program EIR, were incorporated in this Draft EIR (see Appendix A).

In addition to the EIR scoping process, the County conducted California Native American tribal consultation through the Assembly Bill (AB) 52 process for input regarding potential impacts to tribal cultural resources. The County sent formal AB 52 notification letters on July 10, 2020 to the following tribes:

- Daniel Gomez, Chairman, The Colusa Indian Community Council
- Charlie Wright, Chairperson, Cortina Rancheria – Kletsel Dehe Band of Wintun Indians
- Anthony Roberts, Chairperson, Yocha Dehe Wintun Nation
- Glenda Nelson, Chairperson, Estom Yumeka Maidu Tribe – Enterprise Rancheria
- Ronald Kirk, Chairperson, Grindstone Rancheria of Wintun-Wailaki
- Andrew Alejandre, Chairperson, Paskenta Band of Nomlaki Indians
- Jose Simon III, Chairperson, Middletown Rancheria of Pomo Indians

Responses were received by the following:

- Leland Kinter, Tribal Historic Preservation Officer, of the Yocha Dehe Wintun Nation replied on July 23, 2020 that the Project is within the aboriginal territories of the Yocha Dehe Wintun Nation and the tribe has an interest and authority in the Project Area. Mr. Kinter also stated the tribe has concerns that the Project could impact cultural resources and recommends cultural sensitivity training for Project personnel prior to the start of Project construction and on-site cultural monitors during ground disturbance.

1.4 ORGANIZATION OF THE EIR

The Draft EIR is organized into the following chapters so the reader can easily obtain information about the proposed Project and related environmental issues:

Chapter 1: Executive Summary – Consistent with CEQA Guidelines Section 15123, the Executive Summary chapter provides a summary of the proposed Project and discussion of the Project alternatives, areas of controversy and issues to be resolved and conclusions

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regarding growth inducement and cumulative impacts. A summary of Project impacts and recommended mitigation measures is also provided.

Chapter 2: Introduction – Describes the purpose and use of the Draft EIR, provides a brief overview of the proposed Project, and outlines the organization of this Draft EIR. Includes a discussion of issues required by CEQA that are not covered in other chapters. This includes unavoidable adverse impacts, impacts found not to be significant, irreversible environmental changes, and growth inducing impacts.

Chapter 3: Project Description – Describes the environmental setting, proposed Project objectives, characteristics, land uses and requested Project actions.

Chapter 4: Environmental Analysis – Describes the existing physical and regulatory conditions, methods and assumptions used in impact analysis; thresholds criteria used to determine the impact significance; impacts that would result from the proposed Project; and applicable mitigation measures that would eliminate or reduce significant impacts for each environmental issue of concern.

Chapter 5: Alternatives – Consistent with CEQA Guidelines Section 15126.6, this chapter evaluates feasible alternatives to the proposed Project and the potential environmental effects of those alternatives. The analysis includes evaluation of the No-Project Alternative and discusses the Environmentally Superior Project Alternative.

Chapter 6: List of Preparers – Lists the individuals involved in preparing the Draft EIR and organizations and persons consulted.

Appendices – The Appendices include technical studies and reports and other relevant reference material used in evaluating the impacts of the proposed Project and referenced in the environmental analysis.

1.5 GROWTH INDUCEMENT

Section 15126.2(d) of the CEQA Guidelines provides the following guidance regarding growth-inducing impacts:

A project is identified as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment.

Growth inducement can be a result of new development that increases employment levels, removes barriers to development, or provides resources that lead to secondary growth. With respect to employment, the Project would require up to approximately 200 workers; the average number of workers on-site is anticipated to be approximately 50 to 150, depending on the construction activity. The existing construction labor pool in Colusa County and the surrounding Sacramento Valley area is sufficient for meeting Project needs.[1] Following construction, the Project would require up to three full-time personnel. On intermittent occasions, the presence of 5 to 30 workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. Non-routine (emergency) maintenance could require additional workers.

[1] The California Employment Development Department estimated that the annual average unemployment rate in Colusa County in May 2021 was approximately 11.2 percent (not seasonally adjusted) compared to the statewide unemployment rate of 7.9 percent (California Employment Development Department 2021).

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Decommissioning and site restoration activities are expected to require a smaller workforce than construction; decommissioning activities are expected to take a several months to complete. Because construction and decommissioning are temporary, the Project is unlikely to cause substantial numbers of people to relocate to Colusa County. Therefore, this Project would not result in a large increase in employment levels that would significantly induce growth.

It is expected that construction workers would commute to the Project site instead of relocating to Colusa County; however, even if all workers were to migrate into Colusa County, the existing available housing supply could accommodate them without requiring new construction.[2] Therefore, the Project is not expected to induce population growth, the housing and provision of services for which could cause significant adverse environmental impacts.

Although the Project would contribute to the energy supply, which supports growth, the development of power infrastructure is a response to increased market demand, and the availability of electrical capacity by itself does not ensure or encourage growth within a particular area. Other factors such as economic conditions, land availability, population trends, availability of water supply or sewer services, and local planning policies have a more direct effect on growth.

1.6 IRREVERSIBLE IMPACTS

Section 15126.2(c) of the CEQA Guidelines defines an irreversible impact as an impact that uses nonrenewable resources during the initial and continuing phases of the project. Irreversible impacts also can result from damage caused by environmental accidents associated with a project. Irretrievable commitments of resources should be evaluated to ensure that such consumption is justified.

Building the Project would commit nonrenewable resources during Project construction and ongoing utility services during Project operations. During operations, oil, gas, and other fossil fuels and nonrenewable resources would be consumed and irreversible commitments of small quantities of nonrenewable resources would occur as a result of long-term operations. However, once operational, the Project would result in a substantial net benefit associated with the amount of renewable energy that would be generated.

[2] In 2020, Colusa County had an estimated 8,227 housing units with a vacancy rate of 6.7 percent such that there were 716 vacant housing units.

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2 PROJECT DESCRIPTION

2.1 OVERVIEW

Janus Solar PV, LLC (Applicant), a subsidiary of RWE Solar Development, LLC has applied to the Colusa County Community Development Department for a Use Permit (UP)[1] to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, to be known as the Janus Solar Project (Project). The County of Colusa (County), as the CEQA Lead Agency, is preparing this Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document its analysis of the potential direct, indirect, and cumulative impacts of the Project described in this chapter, and the alternatives described in Chapter 3, *Alternatives*.

The Project would generate and store up to 80 megawatts alternating current (MW_{AC})[2] on an approximately 1,024-acre site, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, only an estimated 768 acres of the 1,024-acre site would be used for the Project. The proposed battery energy storage system (BESS) would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the Project site.

2.2 LOCATION

The Project is approximately 6.5 miles southwest of the City of Williams. State Highway 20 runs about one mile from the Project site, north and west, as shown on Figure 2-1. The proposed Project would be located on three parcels totaling 1,023.9 acres of private property currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site. To interconnect the Project with the electrical grid, the Applicant would construct a new, 4.1-mile-long overhead, 60 kilovolt (kV) generation tie (gen-tie) line, partially located on the County's right-of-way (ROW) on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation (USBR), from the Project site to the point of interconnection (POI) at the Cortina Substation.

[1] The Use Permit process allows the County to consider, in its discretion, uses that would be essential or desirable, but that are not allowed as a matter of right within a zoning district. Energy generation for off-site use is permitted within the Foothill Agriculture Zone with approval of a Use Permit.

[2] PV panel capacity general is measured in direct current (DC) watts; however, because the DC output from panels must be converted to alternating current (AC) before being distributed on the electric grid, this EIR reports expected capacity in terms of AC watts. Although preliminary estimates indicate that 80 MW_{AC} would be the expected nominal generating capacity of the Project, the actual generating capacity would depend on the efficiency of the PV panels available at the time of construction and the layout and tracking technology approved.

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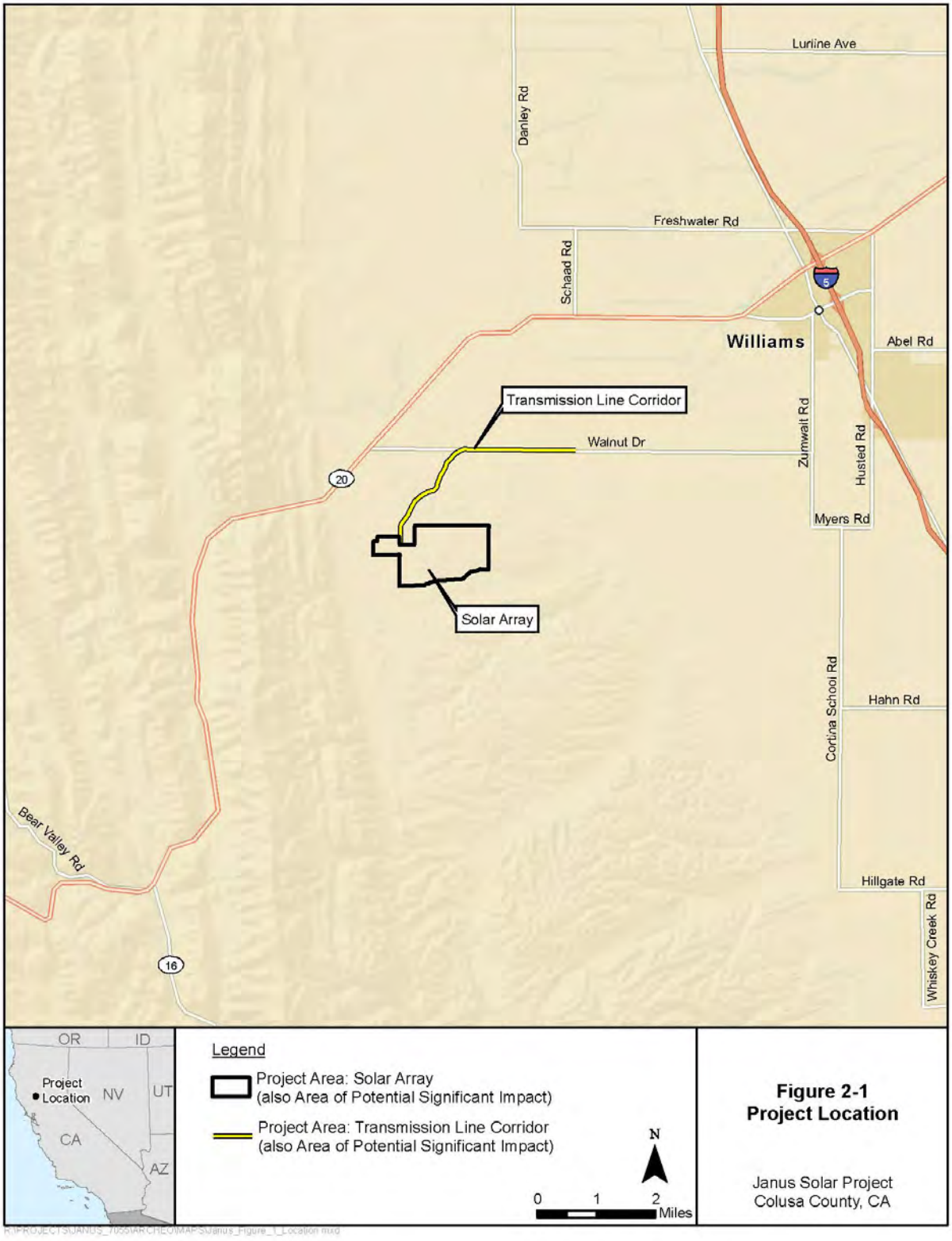


Figure 2-1 Project Location

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2.3 EXISTING SETTING

2.3.1 On-site Land Uses

The Project site consists of rangeland designated as Agriculture Upland in the Colusa County General Plan and zoned Foothill Agriculture (FA) by Colusa County. The gen-tie line from the Project site insects land designated as Agriculture Upland and Agriculture General and zoned as FA and Exclusive Agriculture (EA). The Project site has also been deemed as Farmland of Local Importance by the California Department of Conservation. However, the Project site is not considered to be Prime or Unique Farmland.

2.3.2 Surrounding Land Uses

The surrounding land use is rural. Properties are currently being used for cattle grazing, agriculture, and open space. The closest residence is approximately 100 feet to the south of the Project site, and agricultural buildings occur to the west on the opposite side of Spring Valley Road.

2.4 PROJECT OBJECTIVES

The Applicant has identified the following Project Objectives:

1. Establish a PV solar power-generating facility of a sufficient size and configuration to produce up to 80 MW_{AC} of electricity at the POI in a cost-competitive manner.
2. Assist California utilities in meeting their obligations under California's Renewable Portfolio Standard (RPS) Program and Senate Bill 100 (SB 100), which calls for 100 percent of all electricity sold in California to come from carbon-free resources by 2045, including 60 percent renewables by 2030.
3. Assist California utilities in meeting their obligations under the CPUC's Energy Storage Framework and Design Program.
4. Provide for the economically viable, commercial financeable, and environmentally beneficial use of the site's water-limited agricultural capacity.
5. Develop a site in proximity to transmission infrastructure in order to minimize environmental impacts; and
6. Facilitate grid integration of intermittent and variable PV solar generation and minimize line losses associated with off-site storage by collocating battery storage at the PV solar facility site.
7. Develop a solar power generation facility in Colusa County, which would support the economy by investing in the local community, creating local construction jobs, and increasing tax and fee revenue to the County.

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2.4.1 Description of the Project

The Project consists of three major components: a solar energy generating facility, energy storage system, and the generation tie-line (Figure 2-2). The solar facility would include arrays of solar PV modules (or panels) and support structures, direct current (DC) electricity to alternating current (AC) electricity power inverters and transformers or power conditioning stations, and an on-site substation. Other solar facility components would include access roads, perimeter fences, telecommunications infrastructure, a meteorological data collection system, signage, lighting, stormwater facilities, and an operations and maintenance building. See Section 2.4.1.1 for details about the proposed solar facility.

Up to 5 acres of the solar facility site would be dedicated to the BESS. The BESS would be located adjacent to the on-site substation and contained within steel cabinets or housings. See Section 2.4.1.2 for details about the proposed BESS.

The on-site substation would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on approximately 59 new poles of up to 80 feet in height. The gen-tie line also would include underground fiber optic line for communications. See Section 2.4.1.3 for details about the gen-tie line that would connect the Project to the grid.

2.4.1.1 Solar Facility

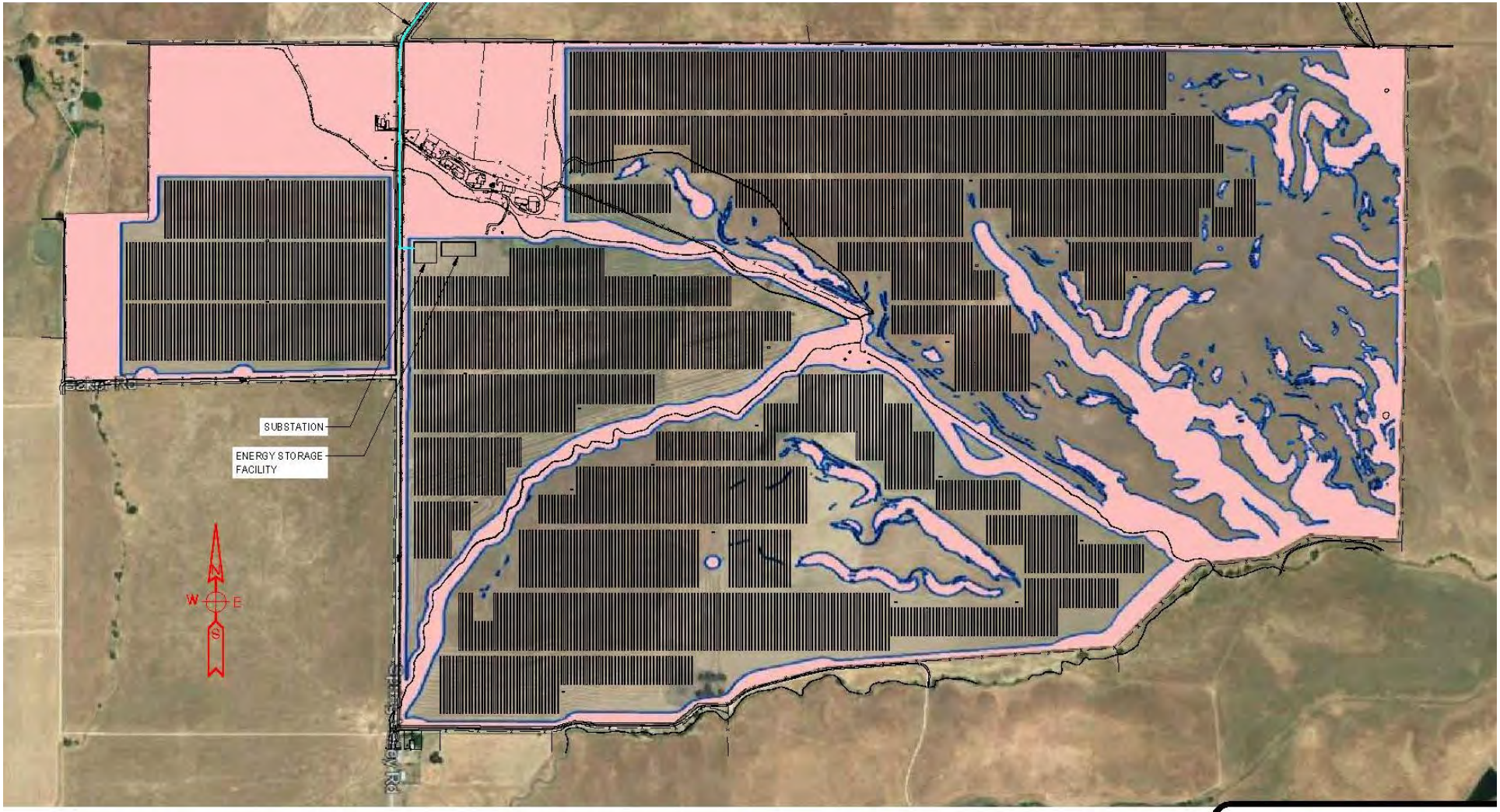
2.4.1.1.1 Solar PV Generating Components

The solar facility would consist of PV solar modules (also known as panels) arranged into arrays supported by a racking system and tracker units that track the sun. A typical tracker section detail is provided in Figure 2-3. The PV modules on the trackers convert sunlight into electricity. When modules are mounted on tracking devices, they are referred to as trackers or tracker blocks. The trackers are organized in rows in a uniform grid pattern or solar array. The Project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system.

The modules may be constructed of glass encasing P-/N-type mono crystalline silicon, poly crystalline silicon, thin film or bifacial technology. Final panel selection would be determined at the detailed Project-engineering phase. The PV modules would be dark blue or black in color, with anti-reflection coating or minimal light reflection. A plastic binding material and metal frame would provide structural rigidity. The solar modules would be self-contained, durably constructed units designed to withstand exposure to the elements for a period of 35 years or longer. The solar modules would be electrically connected and grounded. The solar facility would be designed in accordance with local and state codes and regulations.

The Project would utilize a single-axis tracking system designed to optimize power production of the modules by ensuring proper orientation to the sun both daily and seasonally. It captures more solar radiation and is more restrictive in the terrain slope or site constraints than a fixed tilt system. Metal piers driven into the ground by a pile-driving machine would support the single-axis tracking systems. Pier placement would begin with a precise surveyed layout, ensuring proper positioning of the remaining tracker assembly parts. The top of each pier would bear a pier cap and bearing

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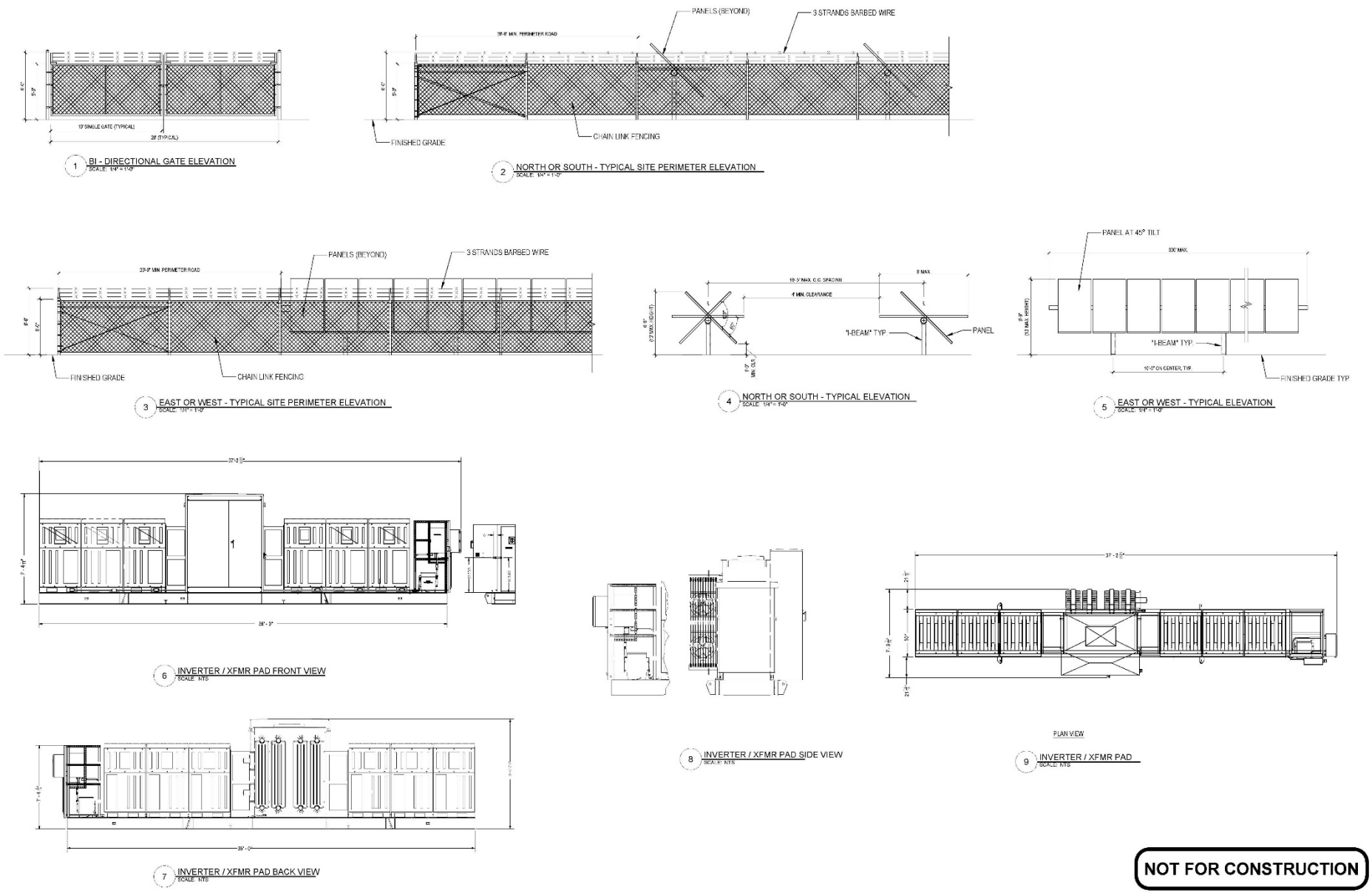


Figure 2-3 Typical Elevations and Details

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assembly to support and allow proper movement of the torque tube assembly.[3] Single-axis tracking systems require a drive system that provides directional force to the torque tube. This can be accomplished with either a mechanical or hydraulic drive arm and tube assembly that "pushes and pulls" the torque arm through its range of motion or by a geared assembly that redirects rotational force to the tubes. Both approaches require a small geared motor or hydraulic system mounted on a pile support or pad strong enough to move the system through its daily range of motions.

Each tracking assembly would consist of steel posts on which the frames for the PV modules rest. Each tracker would hold PV modules mounted on this metal framework structure and range between 6 and 13 feet above grade, depending on the topography. The trackers would be separated by sufficient distance to accommodate maintenance personnel and pursuant to design parameters that meet applicable Colusa County fire safety requirements.

Individual PV tracker panels would be connected together in series to create a "string" of trackers carrying DC electricity using a combiner box. Inverters in the power conditioning stations (PCS) would convert the DC electricity produced by the trackers to AC electricity. There are central or string PV inverters and separate battery inverters for an AC-coupled energy storage facility. Each PCS would consist of inverter stations and a transformer approximately 10 feet in height above grade set on concrete or steel foundations. An inverter skid elevation section (including the inverter, transformer and switchgear) is shown in Figure 2-3. The PCS transformers then step-up the AC electricity to the appropriate collection level voltage (34.5 kV) for movement to the Project substation and eventual delivery to the electrical grid. The number of trackers connected to each of the PCSs would vary with module output relative to inverter size and desired output from the PCS.

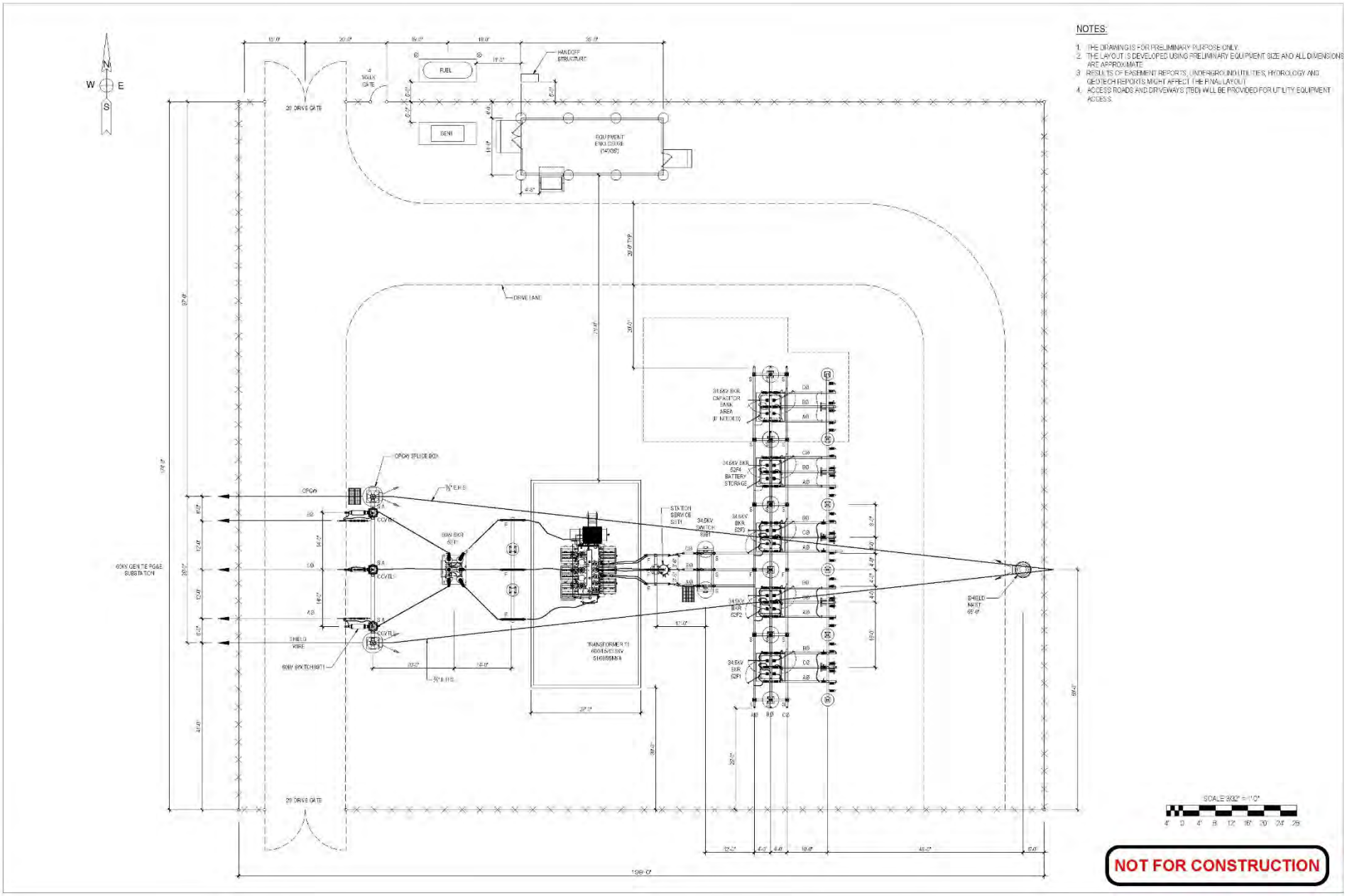
The Project would require multiple PCSs, depending on final design details. The number of trackers connected to each of the PCSs varies with tracker output relative to inverter size and desired output from the PCS. The PCSs would be placed strategically throughout the Project site.

2.4.1.1.2 Project Substation

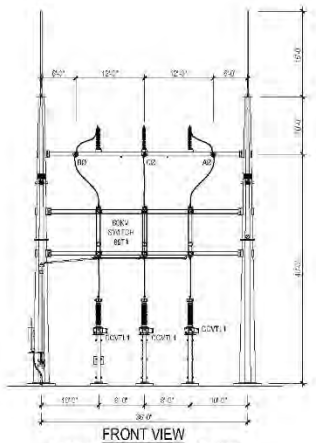
A Project substation would be constructed in the northwest portion of the Project site; however, the final location is dependent upon final design. The substation would include a generator step-up transformer to increase the output voltage from the module blocks (34.5 kV) to the voltage of the 60-kV gen-tie line, protective relay and metering equipment, utility and customer revenue metering, lightening arrestor, disconnect, circuit breaker and a station service transformer that would provide power to the substation and its weatherproof control house. The overall footprint of the Project substation is anticipated to be approximately three acres with gen-tie structures up to 80 feet in height. An emergency generator for use in the event that the regional transmission system fails also would be at the substation; this emergency generator would provide emergency power until the regional transmission system restores operations. The generator would be powered by propane or diesel. A fuel tank would be immediately adjacent to the generator. Details about the substation (including a plan view and elevations of the substation, and an elevation of the control enclosure) are provided in Figures 2-4 and 2-5. The substation would have access to

[3] In a PV solar array, torque tube assemblies rotate incrementally, causing the solar panels to tilt and remain oriented for better exposure to the sun.

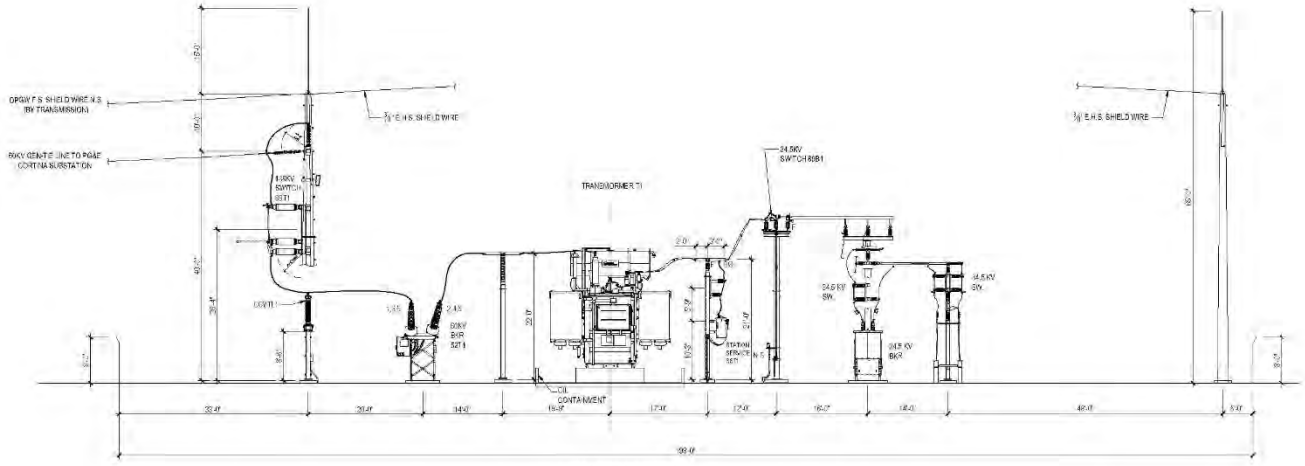
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FRONT VIEW
60KV DEAD-END STRUCTURE



ELEVATION VIEW

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communication systems in the area to comply with Federal Energy Regulatory Commission/California Independent System Operator utility monitoring and control requirements. Compliance may be accomplished by underground lines, aboveground lines, or wirelessly.

2.4.1.1.3 Other Solar Facility Infrastructure

2.4.1.1.3.1 Operation and Maintenance Building

Operation and maintenance activities would take place in an operation and maintenance (O&M) structure located in the northwest portion of the solar facility site. The O&M facility would include office space and storage. There would also be portable toilets. Water would be trucked to the site. An equipment storage area and a gravel parking lot for employees, visitors, and emergency response vehicles would be located adjacent to the building, such that the entire O&M footprint would occupy an area up to 1 acre in size adjacent to the substation.

2.4.1.1.3.2 Stormwater Retention

The site drainage is designed to follow the natural drainage pattern. None of the Project facilities, including fences and panel posts, would prevent stormwater flow. No on-site detention facilities are planned.

2.4.1.1.3.3 Meteorological Data Collection System

The Project would require several meteorological data collection systems. The systems would include a variety of instruments to collect meteorological data, which would be mounted at various locations throughout the facility. The meteorological data would be collected at the level of the solar panels.

2.4.1.1.3.4 Telecommunications Facilities

The Project would require connection with the existing local telecommunication service. A telecommunication line would be comprised of fiber optic cable and/or a telephone line, which would be installed above and below ground, either attached to existing distribution lines or installed immediately adjacent to the Project substation. The telecommunication routes would use new poles and below ground installations. Below ground installations are usually installed 24–48 inches below grade. Aboveground lines are typically placed 6 feet below existing distribution lines or on new, adjacent wooden poles. Telecommunications may also be transmitted by a small wireless microwave antenna mounted on a pole up to 90 feet tall, which would be placed at the Project substation.

2.4.1.1.3.5 Fencing, Lighting, and Signage

Existing barbed wire fencing would be replaced with metal fencing 6–8 feet in height along the site perimeter as needed. The substation would be surrounded by a metal fence topped with barbed wire to comply with electrical codes.

Infrared security cameras, motion detectors, and/or other similar technology may be installed to allow for monitoring of the Project site through review of live, 24/7 footage. A security company also may be contracted by the Applicant for security purposes. Should the security system detect the presence of unauthorized personnel, a security representative would be dispatched to the site, and appropriate local authorities would be notified.

Project lighting would be installed to allow for maintenance and security. Lights would be installed at the substation. All lighting would be directed downward to minimize the potential for glare or

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spillover onto adjacent ownerships. All lighting would conform to applicable Colusa County outdoor lighting codes.

Project signage is proposed to allow for the identification of the Project owner and for safety and security purposes. Signage is proposed to be installed on the fence or ground mounted in the vicinity of the main entry gates. Signage would identify the Project operator and owner and would provide emergency contact information. Small-scale signage also would be posted at the main entry gates and intermittently along the perimeter fencing on all exterior parcel boundaries, to indicate “No Trespassing” and “Private Property” for security purposes. All signage would conform to Colusa County signage requirements. No landscaping is proposed.

2.4.1.1.3.6 Access and Circulation

Access to the Project area would be via a main entrance on Spring Valley Road. An access gate would be provided at the site entry. Internal service roads would be built to access the Project, for ingress and egress to the Project site, to individual Project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would provide access to the inverter equipment pads and substation. The perimeter roads would be a minimum of 18 feet wide and interior roads would be a minimum of 9 feet wide and would be sufficient for Colusa County and California Department of Forest and Fire Protection (CAL FIRE) access.

2.4.1.2 Energy Storage System

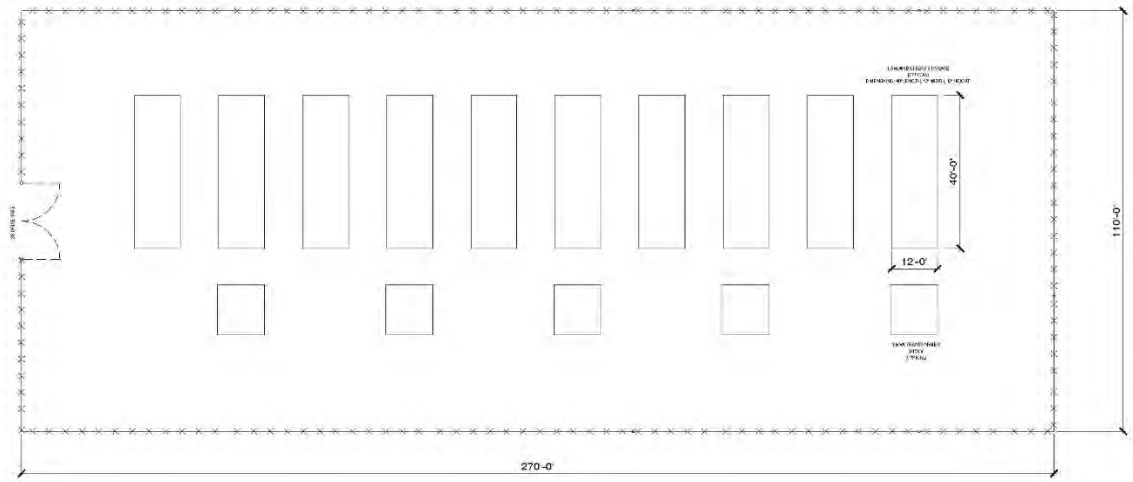
The BESS is expected to be located adjacent to the substation. Batteries would be contained within metal enclosures. The color of the metal enclosure typically varies by manufacturer and has not yet been determined. The maximum combined footprint for the BESS would be 5 acres. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers. Figure 2-6 provides an overview of the BESS layout.

Sealed battery modules would be installed in self-supporting racks electrically connected either in series or parallel to each other. The individual battery racks would be connected in series or a parallel configuration to deliver the BESS energy and power rating. The BESS enclosures would house the batteries as well as the battery storage system controllers. The BESS enclosures would also house required heating, ventilation, and air conditioning (HVAC) and fire protection systems.

One of several available lithium ion technologies is proposed, although alternatives (such as flow batteries) may be considered given continuing rapid technological change in the battery industry. Selection of the lithium ion sub-chemistry for the Project would take into consideration various technical factors, including safety, life span, energy performance, and cost. In general, a lithium ion battery is a rechargeable battery consisting of three major functional components: a positive electrode made from metal oxide, a negative electrode made from carbon, and an electrolyte made from lithium salt. Five major lithium ion battery sub-chemistries are commercially available:

- Lithium nickel cobalt aluminum (NCA)
- Lithium nickel manganese cobalt (NMC)
- Lithium manganese oxide (LMO)
- Lithium titanate oxide (LTO)
- Lithium iron phosphate (LFP)

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Figure 2-6 Energy Storage System Layout

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The proposed BESS would be designed, constructed, operated, and maintained in accordance with existing federal, state, and local regulations for health and safety, including the California Fire Code. The Applicant would select batteries or energy storage system providers that comply with the application-specific codes, standards, and regulations for the siting, construction, and operation of the storage system.

The BESS would contain a safety system that would be triggered automatically when the system senses imminent fire danger. The fire safety system inside each enclosure would shut down the unit if any hazard indicators are detected. If the safety system detects a potential issue as detected by the smoke and temperature sensors, the batteries would be automatically de-energized by opening the electrical contacts, and HVAC units and fans would be shut off.

2.4.1.3 Gen-Tie Line

Energy from the proposed solar arrays would be collected at the Project substation and transmitted to the existing PG&E-owned Cortina Substation. In order to interconnect the Project with the substation, the Applicant would construct a new 60 kV gen-tie line that would extend from the northeast corner of the Project site at the on-site substation, extending about 2 miles within the County's ROW on Spring Valley Road to reach Walnut Drive. At Walnut Drive, the transmission line will collocate with Colusa County road ROW for approximately 2 miles on existing, retrofitted, or new poles to the POI at Cortina substation. Along this route, the gen-tie line would cross the Colusa-Tehama Canal, administered by USBR. The gen-tie line would include tubular steel poles of up to 80 feet in height. The Applicant's gen-tie construction would terminate at the PG&E Cortina Substation property line.

2.4.1.4 Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that extends from the Cortina Substation property line to the new bay station within the existing footprint of the PG&E facility. All PG&E improvements will be constructed within the existing Cortina Substation footprint.

Network upgrades include a grounding system, steel support structures, outdoor lighting, and outlets, and a disconnect switch. Improvements would also include installation of underground conduits, pull boxes, and junction boxes. Civil foundation improvements consisting of site surfacing and grading would be incorporated within the substation facility.

Interconnection facilities to be constructed at the Cortina Substation would include a circuit breaker, disconnect switches, surge arresters, and a dead-end/pull off structure. A line current differential relay scheme and breaker failure and reclosing relays would be installed. Improvements would also include the installation of fiber termination for the gen-tie line.

2.4.1.5 Water and Wastewater

2.4.1.5.1 Water

Construction

During construction, approximately 15,000,000 gallons of non-potable water (approximately 46 acre-feet[af])[4] are anticipated to be required for dust suppression and other purposes. Water

[4] One acre-foot (af) of water equals 325,851 gallons – approximately the amount needed to cover an acre (roughly a football field) of ground one foot deep.

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would be trucked to the site and would be sourced from the City of Williams Public Works Department. Domestic water for use by employees would be provided by the construction contractor through deliveries to the site.

Operation and Maintenance
The average water use during the Project's O&M phase is estimated to be approximately 1 af per year for PV solar panel washing and general maintenance. The need for panel washing would be infrequent (e.g., months-to-years between washings) and determined based on operating considerations, including actual soiling of the PV panels and any expected benefit from cleaning.

Decommissioning
During decommissioning and site reclamation, the Project would require approximately 46 af for uses similar to those needed during construction.

2.4.1.5.2 Wastewater
Nominal liquid (human) waste would be generated during construction, operation and maintenance, and decommissioning. Portable restroom facilities would be provided for workers during construction and operation. Sanitary waste is expected to average up to 30 gallons per day during operation.

2.4.1.5.3 Solid Waste
The majority of waste generated during construction would be non-hazardous and consist primarily of cardboard, wood pallets, copper wire, scrap metal, common trash, and wood wire spools. Construction waste materials such as metal and wood would be separated from the waste stream and recycled whenever feasible. Non-recyclable construction waste would be placed into commercial trash dumpsters located on-site. Dumpsters would be collected as needed by a commercial service and delivered to the Maxwell Transfer Station. Construction would generate an average of approximately 20 cubic yards of solid waste per week over the period of construction.

During O&M activities, the Project would generate a small amount of waste, such as broken or rusted metal, defective or malfunctioning equipment, electrical materials, empty containers, other miscellaneous solid waste, and typical refuse from the O&M staff. Less than one cubic yard of waste per week would be accumulated in an on-site dumpster that would be collected weekly by a commercial waste management service.

The waste generated during decommissioning and site reclamation would be similar to that generated during demolition and construction: primarily non-hazardous and recycled whenever feasible. Damaged panels would be disposed of in compliance with applicable requirements. Non-recyclable waste would be disposed of in a landfill.

2.4.1.5.4 Hazardous Waste and Hazardous Materials
During all Project phases, activities may involve the transportation, use, or temporary storage of a variety of hazardous materials in the ordinary course of work, such as batteries, hydraulic fluid, diesel fuel, insulation oil for the transformers, grease, lubricants, paints, solvents, and adhesives. For example, batteries included in energy storage systems under non-routine conditions may generate toxic and flammable gases. Further, batteries may be considered hazardous waste in California when they are discarded, whether or not they are rechargeable. Accordingly, the battery

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modules included in the BESS eventually would be disposed of in accordance with the applicable hazardous waste requirements. Electrical equipment used by the Project, such as inverters and transformers, typically contain dielectric insulating fluid. The insulating fluid, which would be formulated from either vegetable or mineral oil, would be contained in the equipment and not routinely handled by O&M staff. Tracker motors and drive supports could require periodic application of grease at the interface of moving parts. During construction, diesel fuel and gasoline may be stored on-site for refueling equipment and vehicles. These materials would be stored and handled in a manner to prevent accidental release. Standard construction practices would be observed such that any incidental releases would be appropriately contained and remediated as required by regulation.

All hazardous materials would be used, stored, and disposed of in accordance with the manufacturers' specifications and consistent with applicable regulatory requirements. Workers would be trained to engage in safe work practices and to properly identify and handle any hazardous materials on-site.

2.4.1.5.5 Hazards

Combustible vegetation or agricultural products on and around the Project boundary would be actively managed by the Project owner or its affiliates during both the construction and operation phases of the Project to minimize fire risk. Combustible products would be either limited in height or removed. Additionally, the Project would include firebreaks around the site boundary in the form of access roads subject to County standards.

2.4.1.6 Construction

Project construction would consist of two major stages. The first stage would include site preparation, grading, and preparing staging areas and on-site access routes. The second stage would involve assembling the trackers and constructing electrical interconnection facilities.

2.4.1.6.1 Grading and Site Preparation

Grubbing and grading would occur on the site to achieve the required surface conditions. Site preparation may include application of pre-emergent herbicides formulated to minimize impacts on wildlife. Application would be in accordance with federal, state, and County regulations and would be applied by a state-licensed pesticide applicator.

2.4.1.6.1.1 Temporary Construction Facilities and Staging Areas

During construction, materials would be placed within the Project site boundaries adjacent to the then-current phase of construction. To prevent theft and vandalism, materials would be secured within fenced areas at all times. A storage container might be used to house tools and other construction equipment. Portable toilet facilities would be installed for use by construction workers. Waste disposal would occur in a permitted off-site facility.

2.4.1.6.2 Solar Facility Construction and Installation

On-site roads would be constructed per the recommendations of a site-specific geotechnical report with a durable surface or surfaced with compacted gravel. At the footing for the PCS pads, existing soil would be scarified and recompacted following recommendations of a Project-specific, site-specific geotechnical report to be prepared in late 2021.

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Installing solar panels would require driving steel piles about 6 to 13 feet into the ground. In areas where the geotechnical analysis has determined that piles might not be feasible or cost-effective, conventional foundations (such as isolated spread foundations or continuous footings) might be used.

During construction, a variety of equipment and vehicles would operate on the Project site. All equipment and vehicles would comply with the noise requirements of the Colusa County General Plan Noise Standards.

2.4.1.6.2.1 Substation Construction

The Project substation would be separately fenced to provide increased security around the medium- and high-voltage electrical equipment. The substation area would be excavated, a copper grounding grid would be installed, and then the foundations for transformers and metal structures would be installed. The area first would be backfilled, compacted and leveled, and then aggregate rock base would be applied. Equipment would be installed and connected, including transformers, breakers, bus-work, and metal dead-end structures. The transformers contain an insulating oil: the oil tank would either be filled at the manufacturing facility and shipped to the Project site or the transformers could be shipped with the oil tank empty and filled on-site. The substation would have a site control center equipment building, which would house substation and plant control equipment, meters, battery or generator backup, and other electrical equipment which would be located in or next to the substation.

2.4.1.6.2.2 O&M Area

Operation and maintenance activities would take place in a new O&M structure anticipated to be located in the northwestern portion of the Project site, contingent upon final design. The driveway and parking area for the building would be compacted native soil and/or road base aggregate.

2.4.1.6.3 Energy Storage System

Upon delivery of the BESS equipment to the site, a crane or forklift would be used to place the factory-assembled enclosures on steel pile, grade-beam, or concrete foundations located at BESS facility location. The location for the facility would depend on final design. Each energy storage system would include power conditioning systems, electrical wiring, switching, and transformers and connect to the 34.5 kV bus in the Project substation. The electrical interconnection would be either underground or overhead, or a combination of both.

2.4.1.6.4 Gen-Tie Line Construction and Stringing

Interconnecting the Project with the existing Cortina Substation would require new tubular steel poles of up to 80 feet in height. The precise locations of the new poles would be finalized during the Project's final design process. During construction, the location of each new pole would be surveyed and staked. Foundations for each pole would be constructed, the transmission poles erected, and transmission pole arms and insulators installed. After transmission pole installation occurs, conductor stringing and terminations would be performed to ensure that the new 60 kV gen-tie line is operating correctly. A fiber optic communication line may be strung overhead on the poles between the Project's on-site substation and the Cortina Substation.

Construction of the new transmission poles would require temporary construction areas at each new structure and at locations required for conductor stringing and pulling operations. Each stringing and pulling operation consist of a puller set-up positioned at one end and a tensioner set-up with wire reel stand truck positioned at the other end.

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The dimensions of the area needed for the wire stringing set-ups associated with wire installation are variable and depend upon terrain. For this Project, these activities are expected to require an area approximately 100-feet in length within the road ROW.

2.4.1.6.5 Construction Schedule and Workforce

Construction is anticipated to begin in September 2022 with operation commencing in third quarter of 2023. The analysis in this EIR assumes that construction would occur during an 11-month period.

2.4.1.6.5.1 Hours

Construction would occur primarily during daylight hours, Mondays through Fridays 7:00 am to 7:00 pm and potentially 8:00 am to 8:00 pm on Saturdays and Sundays, in compliance with the Colusa County General Plan Noise Standards. If nighttime work hours or work on weekends is necessary, such work could be scheduled consistent with Colusa County General Plan and County code provisions. Construction requirements may require some nighttime activity for material and equipment delivery and/or where the schedule has been delayed due to weather or other events. Nighttime activities would be performed with temporary lighting, which would be directed downward to minimize impacts to neighboring properties and wildlife in the Project vicinity.

2.4.1.6.5.2 Workforce

The on-site construction workforce would consist of laborers, craftspeople, supervisory personnel, and support personnel. The on-site assembly and construction workforce is expected to reach a peak of approximately 200 workers; the average number of workers on-site is anticipated to be approximately 50 to 150, depending on the construction activity. On average, it is anticipated that 25 percent of worker trips to the site would be in carpools. Workers would commute to the site from nearby communities such as Williams or Colusa, and due to the number of workers required for the Project size, it is anticipated that some would travel from more-distant areas in the Sacramento Valley area.

2.4.1.6.6 Construction Access, Traffic, and Equipment

Construction vehicles would access the Project site from Interstate 5 to East Camp Road, then via Walnut Drive to Spring Valley Road. Internal service roads would be built to access the Project, for ingress and egress to the Project site, to individual Project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would provide access to the inverter equipment pads and substation. The perimeter roads would be a minimum of 18 feet wide and interior roads would be a minimum of 9 feet wide and would be sufficient for Colusa County and CAL FIRE access.

Vehicle use of area roadways resulting from Project construction activities would be limited to the 11-month construction period, as workers and materials are transported to and from the Project site. Construction workers would be encouraged to carpool in order to minimize vehicle trips.

Approximately 15 daily truck trips and 150 daily worker vehicle trips are anticipated during the peak of construction. The expected maintenance would generate little traffic during operation. O&M vehicles would include light duty trucks (e.g., pickup, flatbed) and other light equipment for maintenance and module washing. Heavy equipment would not be utilized during normal

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operation. Large or heavy equipment may be brought to the facility infrequently for equipment repair or replacement or vegetation control.

Typical equipment during construction would include scrapers, dozers, tractors, backhoes, excavators, and other common types of construction equipment.

2.4.1.6.7 Stormwater and Dust Control

The site drainage is designed to follow the natural drainage pattern and none of the Project facilities, including fences and panel posts, would prevent typical stormwater flow. No on-site detention facilities are planned. Site preparation and construction activities would be performed in accordance with a Stormwater Pollution Prevention Plan (SWPPP), or similar plan as appropriate, which incorporates stormwater Best Management Practices to reduce the adverse effects of erosion and sedimentation. Such practices would include, for example, the use of water trucks to manage dust; silt fencing, straw bales and temporary catch basins, and inlet filters to control stormwater; and truck tire muck shakers, or similar devices, to prevent mud and debris from being carried onto roadways.

2.4.1.7 Operation and Maintenance

Once constructed, the Project would operate seven days per week, 365 days per year. The facility would be operated by Janus Solar PV, LLC or an affiliated company. Approximately two-to-three, permanent, on-site staff are anticipated.

Security would be maintained through installation of a metal fence along the perimeter of the site.

Only occasional, on-site maintenance is expected to be required following commissioning. Initially, personnel would likely visit the Project site daily or weekly, but it is anticipated that eventually maintenance visits would be reduced to once a month or less. O&M activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment. On intermittent occasions, the presence of 5 to 30 workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. However, due to the self-operating nature of the facility, such actions would likely occur infrequently.

The expected maintenance would generate little traffic during operations. The areas surrounding the substation would be graveled and would have adequate space for parking several vehicles. O&M vehicles would include light duty trucks (e.g., pickup, flatbed) and other light equipment for maintenance and module washing. Heavy equipment would not be utilized during normal operation. Large or heavy equipment may be brought to the facility infrequently for equipment repair or replacement or vegetation control. Water, wastewater, and solid waste demands would be as described in Section 2.4.1.4.

2.4.1.8 Decommissioning and Site Reclamation

The Project has an expected useful life of 35 years. It is expected to be operational in 2023 and to remain in operation through 2058. It is possible that the useful life of the Project could be extended through maintenance of existing equipment or with equipment replacement and could remain in operation beyond 2058 with further County review and approval. If operations at the site are terminated, the facility would be decommissioned. The Project site would be returned to

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a stable condition comparable to pre-Project conditions in accordance with applicable land use regulations in effect at that time.

Many components of the solar facility and energy storage system are recyclable. Panels typically consist of silicon, glass, and an aluminum frame. Tracking systems typically consist of steel and concrete, in addition to motors and control systems. All of these materials can be recycled. Numerous recyclers for the various materials to be used on the Project site operate in Colusa and other nearby counties. Metal, scrap equipment, and parts that do not have free-flowing oil can be sent for salvage. Equipment containing any free-flowing oil would be managed as waste and would require evaluation. Oil and lubricants removed from equipment would be managed as used oil, which is a hazardous waste in California.

2.4.1.9 Applicant Proposed Measures and Design Features

The Applicant proposes to take certain actions for the purpose of reducing the potential significance of anticipated environmental impacts of the Project. These measures are elements of the Project, either as a specific design feature or as a plan developed by the Applicant. Where the analysis of individual resources relies on these plans or design features to reduce anticipated effects, the relevant section so notes. By contrast, mitigation measures are not elements of the Project and are structured in accordance with the criteria in CEQA Guidelines Section 15370.

2.4.1.9.1 Solar Technology – Glare and Lighting

The Project would use solar panels that have a low profile (typically 6 feet high, but generally no more than 13 feet high at the highest point during the day) to minimize visual impacts. Solar panels are designed to be anti-reflective. Nighttime lighting impacts would be minimized by including only small lighting features that are equipped with on/off switches or motion detectors so that the amount of light emitted would be comparable to that emitted from domestic fixtures on local homes.

2.4.1.9.2 Wildlife-friendly Design Features

Fence posts would be capped to prevent potential entrapment of birds or other small species. Further, the design of new overhead transmission and communications lines and structures would follow the most recent Avian Power Line Interaction Committee guidance to reduce the potential for avian injury and mortality from collisions and electrocution. The proposed use of motion-activated security lighting (rather than lighting that would remain on from dusk to dawn) would reduce adverse impacts to nocturnal species, potentially including foraging, sheltering, mating and reproducing, communicating, and migrating behaviors.

2.4.1.9.3 Emergency Response Plan

An Emergency Response Plan would be prepared in order to train local emergency response personnel during development and operation of the facility. The plan will be completed in accordance with existing state regulations (Health and Safety Code [HSC] § 25504(b); 19 California Code of Regulations [CCR] §2731; 22 CCR §66262.34(a)(4)). The contents of the Emergency Response Plan would comply with existing state regulations and include the following components and involve training for the local fire responders:

- Developed in consultation with Fire Department and BESS supplier
- Defined roles and responsibilities

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- Potential emergency scenarios including fire
- On-site training of fire personnel and on-site Project staff
- Training for local first responders, including monitoring of fire from a safe distance using infrared cameras until temperature of the affected enclosure cools to ambient temperature

2.4.1.9.4 Compliance with Applicable Laws and Standards

The Applicant would comply with all applicable laws and standards, including, but not limited to, those governing the use, storage, and disposal of hazardous materials; worker training and safe work practices; air quality, water quality, and Energy Storage Systems more generally. Similarly, site preparation and construction activities would be performed in accordance with a SWPPP, or similar plan that incorporates stormwater BMPs to reduce the adverse effects of erosion and sedimentation, and herbicide would be applied by qualified personnel following product label instructions and applicable regulations. Compliance with these requirements would avoid or reduce potential adverse environmental impacts to soil, air quality, surface water and groundwater quality, human health, fire-related risk, and other environmental considerations.

2.4.2 Permits and Approvals

Permits and approvals that could be required to construct, operate and maintain, and decommission the Project include the following:

- Colusa County – Use Permit, Encroachment Permit for gen-tie construction.
- Colusa Certified Unified Agency – Hazardous Materials Business Plan
- Central Valley Regional Water Quality Control Board – General Permit for Discharges of Storm Water Associated with Construction Activity, Construction General Permit Order 2009-0009-DWQ, Section 401 Clean Water Act Permit, if required.
- California Department of Fish and Wildlife – Streambed Alteration Agreement, if required; Incidental Take Permit for state-listed species (ITP), if the Applicant elects to obtain one.
- California Public Utilities Commission – authorizations pursuant to General Order 131-D may be required for PG&E's network upgrades, interconnection facilities, and gen-tie line construction at the Cortina Substation.
- United States Bureau of Reclamation – Authorization for Use, for gen-tie crossings at the Tehama-Colusa Canal.
- United States Army Corps of Engineers – Section 404 Clean Water Act Permit, if required.
- United States Fish and Wildlife Services – ITP for federally-listed species, if required.
- Williams Fire Authority

2.5 CUMULATIVE PROJECTS

Cumulative impacts refer to the combined effect of proposed Project impacts with the impacts of other past, present, and reasonably foreseeable future projects. According to the CEQA Guidelines Section 15355 "cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of

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separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the proposed Project when added to other closely related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. In addition, as stated in the CEQA Guidelines Section 15064 (h)(4), "the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed Project's incremental effects are cumulatively considerable."

The CEQA Guidelines Section 15130 (b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of two sources, either:

1) A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
2) A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative analysis provided in this Draft Program EIR utilize the first method and is based on a list of future projects provided by the County. Cumulative project land uses and intensities are provided in Table 2-1 and shown on Figure 2-7.

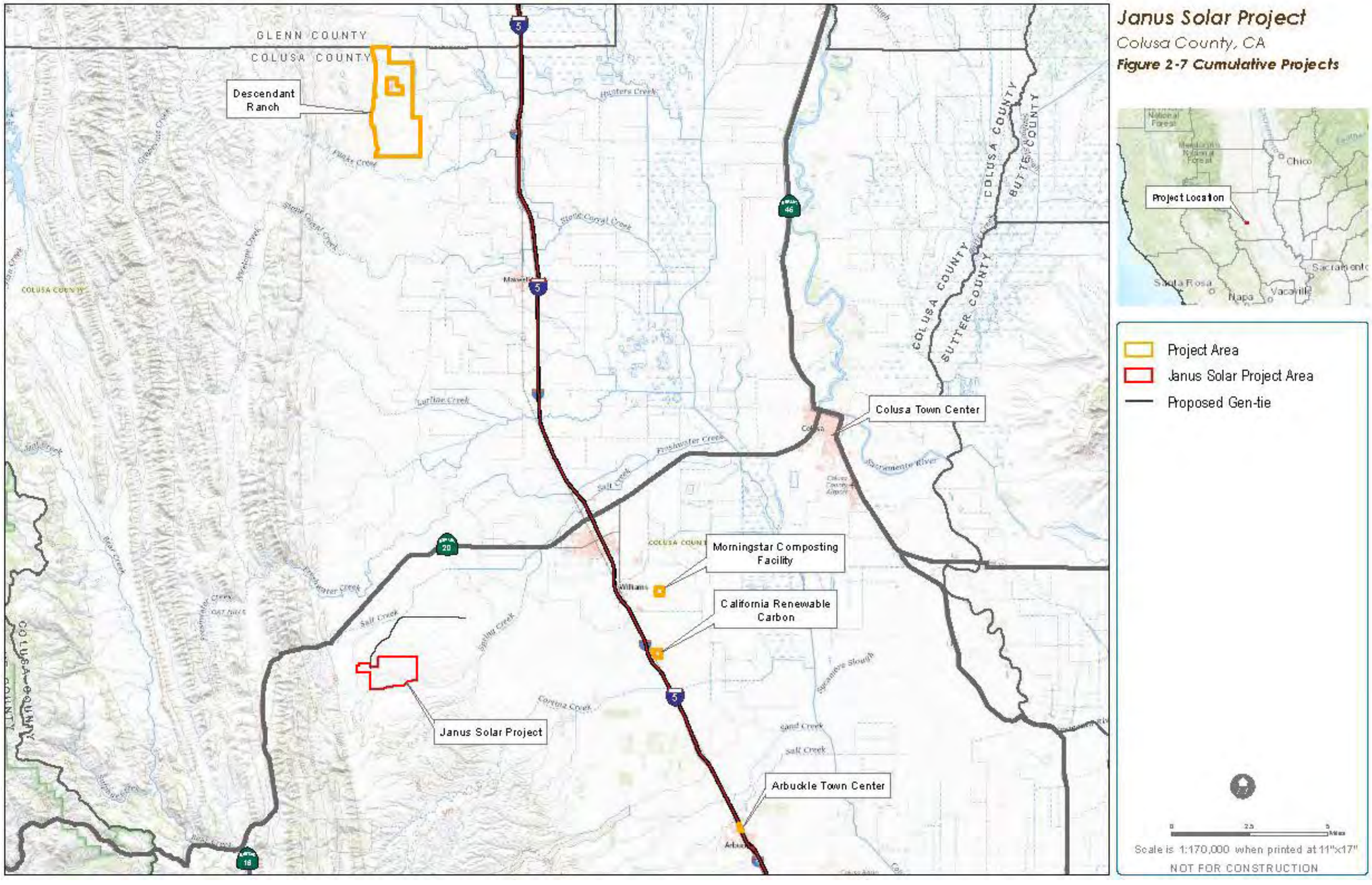
Table 2-1. Cumulative Projects

Cumulative Project	Location	Description
NextEra Descendant Ranch Solar Project	Dirks Rd, Stonyford, CA 95979	The project would include a 2,552-acre, 500 MW solar facility and BESS of up to 500 MW. The Project would include solar module blocks, as well as related and supporting facilities including an electrical collection system, a substation, a BESS, transmission line, and O&M facility, on-site service roads, gates and security fencing, and temporary laydown and construction areas.
California Renewable Carbon	6229 Myers Road, Williams, CA 95987	The project would include the repurposing of an existing facility (formerly the Olam tomato processing plant) to construct a new renewable biocarbon production facility. The new facility will convert biomass into biocarbon products. The new facility will use self-generated biogas for process energy as well as generate and export renewable electricity to the electric grid. In addition to the reuse of the existing facility, the project involves establishment of a new electrical generation tie line (gen-tie line) for export of electricity to the grid that would involve upgrades to either the Williams distribution line or Wadham power line.
Morningstar Composting Facility	2211 Old Highway 99W, Williams, CA 95987	The facility would process approximately 25,000 cubic yards of compost, including raw feedstock, active and finished compost, during the tomato processing season (approximately June 1 to November 30). Raw feedstocks are to include tomato processing wet waste. Mushrooms, rice hulls and almond shells.
Arbuckle Town Center	1125 and 1135 Old Highway 99, Arbuckle, CA 95912	This project is currently under construction and consists of a convenience store, gas station, car wash, and fast food restaurant.

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Cumulative Project	Location	Description
Colusa Town Center	1601 State Highway 20 and 1301 Wescott Road, Colusa, CA 95932	This project includes the potential development and operation of a mid-size shopping center with multiple retail businesses, including an anchor grocery or drug store, gas station/car wash, 3 fast-food restaurants with drive-through service windows, speculative retail business suites on approximately 6 acres of property, and related Highway 20/45 and local roadway/ intersection improvements.

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Janus Solar Project

Colusa County, CA

Figure 2-7 Cumulative Projects

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3 ALTERNATIVES

3.1 PURPOSE OF THE PROJECT ALTERNATIVES

CEQA requires that an EIR describe a range of reasonable alternatives to the project, or to the location of the project, which could feasibly avoid or lessen any significant environmental impacts while substantially attaining the basic objectives of the project. An EIR should also evaluate the comparative merits of the alternatives. This chapter describes potential alternatives to the proposed Project that were considered, identifies alternatives that were eliminated from further consideration and reasons for dismissal, and analyzes available alternatives in comparison to the potential environmental impacts associated with the proposed Project.

Key provisions of the CEQA Guidelines pertaining to the alternatives analysis are summarized below:

- The discussion of alternatives shall focus on alternatives to the proposed Project or its location that are capable of avoiding or substantially lessening any significant effects of the proposed Project, even if these alternatives would impede to some degree the attainment of the proposed Project objectives, or would be more costly.
- The No Project Alternative shall be evaluated along with its impact. The No Project analysis shall discuss the existing conditions at the time the NOP is published. Additionally, the analysis shall discuss what would be reasonably expected to occur in the foreseeable future if the proposed Project were not approved, based on current plans and consistent with available infrastructure and community services.
- The range of alternatives required in an EIR is governed by a “rule of reason”; therefore, the EIR must evaluate only those alternatives necessary to permit a reasoned choice. Alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the proposed Project.
- For alternative locations, only locations that would avoid or substantially lessen any of the significant effects of the proposed Project need to be considered for inclusion in the EIR.
- An EIR need not consider an alternative whose effects cannot be reasonably ascertained and whose implementation is remote and speculative.

The range of feasible alternatives is selected and discussed in a manner to foster meaningful public participation and inform decision-making. Among the factors that may be taken into account when addressing the feasibility of alternatives are environmental impacts, site suitability, economic viability, availability of infrastructure, general plan consistency, regulatory limitations, jurisdictional boundaries, and whether the proponent could reasonably acquire, control, or otherwise have access to an alternative site. An EIR need not consider an alternative whose effects cannot be reasonably identified, whose implementation is remote or speculative, or that would not achieve the basic project objectives.

3.2 PROJECT OBJECTIVES

The Applicant has identified the following Project Objectives:

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1. Establish a PV solar power-generating facility of a sufficient size and configuration to produce up to 80 MW (AC) of electricity at the POI in a cost-competitive manner;
2. Assist California utilities in meeting their obligations under California's Renewable Portfolio Standard (RPS) Program and Senate Bill 100 (SB 100), which calls for 100 percent of all electricity sold in California to come from carbon-free resources by 2045, including 60 percent renewables by 2030;
3. Assist California utilities in meeting their obligations under CPUC's Energy Storage Framework and Design Program;
4. Provide for the economically viable, commercial financeable, and environmentally beneficial use of the site's water-limited agricultural capacity;
5. Develop a site in proximity to transmission infrastructure in order to minimize environmental impacts; and
6. Facilitate grid integration of intermittent and variable PV solar generation and minimize line losses associated with off-site storage by collocating battery storage at the PV solar facility site.
7. Develop a solar power generation facility in Colusa County, which would support the economy by investing in the local community, creating local construction jobs, and increasing tax and fee revenue to the County.

3.3 ALTERNATIVES CONSIDERED AND ELIMINATED

Section 15126.6(c) of the *CEQA Guidelines* requires that an EIR identify alternatives that were considered for analysis but rejected as infeasible and briefly explain the reasons for their rejection.

According to the CEQA Guidelines, the following factors may be used to eliminate alternatives from detailed consideration: the alternative's failure to meet most of the basic project objectives, the alternative's infeasibility, or the alternative's inability to avoid significant environmental impacts.

Alternatives to the proposed Project should include those that would obtain most of the Project objectives (listed above), while reducing one or more of the significant and unavoidable impacts of the propose Project. In addition, CEQA requires that the No Project be evaluated and requires that an Alternative Site Location be considered when appropriate.

3.3.1 Conservation and Demand Side Management

The County considered whether a conservation and demand side management could provide a viable potential alternative to the Project. Conservation and demand side management consists of a variety of strategies to reduce electricity use and shift electrical demand to times of the day when energy demand is lower. It includes increased energy efficiency and conservation, building and appliance standards, fuel substitution, and load management. Implementation of conservation and demand side management techniques could result in a reduction in demand thus reducing the need for new generation, and thereby serve the region's growing demand for power. While conservation and demand side management approaches are part of a sustainable energy future, this potential alternative was not carried forward for more detailed consideration because it would not meet most of the basic objectives of the Project and would be infeasible from a technical perspective as well as speculative.

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Increased energy efficiencies and reductions in energy demand would not meet Project objectives. For example, they would not generate up to 80 MW of PV solar electricity at the point of interconnection; would not assist California utilities in meeting their obligations under either California's RPS and SB 100, or the CPUC's Energy Storage Framework and Design Program; and would not provide for the economically viable and environmentally beneficial use of a site with physically impaired agricultural capacity.

This potential alternative also was not carried forward because reliance on conservation and demand side management alone would be a technically infeasible alternative to the Project and would be speculative. California's long-term Energy Efficiency Strategic Plan (adopted by the CPUC in September 2008 and updated in January 2011) provides an integrated framework of goals and strategies for saving energy through 2020 (CPUC 2008, 2011, 2020). The plan champions specific programmatic initiatives for key market sectors (i.e., commercial, residential, industrial, and agricultural) and a series of "big bold energy efficiency strategies" including all new residential construction being zero net energy by 2020 and all new commercial construction being zero net energy by 2030. Given the aggressiveness of these goals, it would be speculative to assume that incremental savings beyond them could be achieved. While energy efficiency efforts have been effective and will continue to be part of California's overall energy future, conservation and demand-side management alone will not be sufficient to address California's rising energy demand.

3.3.2 Alternative Sites Feasibility Analysis

The Applicant used a number of criteria to screen alternative sites for feasibility to function as a utility-scale solar facility site. These criteria included the following:

- Sufficient incoming solar radiation
- Flat terrain (less than 15 percent slope across the majority of the site)
- Minimal environmental constraints, such as significant wetlands, protected species habitat
- Site devoid of "permanent" structures, including orchard trees
- Enough acreage for desired project size
- Contiguous acreage
- Capacity of point of interconnection
- Distance to point of interconnection

Additional details are provided on several of these criteria below.

3.3.2.1 Site Structures and other Features

Property that has existing structures or significant infrastructure on it is avoided for purposes of developing a new utility-scale solar project. In California, this criterion is extended to include orchard trees. A landowner who has made the investment to plant fruit- or nut-bearing trees typically expects to reap the revenue from future harvests over a long period of time and is not interested in leasing or selling the property at a price that can be supported by a solar project.

Additionally, sites that support federal or state threatened or endangered species or that have wetlands and floodplains that would reduce the acreage available for the solar facility may preclude development on a specific property.

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3.3.2.2 Project Capacity

The Applicant's business plan for constructing projects in central and southern California involves developing projects of a sufficient size to maximize economies of scale, which helps drive down the price of the generated electricity. The economy-of-scale benefits are manifested in two ways: 1) lowering the price per unit paid for mass-produced components; and 2) offsetting the cost of fixed-price items with greater long-term project revenues.

Regarding the per-unit cost of plant components, a project developer or contractor purchasing items such as PV modules, inverters, and cabling will be able to negotiate a lower price (on a per-unit basis) for larger orders. This allows a larger project to be built at a lower cost per MW of capacity than a smaller project, which results in a lower price for the offered electricity.

Other costs associated with constructing a utility-scale solar project are relatively fixed and do not scale directly with the size of the project. These costs include interconnection facilities (components at the utility substation—such as breakers, meters, and controls—necessary to physically connect the new facility to the existing electrical grid), and the project transformer. Assuming a 33 MW project and a 100 MW project have similar fixed costs, the negative impact of these fixed costs on project economics will be much greater for the smaller project. Both hypothetical projects would need to recover these up-front costs with the revenue received by selling electricity, but the smaller project will produce only one-third of the power of the larger project over its lifetime, and therefore must increase the price of its electricity by a greater amount than the larger project does to recoup the same investment in fixed costs.

3.3.2.3 Project Acreage

Based on the competitive market for utility-scale solar electricity in California, the fact that only the lowest-priced projects will secure power purchase agreements, and the economic benefits of larger projects over smaller projects, the Applicant has proposed a project with 80 MW of total capacity. Using single-axis tracking technology, the required acreage for a solar project in California ranges from 6 acres to 9 acres per MW. For the Project, this yields a project footprint ranging from 480 acres to 720 acres. Developers prefer to have extra acreage available, since setback requirements, existing easements, public safety access requirements, and other real estate or environmental constraints can "use up" acreage that would otherwise be available for the project. Nonetheless, in the interest of capturing a wide range of potential alternative projects sites, a minimum acreage criterion of 700 acres was set.

It is crucial that the entire site to be used for the project be contiguous property. Breaking the site into two or more fragments is infeasible. This is due to the inefficiency of tethering together multiple project areas across a large distance, as well as cost and reliability considerations.

Every electrical component of a PV project is physically wired to the other components. Electricity generated at each PV module is wired to an inverter (typically sited with a transformer), from the inverter/transformer to combiner boxes, from the combiner boxes to the project substation, and from the project substation to the point of interconnection on the electric grid. Electricity is lost in the form of heat as it is transported through wires. As the components are spread out further, the cost of wiring increases and the amount of electricity delivered from the project simultaneously decreases.

Building a single project across multiple sites also adds considerable cost to the project. Overhead (or buried) electrical lines must be constructed between the sites, which adds construction cost.

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The project must secure a right-of-way from one or more additional landowners along the path of these lines, which adds complexity and development costs. The contractor building the project must mobilize for construction on multiple sites and deal with the logistics of moving people, equipment, and materials between multiple sites during construction. All of these cost considerations exacerbate the negative effects of the line losses incurred by delivering power over greater distances.

Finally, reliability risks increase when portions of a project are tethered together over a considerable distance. Burying the interconnecting wiring between sites would be prohibitively expensive. Therefore, the feeder lines connecting the project sites would likely be installed aboveground on poles. Overhead lines are subject to outages. If an overhead line fails, a portion of the project would be off-line while repairs are made. The repairs would add to the operational expense of the project, and the project would lose revenue the entire time that the line is out for repairs.

3.3.2.4 Capacity of Point of Interconnection

A power plant can deliver energy to the greatest number of potential customers in California by connecting to the electric grid controlled by the California Independent System Operator (CAISO). In Colusa County, the CAISO-controlled grid includes all PG&E-owned substations and transmission lines.

Interconnecting a new electricity generating facility to the CAISO grid involves submitting an application and a study deposit. CAISO and the participating transmission owner (PG&E, in the case of the Project) then conduct a series of transmission engineering studies to determine the extent of upgrades to the grid that are required to interconnect the new project safely and reliably. Upgrades, if required, may include the following: expansion of a substation, new equipment at one or more substations, re-conductoring existing transmission lines, installing telecommunications and protection equipment at various locations, etc. The initial cost responsibility for the transmission upgrades typically falls to the project. Some upgrade costs are refunded to the project after it is constructed; some upgrade costs are not.

The extent of the upgrades required are a function of the project size, or capacity, as well as the specifications and capacity of the existing grid facilities at and near the POI. Some POIs can accept little to no new electricity before upgrades are triggered. Other POIs happen to be “overbuilt” and can accept large new sources of electricity before upgrades are triggered.

New proposed generating facilities in California can very easily trigger transmission upgrade costs in the tens of millions of dollars. However, not all proposed projects trigger upgrade costs of this magnitude. Some projects may trigger modest or low POI costs, and these projects will have a cost advantage compared to other projects and are more likely to secure PPAs in the wholesale electricity marketplace. The reality is that developments with high interconnection costs are quickly terminated, since money spent during the development phase is not recovered unless and until the project is constructed and operating. Given the number of projects that are under development and vying for a limited number of PPAs, those projects with higher transmission costs will not succeed, and are therefore not pursued by developers.

CAISO and the participating transmission owners have the final say on the scope and cost of upgrades to connect a new project at a certain POI. However, project developers can estimate

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the cost to interconnect new projects to POIs by commissioning their own studies. The Applicant eliminated a number of potential POIs by conducting this type of study.

3.3.2.5 Generation Tie Line Length

New generating facilities require a gen-tie to physically connect the project site to the POI. This is typically an overhead electrical line installed on poles. The project must secure a right-of-way from one or more additional landowners along the path of the gen-tie, which adds complexity and development costs. As described above, reliability concerns also increase as the length of an overhead line increases.

3.3.2.6 Review of Alternative Sites

The Applicant evaluated the alternative sites listed in Table 3-1 and deemed these sites infeasible to develop for utility scale solar.

3.4 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

In addition to the mandatory No Project Alternative, a project that focused on distributed, rooftop solar throughout Colusa County, a project on the same parcels but with a smaller footprint, and an offsite project in northeastern Colusa County were considered to potentially lessen or avoid significant environmental effects resulting from implementation of the proposed Project. Alternatives considered in this Draft EIR include:

3.4.1 No Project Alternative

According to the *CEQA Guidelines* (Section 15126.6(e)(3)(b)), the No Project Alternative is defined as the "circumstance under which the project does not proceed." This analysis will discuss the existing conditions at the time the NOP is published (the environmental baseline) and what could be expected to occur if the proposed Project is not built.

The Project site is located in Colusa County's Foothill Agriculture (F-A) zone and the gen-tie occurs in the F-A and Exclusive Agriculture (E-A) zones. Under the No Project Alternative, the Project site would continue to be used for agricultural grazing. If the Project is not approved, the land could be used for another approved use under the Colusa County Zoning Ordinance. Currently there are no competing proposals for the Project site that would be one of the other approved uses. The analysis of the No Project Alternative assumes that a no Project situation where the existing agricultural use would be continued as it exists under its current conditions.

In the No Project alternative, the Project site would continue to be used for agricultural grazing and the existing environmental setting would be maintained. Changes to the setting, including changes to the landscape (visual resources, habitat, and land use/agriculture); Project related impacts such as construction noise, traffic, and air emissions would not occur; and potential ground disturbance impacts to cultural and tribal resources, wildlife habitat would not occur. Additionally, the environmental benefits of renewable energy generation would not be realized from solar development of the site.

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Table 3-1. Alternative Site Feasibility Screening

Site	Size (Acres)	Slope >15 percent	Sufficient Acreage	Threatened and/or Endangered Species Habitat Present	Floodplains and/or Wetlands Present	Feasible Gen-Tie Length	Owner Interested in Leasing/Selling
1	494	No	No	Yes (Giant Garter Snake)	No	Yes	No
2	560	No	Yes	Yes (Giant Garter Snake)	Yes	Yes	No
3	345	No	No	Yes (Giant Garter Snake)	Yes	Yes	No
4	143	No	No	Yes (Giant Garter Snake)	No	Yes	No
5	470	No	No	No	No	Yes	No
6	503	No	Yes	No	No	Yes	No
7	361	No	No	No	No	Yes	No
8	940	Yes	Yes	Yes (Swainson's Hawk)	No	Yes	No
9	440	No	No	Yes (Swainson's Hawk)	Yes	Yes	No
10	716	Yes	Yes	Yes (Swainson's Hawk)	Yes	Yes	No
11	106	Partial	No	Yes (Swainson's Hawk)	Yes	Yes	No

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Under the No Project Alternative, all project related impacts would be avoided due to the lack of development of the Project site. There would be no new impacts to the environment. No feasibility issues have been identified which would eliminate the No Project Alternative from consideration; however, the No Project Alternative would not meet any of the Project Objectives. Additional analysis of the alternatives is included in Chapter 5.

3.4.2 Distributed Solar Alternative

The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County, which would increase energy efficiency and renewable energy availability. Under this alternative, solar PV panels would be mounted on existing rooftops, such that no new land would be disturbed. It is anticipated that a similar amount of rooftop acreage (approximately 768 acres) would be required for the Project's 80 MW of solar generating capacity. Similar to the proposed Project, the Distributed Solar alternative would be designed to operate year-round using solar PV technology to convert solar energy into direct current electricity. The energy generated could be used for on-site uses with the potential to be shared using a community solar arrangement that allows multiple users to share power from a single local source. No new construction of transmission facilities or electrical substations would be required for the power generated by distributed solar PV systems.

3.4.3 Reduced Acreage Alternative

Under the Reduced Acreage Alternative, the site size would be reduced by 342 acres (from 1,024 acres to 682 acres). See Figure 3-1. The Reduced Acreage Alternative site has been designated as Agriculture Upland (AU) and is zoned for Foothill Agriculture (F-A) and Exclusive Agriculture (E-A); otherwise, would be as described in Chapter 2, *Project Description*.

Compared to the Project, the Reduced Acreage Alternative would reduce the project's impacts to biological resources, cultural resources, and noise. Though none of these Project impacts are significant after mitigation, the Reduced Acreage Alternative, by reducing the acres of land disturbed and the proximity of noise-emitting facilities to offsite receptors, would reduce the potential for biological, cultural, and noise impacts compared to the Project. The Reduced Acreage Alternative also entail less surface disturbance, less construction dust, reduced construction and decommissioning emissions, and reduced demand for water. The Reduced Acreage Alternative would not meet the Project Objectives to generate 80 MW of electricity at the POI in a cost-effective manner (Project Objective 1). It would only generate up to 50 MW of electricity and would not be economically viable to develop or be commercially financeable (Project Objective 4) due to its reduced capacity, and it would generate less economic benefits to the County (Project Objective 7). It would be feasible, but not an efficient use of a site with low agricultural productivity. Additional analysis of the alternatives is included in Chapter 5.

3.4.4 Northeast Site Alternative

The Northeast Site Alternative would relocate the project to the Northeast Site, which consists of 15 contiguous parcels totaling approximately 917 acres and is located approximately 5 miles northeast of the Project site, on the north side of Highway 20 and just west of Williams. See Figure 3-2. The Northeast Site is prime farmland currently being cultivated for rice crops. The Northeast Site Alternative has been designated and zoned Exclusive Agriculture and Highway Service Commercial (C-H).

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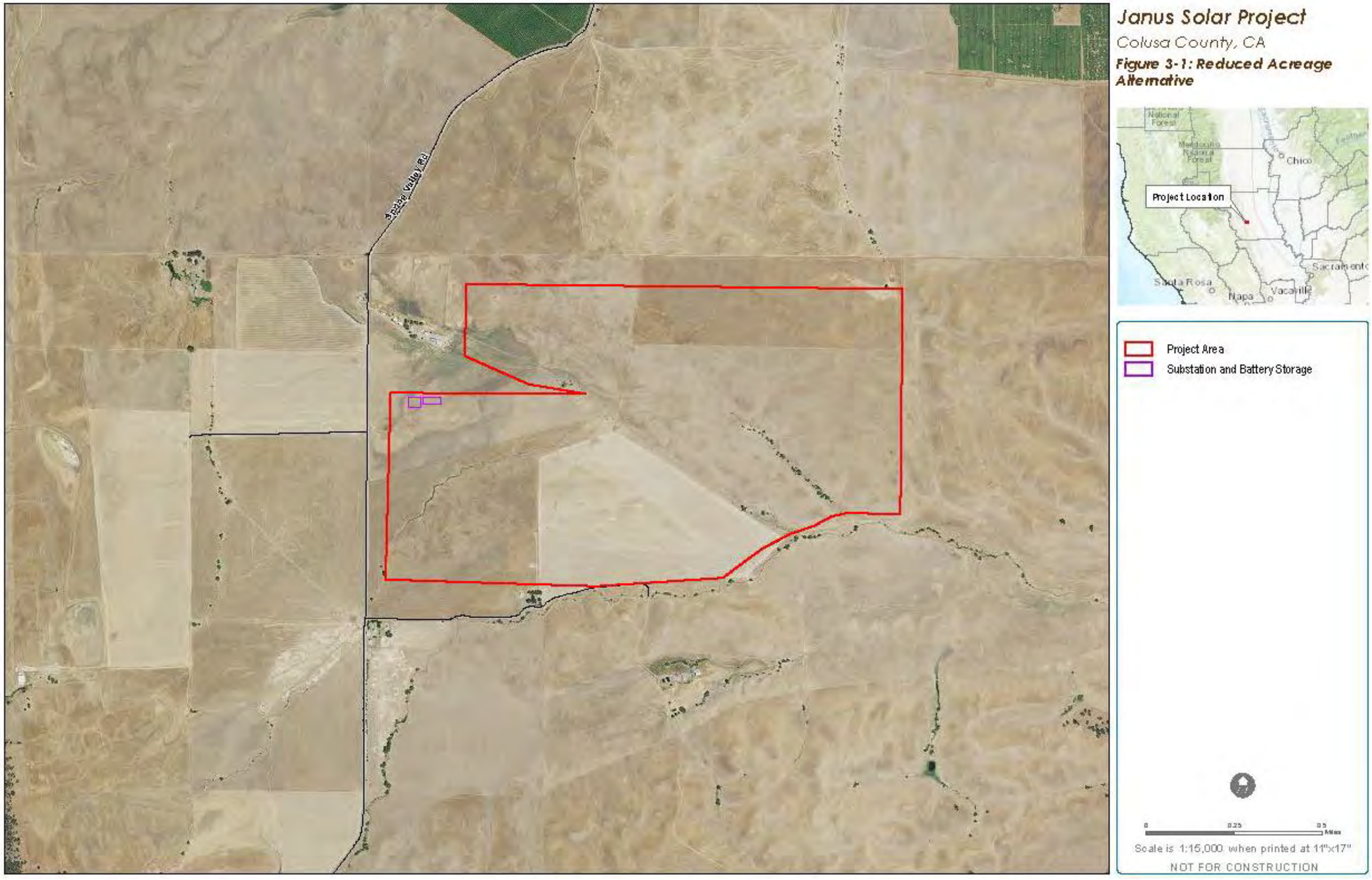


Figure 3-1 Reduced Acreage Alternative

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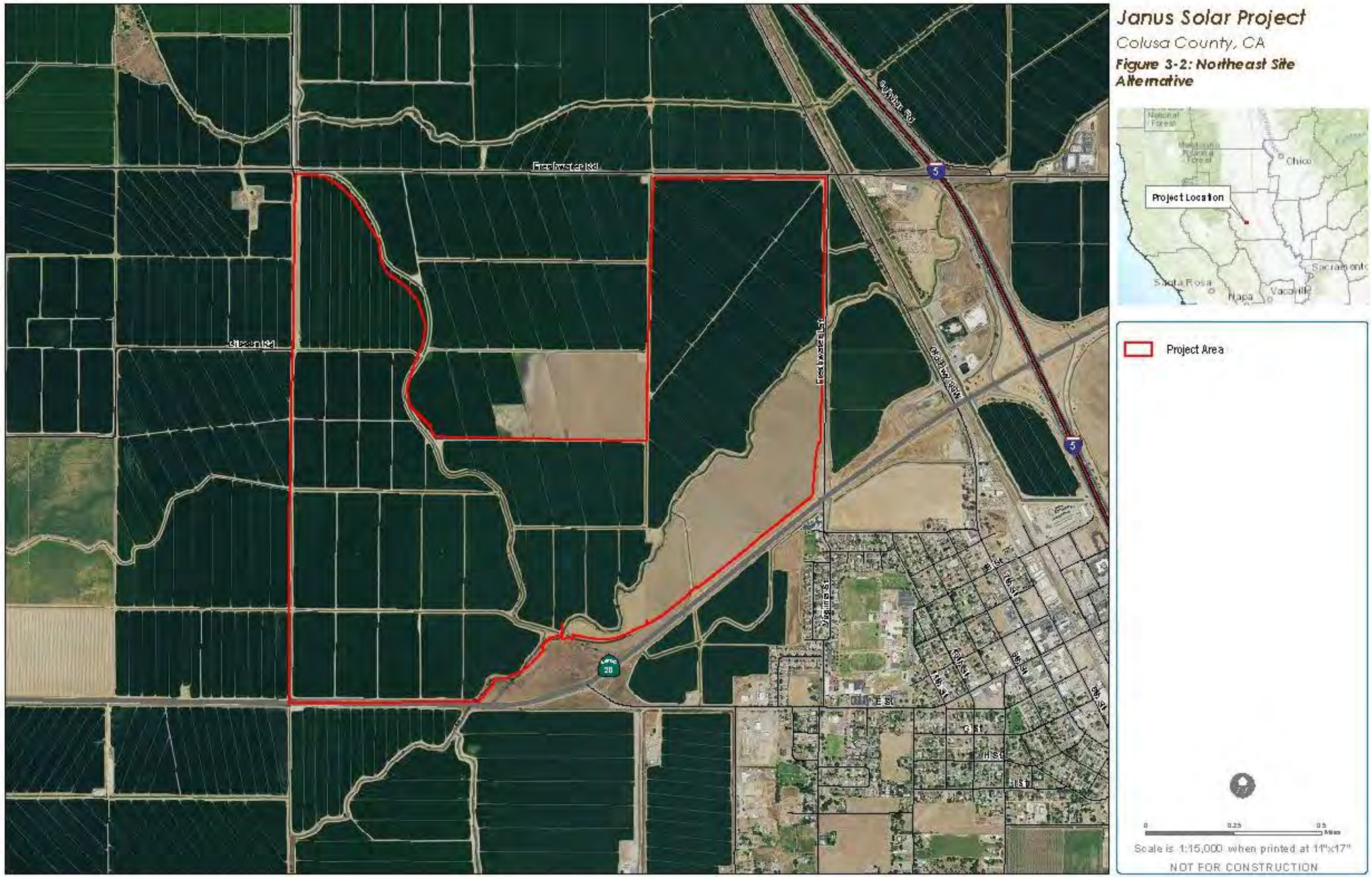


Figure 3-2 Northeast Site Alternative

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The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used for solar and ancillary facilities as the Project (768 acres) in order to maximize the capacity to generate electricity. Due to the anticipated set-aside areas for giant garter snake (*Thamnophis gigas*) along the existing agricultural canals, solar arrays would be required to be distributed throughout the site rather than concentrated in a single area. The scattered distribution of solar arrays would result in less efficient production of electricity and a significant decrease in capacity compared to the Project's 80 MW. Compared to the Project, the Northeast Site Alternative is anticipated to have increased impacts to agricultural, and biological resources, due to its occurrence on prime farmland, and because it includes habitat for the federally and state threatened giant garter snake. Additional analysis of the alternatives is included in Chapter 5.

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4.1 AGRICULTURE AND FORESTRY RESOURCES

This section identifies and evaluates issues related to Agriculture and Forestry Resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received scoping comments relating to Agricultural and Forestry Resources from the California Department of Conservation, and those comments have been incorporated into the EIR.

4.1.1 Existing Conditions

4.1.1.1 Agricultural Resources

The Project site largely consists of grazing land with some areas used for dryland crop production. The Project site is located in Colusa County's Foothill Agriculture (F-A) zone and the gen-tie occurs in the F-A and Exclusive Agriculture (E-A) zones (Colusa County 2014). The entire Project site has been classified as Farmland of Local Importance under the California Department of Conservation's Farmland Mapping and Monitoring Program. The Project site is surrounded by land that is also classified as Farmland of Local Importance. Orchards located north and northeast of the Project site are classified as Unique Farmland. Definitions of the Department of Conservation's farmland designations are provided in Section 4.1.2, *Regulatory Setting*.

The entirety of the Project site is included in a Williamson Act contract. The Williamson Act program is discussed in Section 4.1.2 below. Williamson Act-contracted parcels also surround the Project site.

4.1.1.2 Forestry Resources

The Project site does not contain any land defined as forest land (as defined by Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or land zoned Timberland Production (as defined by Government Code §51104(g)).

4.1.2 Regulatory Setting

4.1.2.1 Federal

No federal regulations pertain to the Project.

4.1.2.2 State

4.1.2.2.1 California Land Conservation Act of 1965

The California Land Conservation Act of 1965 (Williamson Act, Government Code §51200 et seq.) prevents farmland from conversion to other uses by offering owners of agricultural land a property tax incentive to maintain their land in agricultural use. The Williamson Act is a state program implemented at the county level that allows agricultural landowners to voluntarily and contractually agree to retain land included in an agricultural preserve[1] in agricultural or open space uses for a period of at least 10 years and, in return, to pay reduced property taxes. The term of the contract

[1] An agricultural preserve defines the boundary of an area within which a city or county would be willing to enter into Williamson Act contracts with landowners: The boundary is designated by resolution of the city council or board of supervisors with jurisdiction over the property. Agricultural preserves generally must be at least 100 acres in size.

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automatically renews each year, such that unless it is specifically nonrenewed or cancelled, the contract always has a 10-year period horizon.

The most common method for withdrawing from a Williamson Act contract is filing a notice of nonrenewal, which can be initiated by either the land use agency or the landowner. Under this process, the contract is ended after a 9-year nonrenewal period, during which taxes gradually increase every year. A Williamson Act contract cancellation is an option under the circumstances and conditions set forth in Government Code §51280 et seq. In such cases, landowners may petition the board or council of their county or city for cancellation of the Williamson Act contract. The board or council may grant tentative cancellation only if it makes required statutory findings (Government Code §51282(a)), which are (1) that the cancellation is consistent with the purposes of the chapter and (2) that the cancellation is in the public interest.

California Government Code Section 51238 states that, unless otherwise decided by a local board or council, the erection, construction, alteration, or maintenance of electric and communication facilities, as well as other facilities, are determined to be compatible uses within any agricultural preserve. Government Code §51238 states that the board of supervisors may impose conditions on lands or land uses to be placed within preserves to permit and encourage compatible uses in conformity with Government Code §51238.1.

Further, Government Code §51238.1 allows a board or council to allow as compatible any use that without conditions or mitigations would otherwise be considered incompatible. However, this may occur only if that use meets the following conditions:

- The use would not significantly compromise the long-term productive agricultural capability of the subject contracted parcel or parcels on other contracted lands in agricultural preserves.
- The use would not significantly displace or impair current or reasonably foreseeable agricultural operations on the subject contracted parcel or parcels or on other contracted lands in agricultural preserves. Uses that significantly displace agricultural operations on the subject contracted parcel or parcels may be deemed compatible if they relate directly to the production of commercial agricultural products including activities such as harvesting, processing, or shipping.
- The use would not result in the significant removal of adjacent contracted land from agricultural or open space use.

The board or council must consider comments from the director of the California Department of Conservation before acting on a proposed cancellation if comments are provided. A cancellation becomes final and a Certificate of Cancellation is issued by the board or council upon the completion of all Conditions of Approval. The entirety of the Project site is included in three separate agricultural preserves. A Williamson Act Cancellation Petition has been prepared and has been filed for approval by the Colusa County Board of Supervisors. The Petition contains the basis for making the findings required for cancellation pursuant to Government Code §51280 et seq.

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4.1.2.3 Local

4.1.2.3.1 General Plan

The Colusa County General Plan Agriculture and Land Use Elements include policies related to agricultural land use in the County (Colusa County 2012).

The Project site is designated in the General Plan as "General Agriculture" and "Upland Agriculture," in which cultivated agriculture, industrial and commercial agriculture, agricultural tourism, timber, mining, energy production (including solar), single family housing, and farmworker housing are allowed and appropriate uses (see General Plan Land Use Element Table LU-1). No overlay designations, regional plans, community plans, or specific plans described in the General Plan apply to the Project site, and the entirety of the Project site is included in an agricultural preserve under a Williamson Act contract. The Applicant has prepared a Williamson Act Contract Cancellation Petition that has been filed for consideration by the Board of Supervisors.

Policy AG 1-2: Lands designated for agricultural use shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:

a. The lot(s) for which conversions is requested is adjacent to agriculture or agricultural support uses (e.g., receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities)

b. Conversion will not be detrimental to existing agricultural operations

c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of designated urban area

d. The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of conservation lands from nuisances associated with typical agricultural practices

e. No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.

f. The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding

Policy AG 2-5: Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.

Policy LU 2-11: Develop accommodations for the development of large-scale commercial energy production, such as solar, on agricultural parcels. Such parcels shall require the following:

- A Use Permit.
- An Energy Production (EP) Overlay Zone.
- Detailed and rigorous site planning and development.

Such projects shall only be located on agricultural parcels with marginal or poor farmland. Prime farmlands are not appropriate for this type of development.

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4.1.2.3.2 Zoning Ordinance

The Project site is located in Colusa County's F-A and E-A zones (Colusa County 2014). The Colusa County Zoning Code addresses allowable uses in E-A and F-A zoning districts, which allow energy generation for off-site use with a Use Permit or a Minor Use Permit with an EP Overlay Zone. Based on consultation with the County, the Applicant is pursuing a Use Permit for the Project.

4.1.2.3.3 Right to Farm Ordinance

Colusa County's Right to Farm Ordinance is codified in Chapter 34 of the Colusa County Code with the following intent:

> *"The Colusa County board of supervisors intends to: promote the general health, safety and welfare of the county; to preserve and protect for agricultural use those lands zoned for agricultural use; to support and encourage continued agricultural operations in the county and to forewarn prospective purchasers and users of property near or adjacent to agricultural operations of the sounds, odors, dust and chemicals that may accompany agricultural operations. It further intends to limit, by means of communication, nuisance litigation regarding agriculture or affecting agriculture."*

The code provides that sellers of any real property, including sales of County property, must provide the following disclosure:

> *"The property described herein is located in a rural-agricultural county and this property may be subject to inconvenience or discomfort arising from use of agricultural chemicals, including, but not limited to, herbicides, insecticides, acaricides, fungicides, rodenticides, predacides and fertilizers; and from pursuit of agricultural operations including, but not limited to, cultivation, plowing, spraying, pruning, harvesting, crop protection, which occasionally generate dust, smoke, noise and odor, and protecting animal husbandry from depredation, Colusa County sets agriculture as a priority use of the lands including therein, and users of such property should be prepared to accept such inconvenience or discomfort as normal and necessary to farm operations."*

The ordinance also establishes a Good Neighbor Committee designed to mediate disputes regarding agricultural operations and provide a clearinghouse of information regarding agricultural operations in the County (Colusa County 2021).

4.1.3 Thresholds of Significance

A project would result in significant impacts to agriculture and forestry resources if it would:

a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;*

b) *Conflict with existing zoning for agricultural use, or a Williamson Act contract;*

c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resource Code*

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section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g));

d) *Result in loss of forest land or conversion of forest land to non-forest use; or*

e) *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?*

4.1.4 Impact Analysis

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

To assess potential impacts on agriculture and farmland, the County has considered and relied on the results of Project-specific Agricultural Land Evaluation and Site Assessment (LESA) modeling (Appendix B), site-specific zoning, and mapping available pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. To assess potential impacts on forest resources, the County considered site zoning, site-specific environmental characteristics, and applicable definitions set forth in state law.

IMPACT 4.1-1*: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* **(No Impact)**

The Project site is designated as Farmland of Local Importance by the California Department of Conservation and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, such that there would be no impact.

IMPACT 4.1-2*: Conflict with existing zoning for agricultural use, or a Williamson Act contract?* **(Less Than Significant Impact with Mitigation Incorporated)**

The Project site and gen-tie corridor are zoned F-A and E-A. Colusa County allows commercial scale solar facility projects through the Use Permit process, as described in Zoning Code §44-2.20.30. Compliance with conditions of approval for the Use Permit would ensure the Project would not conflict with the underlying F-A and E-A zones.

The entirety of the Project site is included in a Williamson Act contract. The Applicant, in partnership with the property owners, has filed a Petition for Cancellation of Contract for the Williamson Act contract seeking a finding from the Board of Supervisors that cancellation is either consistent with the purposes of the Act or is in the public interest (see Government Code §51282(a) through (c).

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Petitions for cancellation of the contracts were submitted to the County pursuant to Government Code §51282(a)(1), seeking cancellation under the "public interest" cancellation provisions. (Government Code §51282(a)). To determine that the cancellation is in the public interest, the County must find (1) that other public concerns substantially outweigh the objectives of the Williamson Act and (2) that there is no proximate noncontracted land that is both available and suitable for the proposed use or that development of the contracted land would provide more contiguous patterns of urban development (Government Code §51282(c)).

As stated in the Petition for Cancellation and described in more detail in the subsections below, development of the proposed solar facility is in the public interest because the pressing need to address GHG emissions and climate change by generating emissions-free electricity energy from the sun outweigh the objectives of the Williamson Act to keep this particular farmland in agricultural production; the land in question is not prime farmland; and, as discussed in the Project's LESA Model, its conversion would not have significant adverse effect on agricultural resources. The proposed Project would help the State of California achieve its goal of providing electricity 100 percent greenhouse gas (GHG) emissions free by 2045. The proposed Project would generate renewable electrical power using solar photovoltaic (PV) panels and connect to the electrical grid. Implementation of the Project would not attract additional nonagricultural development to adjacent land (i.e., the solar facility would not induce residential or commercial growth in the area). In addition, there is no proximate non-contracted land that is both available and as suitable for the development of solar energy facility.

The Public Interest and Compatibility with Surrounding Agriculture

The Project would not significantly compromise the long-term agricultural capability of the Project site or other contracted lands in agricultural preserves. The Project involves leasing the land, not buying it. It is considered a possibility that solar energy facilities could eventually be removed, and the land returned to farming. Therefore, it is possible that the Project site owners could return the site to full agricultural use when the lease is ended.

Operation of the Project would not affect the uses of adjacent properties under Williamson Act land use contracts. The Project would not result in indirect impacts that could occur with the conversion of the site from agricultural uses to non-agricultural uses. This type of impact is mainly due to compatibility issues with the adjacent agricultural land still in production. These types of compatibility issues may include nuisance effects to a site from noise, dust, odors, and drift of agricultural chemicals. Incompatible uses could impact the adjacent agriculture uses due to restrictions on the use of agricultural chemicals, complaints regarding noise and dust, and vandalism and pilfering of crops. These conflicts could potentially result in increased costs to the agricultural operation and encourage conversion of additional agricultural lands to urban uses. The Project would not result in this type of indirect impact; operation and maintenance activities associated with solar power plants are minimal. The Project site would have a staff of up to approximately 3 personnel to conduct preventative and corrective maintenance, and to maintain the security of the Project site. Operation of the Project would not result in an increase in employment that would require the construction of new housing. The Project would be compatible with the surrounding agricultural uses and is not expected to affect the agricultural use of the adjacent parcels.

The percentage of land proposed for this cancellation represents a tiny percentage of the remaining acreage under Williamson Act contracts in California and does not present a threat to

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the short-term or long-term agricultural production in California. The total acreage of contracted Williamson Act land in California is approximately 12.9 million acres (California Department of Conservation 2018). As of 2010, approximately 317,796 acres, or about 55.6 percent of the County's assessed agricultural land, was under some form of Williamson Act contracts with Colusa County (De Novo Planning Group 2010). The Project site represents approximately 0.008 percent of the State acreage, and only around 0.3 percent of the contracted area in Colusa County.

The Public Interest and Use of Non-Prime Farmland

The California Department of Conservation more often found that cancellations are in the public interest when the parcel(s) are not located on lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as defined by the Farmland Mapping and Monitoring Program. The Project site does not contain lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The Project site and surrounding lands are designated as Farmland of Local Importance.

The Public Interest, Water Availability, and Site Constraints

Water supplied to Colusa County comes from two sources: groundwater and surface water. All domestic water systems in the County are supplied with groundwater, while most irrigation systems are supplied with surface water from the Tehama-Colusa or Glenn-Colusa Canals, the Colusa Drain, or the Sacramento River. The surface water supplies available for use in Colusa County are significant. Surface water is used on 74 to 86 percent of the irrigated land within the Sacramento Valley portion of the County. Whereas groundwater is used on 10 to 22 percent of that land. Of the land where groundwater is used, 6 to 11 percent is not within the service area of any organized entity.

The Project site is located in the Westside Water District which supplies water for agricultural irrigation. The Project site does not contain irrigation infrastructure or an irrigation system connection to the Westside Water District. Due to lack of irrigation water, the current use on the Project site is cattle ranching. The site owners farm winter crops (e.g., wheat, rye, barley, vetch, and oat) on 400 acres (not part of the Project site) to be used to feed cattle. These crops are watered solely by winter rain. During normal rain years, the site owners supply water to troughs for their cattle from three sources: an existing on-site hand dug well; several on-site pit type reservoirs which store winter rain runoff; and several natural on-site springs. During severe drought years, water is purchased from neighbors and trucked in and the cattle herd size is reduced.

Cancellation is more appropriate and consistent with Williamson Act objectives where the land in question has significant site-based constraints to viable agricultural operations. The approximately 1,023.98 acres being petitioned for cancellation under Contract 71-14 are not irrigated and do not have irrigation system connections to the Westside Water District infrastructure serving the Project site area, meaning they lack the necessary infrastructure to deliver surface water to the Project site efficiently. Removing the proposed parcels from Williamson Act contracts and converting them to solar energy use provides a revenue stream to the site owners that can be used, in part, to purchase water during drought years and stem the need to reduce the cattle herd size. This is another factor supporting the County granting this Petition to cancel this Williamson Act contract for solar use of the Project site.

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The Public Interest and Local Employment and Economic Benefits

The 2019 unemployment rate in Colusa County was 12.8 percent as compared to an unemployment rate of 4 percent for California (EDD 2020).

The use of the Project site as grazing land supports five fulltime ranch employees. The stable income stream generated from conversion of the Project site to solar would help support agricultural operations on the site owners' holdings at this level and would ensure that the site owners continue to be able to employ local workers. It would also support the economic viability of the remaining land holdings by generating revenue to help subsidize the increasing costs of agriculture, ensuring that the remainder of the ranch can continue as a sustainable agricultural operation.

In addition, the Project would provide renewable energy related diversified job opportunities and training that will help reduce local unemployment and benefit the local economy. It would require a substantial construction workforce during the construction phase which the Applicant expects to be largely supplied by the local Colusa County labor pool and augmented by workers from the surrounding Sacramento Valley area. The total number of construction workers needed on-site is expected to reach a peak of approximately 200 workers; the average number of workers on-site is anticipated to be approximately 50 to 150, depending on the construction activity. Once operational, three permanent jobs would be created for operation and maintenance activities. Decommissioning activities at the end of the useful life of the Project are expected to require a similar workforce as that needed for construction.

Labor expenditures during construction of the proposed Project and concrete, gravel, fencing, rental equipment, fuel, small tools, and other materials will be procured locally. The impact on the local economy will be greater than the direct spending on payroll, goods, and services. Money spent by the Applicant for these purposes will be spent again by the recipient workforce and local businesses, causing a chain reaction of indirect and induced spending that ripples through the local economy. Finally, the Project site would be the point of sale for most of the materials utilized by the Project, and the County would collect sales tax on those items.

The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space uses in return for reduced property tax assessments. With the removal of the Project site from the Williamson Act contract, the site would no longer received property tax assessments at reduced rates, generating increased tax revenues for the County.

Public Interest and Climate Change and the Deployment of Renewable Energy Generation

Certain gases in the earth's atmosphere, classified as greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. A GHG is any gas in the atmosphere that absorbs infrared radiation. As solar radiation enters the earth's atmosphere, a portion of the radiation is absorbed by the earth's surface, and a portion is reflected back through the atmosphere into space. The absorbed radiation is eventually emitted from the earth into the atmosphere, not as solar radiation, but as infrared radiation. Most solar radiation passes through GHGs; infrared radiation is selectively absorbed or "trapped" by GHGs as heat and then reradiated back toward the earth's surface, warming the lower atmosphere and the earth's surface. This phenomenon, known as the "greenhouse effect," is beneficial for maintaining a

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habitable climate on the earth. As the atmospheric concentrations of GHGs rise, however, the average temperature of the lower atmosphere gradually increases, thereby increasing the potential for indirect effects such as a decrease in precipitation as snow, a rise in sea level, and changes to plant and animal species and habitat.

Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one year to several thousand years). GHGs persist in the atmosphere long enough to be dispersed globally. Although the exact lifetime of any particular GHG molecule depends on multiple variables and cannot be pinpointed, scientific evidence reveals that more carbon dioxide (CO_2) is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO_2 emissions, approximately 54 percent is sequestered through ocean uptake, uptake by northern hemisphere forest regrowth, and other terrestrial sinks within a year, whereas the remaining 46 percent of human-caused CO_2 emissions remains stored in the atmosphere.

The efforts devoted to GHG emissions reduction and climate change policy have increased dramatically in recent years. In 2002, California passed AB 1493, which requires California Air Resources Board to develop and implement regulations to reduce automobile and light truck GHG emissions beginning with the 2009 model year. In June 2005, Executive Order S-3-05 was signed to reduce California's GHG emissions to: (1) 2000 levels by 2010; (2) 1990 levels by the 2020; and (3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of AB 32, the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that California Air Resources Board create a plan (Scoping Plan), which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." SB 32, California Global Warming Solutions Act of 2006, codifies the emissions reduction goal of 40 percent below 1990 levels by 2030.

In 2002, SB 1078 established Renewable Portfolio Standard (RPS), which required an annual increase in renewable generation by the utilities with a goal of 20 percent by 2010. SB X1-2 expanded the RPS by establishing a renewable energy target of 20 percent of the total electricity sold to retail customers in California per year by 2013, and 33 percent by 2020 and subsequent years. SB 350, Clean Energy and Pollution Reduction Act further expanded the RPS by establishing a goal of 50 percent of the total electricity sold to retail customers in California per year by 2030.

The Project would keep with renewable energy targets under the Scoping Plan, SB X1-2, and SB 350 by providing a source of renewable energy to achieve the RPS of 33 percent by the end of 2020 and 50 percent by the end of 2030. The Project would assist in the attainment of the state's goals by using a renewable source of energy that could displace electricity generated by fossil-fuel-fired power plants, and therefore would comply with the goals and objectives of the state. Development of the proposed solar Project would address the public's concerns of energy security, global climate change, and the economy. These important public policy concerns outweigh the objectives of the Williamson Act to preserve the continued production of agricultural lands.

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Lack of Proximate, Non-Contracted Land which is Both Available and Suitable for the Proposed Use

Information required to support the Williamson Act contract cancellation includes documentation of an applicant's efforts to search for available, suitable, proximate, and noncontracted land for the proposed use, and information explaining why noncontracted sites were not selected.

The Applicant undertook an extensive search to find proximate non-contracted lands that were both available and suitable for the proposed use. The Applicant established criteria for site selection for solar development which reflect economic, environmental, and operational objectives:

- A substation with sufficient capacity must be available to provide a POI in reasonably close proximity to load centers (within 75–100 miles).
- The site must be located as close as possible to the Cortina Substation, although sites up to 4 miles from the Cortina Substation were considered.
- The site must be of sufficient size to support an economically viable utility-scale Project. Combinations of contiguous parcels were considered.
- The land must have an open and relatively flat landscape (less than 15 percent slope across the majority of the site) and cannot contain any permanent structures that cannot be removed e.g., housing, historic buildings, industrial facilities.
- The site has legal access and site control (either purchase or lease) and can be secured.
- The site must not contain highly productive agricultural land or sensitive habitat.

The Applicant began the search for proximate non-contracted land by first identifying a potential substation for Project interconnection. Once the Cortina Substation was confirmed by the California Independent System Operator to have interconnection capacity and favorable interconnection costs, the Applicant then undertook an extensive search to identify any potential proximate sites of adequate size to accommodate the Project. For operational efficiency and economic feasibility, a minimum of approximately 700 contiguous acres was considered operationally efficient and economically feasible for the Project. A search radius of up to 4 miles was set around the Cortina Substation.

Once the search radius was established, all non-contracted parcels within it were examined for suitability in meeting the remaining site selection criteria. This search identified no available suitable sites of 700 acres or more within 4 miles of Cortina Substation. The constraints that eliminated available contiguous sites within the search area included:

- Is under existing Williamson Act contract
- Has a Farmland Mapping and Monitoring Program Prime Farmland designation
- Is subject to slope of more than 15 percent, which is unsuitable for solar
- Contains highly productive agricultural land or giant garter snake habitat

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After conducting this thorough search and concluding that proximate non-contracted land was unavailable or unsuitable, the search focused on contracted land for the Project and the Project site was identified and successfully secured with a lease option.

Cancellation of the Existing Williamson Act Contract

The proposed Project would not affect agricultural uses on adjacent or nearby properties under Williamson Act contracts or within agricultural zoning designations for following reasons:

- The Project would not introduce a non-agricultural use that is sensitive to or incompatible with agricultural operations that would occur nearby.
- At the end of its operating life, infrastructure associated with the Project would be removed, which would allow the Project site to return to agricultural use.
- The Project site and surrounding lands do not contain lands classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.
- Cancellation is consistent with Williamson Act objectives because the land in question has significant site-based constraints to viable agricultural operations due to the lack of water accessibility. The Project site does not contain irrigation infrastructure or an irrigation system connection.
- The stable income stream generated from conversion of the Project site to solar would help support agricultural operations on the site owners' other agricultural holdings and would ensure that the site owners continue to be able to employ local workers. It would also support the economic viability of the remaining land holdings by generating revenue to help subsidize the increasing costs of agriculture, ensuring that the remainder of the ranch can continue as a sustainable agricultural operation.

No proximate lands unencumbered by Williamson Act contracts were identified as available and suitable for solar energy development. Therefore, if the County approves a Use Permit and cancels the Williamson Act contract, the Project would not result in any conflict with the agricultural zoning or any Williamson Act contracts. Further, the zoning of the land would remain agricultural. Even though agricultural uses would not occur with the proposed Project, when the solar facility ceases operations, agricultural zoning and the Project's Decommissioning Plan and financial assurances would promote the conversion of the Project site back to agricultural uses.

Implementation of **Mitigation Measure AGR-1** would require the Applicant to file a Petition for Cancellation of Contract for the Williamson Act contract on the Project site.

Approval of the Petition for Cancellation would be required prior to development of the Project; if the Colusa County Board of Supervisors determines that cancellation of the contract is in the public benefit (per Government Code §51282(a)), no conflict with Williamson Act contracted land or farmland conversion would occur, and impacts would be less than significant with approval, impacts would be reduced to less than significant.

IMPACT 4.1-3*: Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resource Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?* **(No Impact)**

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4.1 Agriculture and Forestry Resources

The Project site is zoned F-A and E-A. Colusa County allows commercial scale solar facility projects through the Use Permit process, as described in Zoning Code §44-2.20.30. Compliance with conditions of approval for the Use Permit would ensure the Project would not conflict with the underlying F-A and E-A zones. The Project site does not contain any land defined as forest land (as defined by Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or land zoned Timberland Production (as defined by Government Code §51104(g)), such that there would be no impact.

IMPACT 4.1-4*: Result in loss of forest land or conversion of forest land to non-forest use?* **(No Impact)**

The Project site is not forest land and has been historically used as grazing land and for dryland crops. No loss of forest land or conversion of forest land to non-forest use would occur, such that there would be no impact.

IMPACT 4.1-5: *Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?* **(Less than Significant Impact)**

The LESA Model (Appendix B) rates the potential significance of the conversion of an agricultural parcel, or adjacent land in its Zone of Influence, that has a large proportion of surrounding land in agricultural production more highly than one that has a relatively small percentage of surrounding land in agricultural production. The Zone of Influence is considered to be a 0.25-mile radius around the Project site.

The Surrounding Protected Resource Land Rating is essentially an extension of the Surrounding Agricultural Land Rating and is scored in a similar manner. Protected resource lands are those lands with long term use restrictions that are compatible with or supportive of agricultural uses of land including: publicly owned lands maintained as park, forest, or watershed resources; Williamson Act contracted lands; and lands with natural resource easements that restrict the conversion of such land to urban or industrial uses.

As discussed in the LESA Technical Memorandum included as Appendix B, 100 percent of the land within the Project's Zone of Influence is agricultural and considered protected resource lands; however, due to the Project's other site assessment and land evaluation factors, including soil capabilities and water availability, the LESA analysis concludes that the Project would have a less than significant impact on agricultural land use on the Project site or Zone of Influence.

4.1.5 Mitigation Measures

The following mitigation measure is recommended to reduce significant impacts to agricultural resources.

AGR-1: Williamson Act Cancellation: The Applicant shall file a Petition for Cancellation of Contract for the Williamson Act Contract on the Project site, for consideration by the Colusa County Board of Supervisors, prior to construction.

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4.1.6 PG&E Cortina Substation Improvements

To accommodate the Project, Pacific Gas and Electric (PG&E) would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's generation tie (gen-tie) line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. No additional farmland would be converted to make these improvements on PG&E's property, and the Williamson Act would not apply. Furthermore, no forest land or timber land would be impacted by these improvements as there are none present within the boundaries of the area that would be impacted. Accordingly, the PG&E Cortina Substation improvements would have no impact on significance criteria 4.1-1 through 4.1-5. No mitigation measures would be required.

4.1.7 Cumulative Impacts

The Project would result in no impact with respect to conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, conflict with existing zoning for forest land or timberland. Therefore, the Project could not cause or contribute to any potential significant cumulative impact to these resource areas.

The geographic context for potential cumulative impacts related to other changes in the existing environment which, due to their location or nature, could result in agricultural impacts is Colusa County.

Ongoing impacts of past projects to Agriculture Resources are reflected in the existing conditions described in Section 4.1.1 and include the conversion of agricultural uses to other uses. The list of cumulative projects is included in Table 2-1. There are no other projects that are under County consideration that, if approved and constructed, would have the potential to conflict with a Williamson Act contract or convert farmland to a non-agricultural use. With implementation of **Mitigation Measure AGR-1**, Project impacts to the conflict with the existing Williamson Act contract on the Project site are less than significant, site-specific, and not expected to result in the conversion of other Williamson Act contracts. Additionally, the Project would not contribute to a cumulatively considerable impact, as there are no reasonably foreseeable conflicts on other properties, based on the list of known cumulative projects.

The Project would have a less than significant indirect impact related to potential conversion of adjacent, off-site farmland to non-agricultural use. Because this incremental impact could contribute to a potential significant cumulative impact, the County has considered whether the contribution would be cumulative considerable. The LESA found no significant impact on agricultural land use within the Project's Zone of Influence, and there are no reasonably foreseeable cumulative projects that would convert farmland to non-agricultural uses within the County. For these reasons, the Project's less than significant indirect impact would not be cumulatively considerable.

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4.1.8 References

California Department of Conservation. 2018. *The Williamson Act Status Report 2016-2017.* Available at: https://www.conservation.ca.gov/dlrp/wa/Pages/stats_reports.aspx Accessed September 3, 2020.

California Employment Development Department (EDD). 2020. *Local Area Unemployment Statistics (LAUS), Annual Average.* Updated June 3, 2020. Available at: https://data.edd.ca.gov/Labor-Force-and-Unemployment-Rates/Local-Area-Unemployment-Statistics-LAUS-Annual-Ave/7jbb-3rb8 Accessed September 3, 2020.

Colusa County. 2012. General Plan. Adopted July 31, 2012.

Colusa County. 2014. Zoning Ordinance. Adopted August 26, 2014.

Colusa County. 2021. County Code. Sections 34-1 to 34-3. Current through January 5, 2021.

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4.2 AIR QUALITY

This section identifies and evaluates issues related to Air Quality in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County did not receive any scoping comments related to Air Quality.

4.2.1 Existing Conditions

Climate and Topography

The California Air Resources Board (CARB) divides the state into air basins that share similar meteorological and topographical features. Colusa County is located in the Sacramento Valley Air Basin (SVAB), which includes Sutter, Yuba, Colusa, Butte, Glenn, Tehama, Shasta, Placer, Solano, Yolo, and Sacramento counties. The northern portion of the SVAB (NSVAB) includes Butte, Colusa, Glenn, Shasta, Sutter, Tehama, and Yuba counties and is bounded on the north and west by the Coastal Mountain Range and on the east by the southern end of the Cascade Mountain Range and the northern end of the Sierra Nevada. These mountain ranges reach heights of 6,000 feet above mean sea level, with individual peaks rising much higher. The mountains form a substantial physical barrier to locally created pollution as well as to pollution transported northward on prevailing winds from the Sacramento metropolitan area (SVAQEEP 2015). Colusa County's topography and meteorology have the potential to cause potentially adverse air quality conditions.

Colusa's climate is classified as warm and temperate. The rain in Colusa falls mostly in the winter, with relatively little rain in the summer. The Köppen-Geiger climate classification is Csa (C=warm, temperate, s=steppe, a=hot summer). Prevailing winds in the area are generally from the south and southwest. Sea breezes flow over the San Francisco Bay Area and into the Sacramento Valley, transporting pollutants from the large urban areas. Colusa County has on average 17.84 inches of precipitation annually with the most rainfall occurring during the winter months (NOAA NCDC 2021).

Pollutants and Effects

The Clean Air Act (CAA) requires the U.S. Environmental Protection Agency (EPA) to set National Ambient Air Quality Standards (NAAQS) for six common air pollutants. EPA calls these "criteria" air pollutants because it regulates them by developing health-based (primary) or environmentally based (secondary) standards. These pollutants are summarized below.

Ozone (O_3) is a secondary pollutant that is formed from the reaction of nitrogen oxides and volatile organic compounds in the presence of sunlight. Ozone exists naturally in the stratosphere, shielding Earth from harmful ultraviolet radiation. However, at ground-level, ozone causes adverse health effects and is a major component of smog. High concentrations have been tied to respiratory ailments and cardiovascular disease, as well as damage to natural ecosystems, agricultural crops, and materials such as rubber, paint, and plastics. In the Northern Sacramento Planning Area (NSVPA), ozone can be caused by stationary source emissions, such as from internal combustion engines or boilers, mobile sources such as cars, trucks, and trains, or area sources such as consumer products or wildfires. The NSVPA districts also experience transport ozone from the Broader Sacramento Area.

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Reactive organic gases (ROG) are composed of hydrocarbon compounds that contribute to the formation of smog through atmospheric chemical reactions. ROG are emitted from fuel combustion and industrial and agricultural processes. Compounds that make up ROG are often evaluated as part of a toxic risk assessment under AB 2588 provisions.

Nitrogen Oxides (NOx) are a family of gaseous nitrogen compounds that result primarily from the combustion of fossil fuels. It is a precursor to the formation of ozone and particulate matter, and nitrogen dioxide (NO_2) is regulated directly under the NAAQS and CAAQS.

Particulate Matter (PM) is comprised of solid particles and liquid droplets, made up of acids, organic chemicals, metals, and soil or dust particles. Particles that are 10 micrometers in diameter or smaller are a potential human health concern because they can enter the lungs, which can affect the heart and cause adverse health effects. They can be emitted directly to the atmosphere as well as formed in the atmosphere by chemical reactions among precursors. Particulate matter can be categorized based on their size:

- Inhalable coarse particles ($PM_{2.5}$-PM_{10}) are between 2.5 and 10 micrometers in diameter. Sources include roads, farming activities, windblown dust as well as combustion sources.
- Fine particles ($PM_{2.5}$) are 2.5 micrometers in diameter or smaller, generally emitted by combustion sources like vehicles, power generation, industrial processes and wood burning.

Carbon Monoxide (CO) is an odorless, colorless gas formed by the incomplete combustion of fuels emitted directly into the air. The main source of CO in the Sacramento Valley is on-road motor vehicles. Therefore, CO problems tend to be localized with nonattainment areas designated in urban areas rather than the entire basin. With the introduction of new automotive emission controls and fleet turnover, emissions from motor vehicles have been declining.

Sulfur Dioxide (SO_2) is a colorless gas formed by the combustion of fossil fuels that contain sulfur. The Valley is in attainment of both the federal and California standards for SO_2. The use of low-sulfur fuel has minimized problems with this pollutant.

Sensitive Receptors

Sensitive receptors are segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems related to respiratory distress). Land uses often identified as sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities.

Land use in the area is mostly agricultural interspersed with sparse rural residential. The nearest residence is 100 feet south of the Project. A second residence is located about 430 feet from the gen-tie line on Walnut Road.

The residence near the north side of the Project area is owned by the landowner leasing the parcels for the solar farm. Some agricultural buildings are also located to the west of the Project. The remaining residences and other sensitive receptors are located more than 1,000 feet from the site. The city of Williams is located approximately 6 miles from the site and a daycare is located 5.8 miles from the site. To the east, the nearest residence is just under two miles from the nearest site boundary.

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The greatest potential for exposure to air pollutants would occur during construction, when the ground would be disturbed from grading and delivery of materials. The construction emissions presented in this analysis are based on worst-case conditions, assuming maximum construction activity would occur. In reality, exposure to emissions would vary substantially throughout construction, and would depend on the staging of the work being conducted, location of work relative to receptors, and weather conditions. The exposure is below significance thresholds and will be temporary.

An aerial map showing the 1,000-foot buffer and nearby sensitive receptors is provided in Figure 4.2-1.

4.2.2 Regulatory Setting

Ambient air quality standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and safety. They are designed to protect those people most susceptible to respiratory distress (i.e., sensitive receptors), such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed. Recent research suggests, however, that long-term exposure to air pollution at levels that meet air quality standards may nevertheless have adverse health effects. For example, ozone exposure even at levels close to the ambient air quality standard may lead to adverse respiratory health.

The following discussion describes the regulatory authority of the federal, state, and local jurisdictions. The federal CAA, the California Clean Air Act (CCAA), and the Air Quality Management Plan, prepared and adopted by the Colusa County Air Pollution Control District (CCAPCD), regulate air quality in the SVAB. Federal and state standards are shown in Table 4.2-1, State and Federal Air Quality Standards.

Federal Regulations

Criteria Air Pollutants

The federal CAA (42 United States Code [U.S.C.] Section 7401-7671q) is a comprehensive federal law that regulates air emissions from area, stationary, and mobile sources and requires the adoption of the NAAQS to protect public health and welfare from the effects of air pollution. The federal CAA Amendments of 1990 required that the EPA review all NAAQS with respect to health impacts and propose modifications or new rules as appropriate. In addition, the amendments of the 1990 federal CAA are associated with the attainment and maintenance of air quality standards, permits and enforcement, toxic air pollutants, acid deposition, stratospheric ozone protection, and motor vehicles and fuels.

Current NAAQS are assigned to SO_2, CO, NO_2, O_3, PM_{10}, $PM_{2.5}$, and Lead. These pollutants are designated criteria pollutants.

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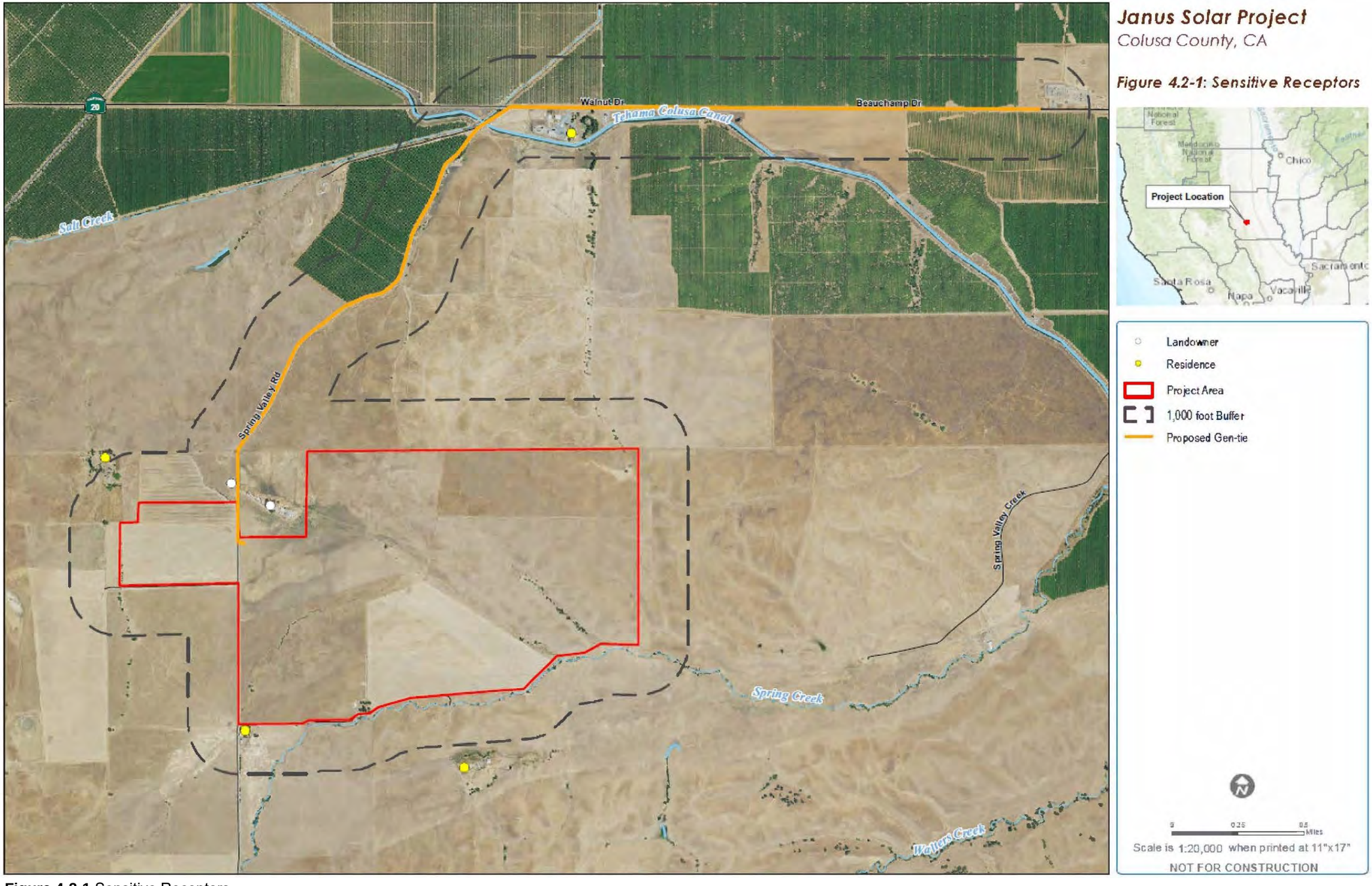


Figure 4-2-1 Sensitive Receptors

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Hazardous Air Pollutants

The 1977 federal CAA amendments required the EPA to identify National Emission Standards for hazardous air pollutants (HAPs) to protect public health and welfare. HAPs include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. The 1990 federal CAA Amendments, which expanded the control program for HAPs, identified 189 substances and chemical families as HAPs. Over the years, the list has been modified. Currently, there are 187 federally regulated HAPs.

State Regulations

Criteria Air Pollutants

The CCAA, passed by the California Legislature and signed into law by the Governor in 1988, assigns state-specific ambient air quality standards. The California standards are, in most cases, more stringent than federal standards. The goal of the CCAA is to attain state air quality standards by the earliest practical date. Because California established Ambient Air Quality Standards several years before the federal action and because of unique air quality problems introduced by the restrictive dispersion meteorology in much of California, there can be a considerable difference between state and national clean air standards. Those standards currently in effect in California are shown on Table 4.2-1, State and Federal Ambient Air Quality Standards.

The CCAA requires each air pollution control district of an air basin designated as nonattainment of state ambient air quality standards to prepare and submit a plan for attaining and maintaining state standards. After further review of the relationship between fine particulate matter and human health effects, the CARB adopted new state standards on June 20, 2002 for $PM_{2.5}$ that are more stringent than the federal standards. No specific control programs are in place to achieve this much more stringent standard. However, it does represent an air quality goal to dramatically reduce the adverse health effects from small-particle air pollution.

Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807 (Tanner). The California Toxic Air Contaminants (TAC) list identifies more than 700 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state list includes the (federal) HAPs. The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) seeks to identify and evaluate risk from air toxics sources. TAC emissions from individual facilities are quantified and prioritized. "High-priority" facilities are required to perform a health risk assessment, and if specific thresholds are exceeded, facilities are required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines. The regulation is anticipated to result in an 80-percent decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000. In 2020, CARB adopted the Advanced Clean Truck Regulations that requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be zero-emission.

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Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, On-Road Heavy Duty (New) Vehicle Program, In-Use Off-Road Diesel Vehicle Regulation, and New Off-Road Compression-Ignition (Diesel) Engines and Equipment program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. Several Airborne Toxic Control Measures reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 California Code of Regulations [CCR] 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

California Health and Safety Code Section 41700

Section 41700 of the Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

Table 4.2-1. State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3, 5]	Secondary[3, 6]	Method[7]
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)		
Respirable Particulate Matter (PM_{10})	24 Hour	50 µg/m^3	Gravimetric or Beta Attenuation	150 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	20 µg/m^3		—		
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[8]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemiluminescence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[9]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (365 µg/m^3)[9]	—	
	Annual Arithmetic Mean	—		0.30 ppm (for certain areas)[9]	—	

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Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3, 5]	Secondary[3, 6]	Method[7]
Lead (Pb)[10, 11]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	—
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[9]	Same as Primary Standard	High Volume Sampler and Atomic Absorption
Visibility Reducing Particles[12]	8 Hour	See footnote 12	Beta Attenuation and Transmittance through Filter Tape	No National Standards		
Sulfates (SO_4)	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	24 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[10]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: California Air Resources Board (http://www.arb.ca.gov/research/aaqs/aaqs2.pdf, updated 05/04/16), and U.S. Environmental Protection Agency (http://www.epa.gov/air/criteria.html, accessed April 2021)

1 *California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter (PM_{10}, and $PM_{2.5}$) and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.*

2 *National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the EPA for further clarification and current national policies.*

3 *Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. The torr (symbol: Torr) is a non-SI unit of pressure with the ratio of 760 to 1 standard atmosphere, chosen to be roughly equal to the fluid pressure exerted by a millimeter of mercury, i.e., a pressure of 1 Torr is approximately equal to one millimeter of mercury. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.*

4 *Any equivalent procedure which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.*

5 *National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect public health.*

6 *National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.*

7 *Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.*

8 *To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.*

9 *On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.*

10 *CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects that are determined. These actions allow implementing control measures at levels below the ambient concentrations specified for these pollutants.*

11 *The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 µg/m^3 as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.*

12 *In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.*

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Local Regulations

Colusa County Air Pollution Control District

The CCAPCD manages air quality within the Colusa County portion of the SVAB for attainment and permitting purposes. In Colusa County, the CCAPCD adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs. The CCAPCD develops regulations to improve air quality and protect the health and welfare of Colusa County residents and their environment. The district also monitors air quality, prepares clean air plans, responds to citizen complaints concerning air quality, and regulates agricultural burning.

CCAPCD regulations include permit requirements, emissions limits for specific source categories, requirements for open burning, and air toxics control measures for several source categories including stationary compression ignition engines. An emergency generator is the only stationary source proposed for the Project and will be registered as a portable unit. CCAPCD regulates nuisance conditions in Rule 200, which states that “no person shall discharge from any non-vehicular source such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property”. No other CCAPCD rules are applicable to the Project.

Colusa County Plan

Colusa County adopted a comprehensive update to their General Plan on July 31, 2012 (Colusa County 2012). The General Plan details the County’s guiding principles for a variety of planning topics and is the roadmap for future development in the county. The Conservation Element addresses the conservation, development and utilization of natural resources, which includes forests, soils, rivers and other waters, wildlife, and minerals. Energy conservation, air quality, and the preservation of cultural and historical resources are also addressed in the conservation element.

The Colusa County General Plan contains several goals, policies, and actions relative to air quality. Following is a summary of goals policies and actions potentially applicable to the Project.

- Policy CON 2-2: Encourage the development of large-scale commercial energy projects that utilize renewable sources such as solar, wind, biomass, and agricultural byproducts.
- Policy CON 2-3: Allow commercial alternative energy facilities, including solar, wind, and biomass in the Agriculture General, Agriculture Upland, Industrial, Forest, and Resource Conservation land use designations with a Conditional Use Permit.
- Policy CON 2-15: Improve air quality through continuing to require a compact development pattern that focuses growth in and around existing communities, locating new housing near places of employment, encouraging alternative modes of transportation, and requiring projects to mitigate significant air quality impacts to the extent feasible.

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4.2.3 Regional and Local Air Quality Conditions

Colusa County Attainment Status

In an effort to protect human health and welfare, the CARB and EPA have established Ambient Air Quality Standards. Areas are considered in "attainment" if standards are met and "nonattainment" if they are not met. For ozone, nonattainment status is further classified as marginal, moderate, serious, severe or extreme.

Table 4.2-2 Colusa County Attainment Status

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone (1-Hour)	No federal standard	Attainment
Ozone (8-Hour)	Attainment/Unclassified	Attainment
NO_2	Attainment/Unclassified	Attainment
CO	Attainment/Unclassified	Attainment/Unclassified
PM_{10}	Attainment/Unclassified	Nonattainment
$PM_{2.5}$	Attainment/Unclassified	Attainment
SO_2	Attainment/Unclassified	Attainment
Lead	Attainment/Unclassified	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified

Source: CARB 2021a

Local Ambient Air Quality

Table 4.2-3 Local Ambient Air Quality Monitoring Data for the Years 2017-2019

Averaging Period	2017	2018	2019
Ozone (O_3) – *Sunrise Blvd, Colusa, California Monitoring Station (AQS Site ID: 06-011-1002)*			
1-hour Maximum Concentration (ppm)	0.075	0.073	0.062
Number of days exceeding CAAQS = **0.09 ppm**	0	4	0
8-hour Maximum Concentration	0.068	0.062	0.055
Number of days exceeding CAAQS = **0.070 ppm**	0	0	0
Number of days exceeding NAAQS = **0.070 ppm**	0	0	0
Nitrogen Dioxide (NO_2) – *Yuba City, California Monitoring Station (AQS Site ID: 06-101-0003)*			
1-hour Maximum Concentration (ppb)	49	51	45
Number of days exceeding CAAQS = **180 ppb**	0	0	0
Number of days exceeding NAAQS = **100 ppb**	0	0	0
Annual Average Concentration (ppm) (**53 ppb**)	7	7	6
Carbon Monoxide (CO) – *Chico, California Monitoring Station (AQS Site ID: 06-007-0008)*			
1-hour Maximum Concentration (ppm)	1.9	20.7	1.6
Number of days exceeding CAAQS = **20 ppm**	--	--	--
Number of days exceeding NAAQS = **35 ppm**	0	0	0
8-hour Maximum Concentration	1.4	12.8	1.3
Number of days exceeding CAAQS = **9.0 ppm**	--	--	--
Number of days exceeding NAAQS = **9.0 ppm**	0	0	0

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Averaging Period	2017	2018	2019
Coarse Particulate Matter (PM_{10}) – *Sunrise Blvd, Colusa, California Monitoring Station (AQS Site ID: 06-011-1002)*			
24-hour Maximum Concentration (µg/m^3)	148	275	120
Number of days exceeding CAAQS = **50 µg/m^3**	33	66	45
Number of days exceeding NAAQS = **150 µg/m^3**	0	2	0
Annual Average Concentration (state method) (µg/m^3) (**20 µg/m^3**)	26	32	28
Fine Particulate Matter ($PM_{2.5}$) – *Sunrise Blvd, Colusa, California Monitoring Station (AQS Site ID: 06-011-1002)*			
24-hour Maximum Concentration (µg/m^3)	45	113	27
Number of days exceeding NAAQS = **35 µg/m^3**	8	-	0
Annual Average Concentration (µg/m^3) (**12 µg/m^3**)	8	-	7
Sulfur Dioxide (SO_2) – *Sacramento Del Paso Manor, California Monitoring Station (AQS Site ID: 06-067-0006)*			
1-hour Maximum Concentration (ppm)	0.0073	0.0036	0.004
Number of days exceeding NAAQS = **0.075 ppm**	0	0	0
24-hour Maximum Concentration (ppm)	0.0059	0.0011	0.0011
Number of days exceeding NAAQS = **0.14 ppm**	0	0	0
Annual Average Concentration (ppm) (**0.03 ppm**)	0.00185[1]	0.00037	0.00038

[1] Does not satisfy minimum completeness

µg/m^3 – microgram per cubic meter; CAAQS – California ambient air quality standards; NAAQS – National Ambient Air Quality Standards; ppb – parts per billion; ppm – parts per million

Sources: CARB 2021b; EPA 2021

4.2.4 Methodology

Air pollutant emissions associated with the Project would occur over the short term (i.e., 11 months) from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust from soil disturbance activities. Construction activities would produce combustion emissions from construction equipment engines and motor vehicles transporting the construction crew, equipment, and materials. Exhaust emissions from construction activities would vary daily as activity levels change. Emissions quantification related to construction activities is necessary for comparison to the Butte County Air Quality Management District (BCAQMD) significance thresholds. In addition, the emissions documentation must include the quantification methodology used, including emission factors, emission factors sources, assumptions, and sample calculations where necessary. Because the emission calculation tool CalEEMod was used, the emissions calculation assumption section presents the general assumptions for the specific inputs and settings used for the air quality analysis.

Once constructed, the Project would operate seven days per week and 365 days per year. Only occasional, on-site maintenance is expected to be required following commissioning. Operations and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment. On intermittent occasions, the additional workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. However, due to the self-operating nature of the facilities, such actions would likely occur infrequently. The expected maintenance would generate little traffic during operations. Operations and maintenance vehicles would include light duty trucks (e.g., pickup, flatbed) and other light equipment for maintenance and module washing. Heavy equipment would not be utilized during normal operation other than water trucks delivering water to the facility.

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Minimal water would be required for panel washing activities and general maintenance. The need for panel washing would be infrequent (e.g., months to years between washings) and determined based on operating considerations, including actual soiling of the solar panels and any expected benefit from cleaning.

Construction

The Project Owner's construction schedule and anticipated construction equipment and vehicles were used to determine emissions. The construction will occur in the five main phases listed in Table 4.2-4.

Table 4.2-4. Construction Schedule

Phase	Duration (days)
Preparation	9
Excavation	23
Utilities/Sub-grade	23
Construction	233
Paving	17

The main construction processes are anticipated to occur during a period of approximately 10 months and would begin in late 2022. Project construction would consist of five major stages. The first stage would include mobilization, site preparation, fencing, and laydown. The second stage would involve excavation, trenching and trench backfill. Because the facility has been designed to use flat areas of the site, grading would be minimal. The third stage includes installation of cables and utilities. The fourth stage includes construction of the inverters, PV modules, and BESS units, and also includes commissioning and testing. The final stage includes road paving.

Water for dust control and other construction needs would likely be trucked to the site, and this assessment conservatively assumes all water will be trucked to the site

Table 4.2-5. Construction Scenario Assumptions

Construction Phase	Equipment			Average / Peak Daily Worker Vehicle Round Trips	Average / Peak Daily Vendor / Haul Truck Round Trips
	Equipment Type	Quantity	Usage Hours		
Preparation	Tractors/Loaders/Backhoes	4	8	50 / 50	10 / 20
	Plate Compactors	2	8		
	Crawler Tractors	2	8		
	Dumpers/Tenders	5	8		
	Forklifts	2	8		
	Generator Sets	4	8		
	Graders	2	8		
	Scrapers	2	8		
	Skid Steer Loaders	4	8		
	Water Trucks	8	8		

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Construction Phase	Equipment			Average / Peak Daily Worker Vehicle Round Trips	Average / Peak Daily Vendor / Haul Truck Round Trips
	Equipment Type	Quantity	Usage Hours		
Excavation	Tractors/Loaders/Backhoes	4	8	50 / 50	10 / 20
	Plate Compactors	2	8		
	Crawler Tractors	2	8		
	Dumpers/Tenders	5	8		
	Forklifts	2	8		
	Generator Sets	4	8		
	Graders	2	8		
	Scrapers	2	8		
	Skid Steer Loaders	2	8		
	Water Trucks	8	8		
Utilities/Sub-grade	Tractors/Loaders/Backhoes	4	8	100 / 100	10 / 20
	Plate Compactors	2	8		
	Crawler Tractors	2	8		
	Dumpers/Tenders	5	8		
	Forklifts	2	8		
	Generator Sets	4	8		
	Graders	2	8		
	Scrapers	2	8		
	Skid Steer Loaders	2	8		
	Water Trucks	8	8		
Construction	Tractors/Loaders/Backhoes	7	8	150 / 200	10 / 30
	Bore/Drill Rigs	10	8		
	Cement and Mortar Mixers	10	8		
	Forklifts	5	8		
	Concrete/Industrial Saws	3	8		
	Plate Compactors	1	8		
	Cranes	1	8		
	Dumpers/Tenders	5	8		
	Excavators	2	8		
	Generator Sets	4	8		
	Pavers	1	8		
	Paving Equipment	1	8		
	Skid Steer Loaders	2	8		
	Trenchers	10	8		
	Rollers	1	8		
	Water Trucks	2	8		
Paving	Rollers	1	8	20 / 20	2 / 5

Operation

Emissions from facility operations results from three workers per day commuting to and from the site, conducting visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment.

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Emission Calculation Assumptions

On-Road Equipment Assumptions:

- Trip lengths reflect that trips would be between the Janus Solar facilities and major commercial centers and ports.
- Exhaust emissions for on-road equipment were calculated using CalEEMod for years 2022 and 2023.
- All on-road construction equipment emissions were determined using on-road emission factors; none were estimated using off-road emission factors.
- Fugitive dust emissions were estimated for both paved roads and unpaved roads, where applicable.

A summary of on-road equipment and the number of trips is provided in Table 4.2-5.

Off-Road Equipment Assumptions

- Exhaust emissions were calculated using the CalEEMod for years 2022 and 2023.
- Fugitive dust emissions were estimated for grading activities and truck loading using CalEEMod.

A list of the types and quantity of construction equipment is provided in Table 4.2-5.

Construction Information and Assumptions

Construction-related emissions are based on the following:

- The site total acreage inside the proposed fence-line is approximately 1,024 acres. Approximately 13 acres will require excavation and grading.
- Mobilization of the construction equipment may occur in the open spaces of the shared facilities area. Equipment and vehicle travels may also occur within the 1,024-acre Project site and the shared facilities area during the construction period.
- Construction activity is expected to last for approximately of 10 months.

Combustion

Combustion emissions during construction will result from:

- Exhaust from the on-site diesel construction equipment;
- Exhaust from on-site water trucks used to control construction dust emissions;
- Exhaust from pickup trucks and diesel trucks used to transport workers and materials around the Project site;
- Exhaust from diesel trucks used to deliver equipment and materials; and
- Exhaust from automobiles used by workers to commute to and from the Project site.

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Fugitive Dust

Fugitive dust emissions during construction will result from:

- Dust entrained during mobilization and construction at the construction site; and
- Dust entrained during off-site travel on paved and unpaved surfaces.

4.2.5 Thresholds of Significance

A Project would have a significant impact to air quality if it would:

a) *Conflict with or obstruct implementation of the applicable air quality plan;*

b) *Result in a cumulatively considerable net increase of any criteria pollutants for which the Project region is non-attainment under an applicable federal or state ambient air quality standard;*

c) *Expose sensitive receptors to substantial pollutant concentrations; or*

d) *Create objectionable odors affecting a substantial number of people.*

4.2.5.1 Colusa County Air Pollution Control District

CCAPCD has not developed air quality thresholds of significance. Action CON-2F states the County should coordinate with CCAPCD to develop thresholds associated with construction activities and to develop best management practices (BMPs) to be implemented during construction. CCAPCD has not yet developed these, but has recommended using significance thresholds adopted by the BCAQMD due to their proximity in the SVAB. The BCAQMD Guidelines for Addressing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA (BCAQMD Guidelines) were issued in 2014 (BCAQMD 2014). The BCAQMD Guidelines have air quality thresholds of significance for criteria pollutants and TACs.

Table 4.2-6. BCAQMD Air Quality Thresholds of Significance – Criteria Pollutants

Phase	NO_X	ROG	PM_{10}
Construction	137 lb/day	137 lb/day	80 lb/day
Operational	25 lb/day	25 lb/day	80 lb/day
	4.5 tpy	4.5 tpy	None

lb/day – pounds per day; tpy – tons per year

The BCAQMD Guidelines outlines screening criteria for different types and sizes of projects. For projects that do not meet the screening criteria and require further evaluation, BCAQMD requires that criteria air pollutants and greenhouse gas (GHG) emissions that may occur during the construction and operational phases be quantified through the latest version of CalEEMod or another acceptable modeling approach. The proposed Project is not one of the project “types” listed in the screening guidance. Therefore, to evaluate impacts of the Project under the California Environmental Quality Acty (CEQA), CalEEMod was used to quantify emissions for comparison to air quality thresholds of significance.

For non-stationary source greenhouse gas emissions, the BCAQMD Guidelines recommends compliance with Qualified Greenhouse Gas Reduction Strategy, Lead Agency's threshold, or consistency with goals of AB 32.

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Recommended significance thresholds for TACs include mitigating below the following levels within a zone of influence of 1,000-foot radius from the source:

- Increased cancer risk of greater than 10 in one million;
- Chronic or acute Increased non-cancer risk of greater than 1.0 Hazard Index (Chronic or Acute)
- Ambient Diesel $PM_{2.5}$ increase greater than 0.3 µg/m^3 annual average

There is a potential for odor from construction equipment during construction. Any odorous impacts from construction will be temporary in nature and will be minimized by the use of Tier 4 equipment.

4.2.6 Impacts Analysis

IMPACT 4.2-1: *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

Less Than Significant Impact. The Project would not conflict with existing land uses or result in population growth. There are no CCAPCD rules applicable to the Project. In addition, the Project would not result in a long-term increase in the number of trips or increase the overall vehicle miles traveled in the area. Vendor truck and worker vehicle trips would be generated during the proposed construction activities but would be limited after construction is completed.

During construction, unmitigated NO_x emissions would exceed the BCAQMD daily and annual significance thresholds. However, mitigated NO_X emissions would fall below the BCAQMD significance thresholds. Both unmitigated and mitigated ROG emissions are below the annual threshold of significance. Both unmitigated and mitigated PM_{10} emissions are below the daily threshold of significance.

Unmitigated and mitigated daily operational emissions are below significance thresholds for all pollutants. During the longer-term operational phase, the Project would have routine inspection and maintenance activities that would result in a net increase in emissions, although the increase in emissions would not exceed any significant threshold. Construction and operational emissions are summarized in Tables 4.2-7, 4.2-8, and 4.2-9.

As previously discussed, the renewable energy project meets Policies CON 2-2 and 2-3 of the Colusa County General Plan.

IMPACT 4.2-2: *Would the project result in a cumulatively considerable net increase of any criteria pollutants for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

Construction Emissions

Less Than Significant Impact. Construction emissions are summarized in Tables 4.2-7 and 4.2-8. The Project area is non-attainment for the California AAQS for PM_{10}. The CCAPCD has requested that the Project use BCAQMD annual and daily significance thresholds to address pollution sources associated with general construction activities, such as the operation of on-site

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construction equipment, fugitive dust from site grading activities, and travel by construction workers. **Mitigation Measure AQ-1** would be required onsite to reduce dust emissions. Based on these recommended thresholds, the proposed Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation. BCAQMD also specifies daily and annual significance thresholds for NO_X and ROG emissions from construction. Emissions for both are below significance thresholds. Detailed emissions calculations are provided in Appendix C.

Table 4.2-7. Estimated Maximum Annual Construction Criteria Air Pollutant Emissions

Maximum Rolling 12-month	Emissions (tons per year)					
	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Unmitigated	2.31	18.56	21.49	0.06	3.01	0.57
Mitigated	0.94	4.45	25.68	0.06	2.23	0.57
BCAQMD Threshold	*4.5*	*4.5*	--	--	--	--
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Table 4.2-8. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions

Maximum Rolling 12-month	Emissions (pounds per day)					
	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Unmitigated	18.64	170.05	178.55	0.59	27.37	11.95
Mitigated	8.29	62.59	207.69	0.59	21.41	6.40
BCAQMD Threshold	*137*	*137*	--	--	*80*	--
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Operational Emissions

Less Than Significant Impact. Project operational emissions were estimated using CalEEMod to include potential area, energy, mobile, off-road, and stationary source emissions. This included solvent emissions from paints and primers, water trucks, potential emergency generator emissions, and vehicle emissions from maintenance vehicles. Table 4.2-9 presents the maximum daily operational emissions in pounds per day with a comparison to BCAQMD thresholds. Operational emissions would be well below the BCAQMD thresholds of significance for all pollutants. Detailed emissions calculations are provided in Appendix C.

Table 4.2-9. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Emission Source	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
	(pounds per day)					
Area, Energy, Mobile, Off-road, Stationary	14.26	13.09	20.07	0.04	2.36	1.00
BCAQMD Threshold	*25*	*25*	--	--	*80*	--
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Emissions data for Colusa County provided by CARB (CEPAM 2019SIP v1.02) were used for comparison with potential Project emissions. A summary of annual and daily emissions in Colusa

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County are provided Tables 4.2-10 and 4.2-11. A comparison of the Project annual PM_{10} emissions to the lowest annual PM_{10} emissions over the past 10 years shows potential construction PM_{10} to be 0.048 percent of total county annual emissions and operational emissions to be 0.00086 percent of the total county annual emissions.

A comparison of county-wide daily emissions (tons per day) with Project construction and operational emissions using the lowest daily Colusa County PM_{10} emissions over the past 10 years shows construction emissions would be 0.086 percent of the county daily emissions and operational emissions would be 0.0079 percent of the county total daily emissions.

The Project area is non-attainment for the California AAQS for PM_{10}. CCAPCD requires the use of the BCAQMD's daily and annual significance thresholds for to address pollution sources associated with general construction activities, such as the operation of on-site construction equipment, fugitive dust from site grading activities, and travel by construction workers. Although the Project site is located in a region that is non-attainment for PM_{10}, the cumulative emissions associated with the Project would not be considerable as the emissions would fall below BCAQMD thresholds. Under this condition, the Project would not make a cumulatively considerable contribution during construction or operations. Therefore, impacts would be less than significant. Additionally, the Project would not conflict with the CCAPCD PM_{10} attainment plans, which address cumulative emissions in Colusa County and account for emissions associated with construction activity.

The comparison of the Project emissions to the area source county emissions shows that the projected PM_{10} emissions from construction and operation of the Project will be a small fraction of the county emissions. Therefore, the Project would not interfere with attainment progress for the CAAQS for PM_{10} in the county.

Table 4.2-10. Colusa County Historical Region-Wide Annual Pollutant Emissions

Year / Source Type[1]		Emissions (tons/year)					
		NO_x	CO	ROG	SO_x	PM_{10}	$PM_{2.5}$
2010	Point	555.6	182.7	74.6	12.8	406.8	116.3
	All other	4,247.1	8,896.3	21,136.3	55.1	4,622.6	1,157.4
2011	Point	457.7	267.8	81.4	121.0	363.3	123.5
	All other	4,029.3	8,436.4	20,495.4	51.6	4,556.3	1,126.7
2012	Point	424.1	245.0	76.0	101.2	389.9	133.5
	All other	5,194.8	129,909.8	28,968.2	879.1	16,443.5	11,164.4
2013	Point	448.2	192.0	89.9	116.2	378.7	127.8
	All other	3,668.5	6,625.1	20,353.6	33.6	4,422.5	983.2
2014	Point	397.5	223.4	80.8	101.6	312.6	96.6
	All other	3,539.0	6,438.5	20,288.7	33.9	4,424.5	979.0
2015	Point	345.2	189.6	91.6	23.3	280.0	110.2
	All other	3,611.1	16,218.4	20,944.5	142.6	5,508.7	1,883.1
2016	Point	348.5	341.1	115.9	28.6	366.1	167.4
	All other	3,167.7	5,741.5	20,143.4	32.3	4,389.3	926.6
2017	Point	315.6	188.8	75.6	24.0	298.5	108.4
	All other	3,018.7	5,170.0	20,038.2	28.2	4,347.4	886.7

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Year / Source Type[1]		Emissions (tons/year)					
		NO_x	CO	ROG	SO_x	PM_{10}	$PM_{2.5}$
2018	Point	308.4	184.8	76.3	23.1	301.3	107.6
	All other	3,107.0	19,465.1	21,019.7	132.8	5,773.4	2,092.5
2019	Point	308.4	185.5	77.0	23.2	304.6	107.8
	All other	3,017.8	19,327.3	20,985.1	132.7	5,771.1	2,090.1
2020	Point	313.8	192.5	68.9	23.0	273.8	102.1
	All other	2,896.8	19,214.5	20,905.0	132.7	5,747.9	2,077.9
Project Construction		4.45	25.68	0.94	0.06	2.23	0.65
Project Operation		0.65	0.68	2.05	0.003	0.04	0.02

[1] All other sources include stationary aggregated, areawide, on-road mobile, other mobile, and biogenic.

Table 4.2-11. Colusa County Historical Region-Wide Daily Pollutant Emissions

Year / Source Type[1]		Emissions (tons/day)					
		NO_x	CO	ROG	SO_x	PM_{10}	$PM_{2.5}$
2010	Point	1.52	0.50	0.20	0.04	1.11	0.32
	All other	11.64	24.37	57.91	0.15	12.66	3.17
2011	Point	1.25	0.73	0.22	0.33	1.00	0.34
	All other	11.04	23.11	56.15	0.14	12.48	3.09
2012	Point	1.16	0.67	0.21	0.28	1.07	0.37
	All other	14.23	355.92	79.37	2.41	45.05	30.59
2013	Point	1.23	0.53	0.25	0.32	1.04	0.35
	All other	10.05	18.15	55.76	0.09	12.12	2.69
2014	Point	1.09	0.61	0.22	0.28	0.86	0.26
	All other	9.70	17.64	55.59	0.09	12.12	2.68
2015	Point	0.95	0.52	0.25	0.06	0.77	0.30
	All other	9.89	44.43	57.38	0.39	15.09	5.16
2016	Point	0.95	0.93	0.32	0.08	1.00	0.46
	All other	8.68	15.73	55.19	0.09	12.03	2.54
2017	Point	0.86	0.52	0.21	0.07	0.82	0.30
	All other	8.27	14.16	54.90	0.08	11.91	2.43
2018	Point	0.84	0.51	0.21	0.06	0.83	0.29
	All other	8.51	53.33	57.59	0.36	15.82	5.73
2019	Point	0.84	0.51	0.21	0.06	0.83	0.30
	All other	8.27	52.95	57.49	0.36	15.81	5.73
2020	Point	0.86	0.53	0.19	0.06	0.75	0.28
	All other	7.94	52.64	57.27	0.36	15.75	5.69
Project Construction		0.031	0.104	0.004	0.0003	0.011	0.003
Project Operation		0.007	0.010	0.007	0.00002	0.001	0.0005

[1] All other sources include stationary aggregated, areawide, on-road mobile, other mobile, and biogenic.

IMPACT 4.2-3: *Would the project expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant Impact with Mitigation Incorporated. The Project consists of construction of a solar energy facility that may have the potential to affect nearby sensitive

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receptors. As shown in Figure 4.2-1, there are only two sensitive receptors (residences) located within 1,000 feet of the Project boundary. The sensitive receptors are residences to the south of the Project and south of the proposed gen-tie line. There are no schools, daycare centers, hospitals, or other sensitive receptors in the Project vicinity. Diesel particulate matter will be minimized by using Tier 4 engines and good operational practices as noted below. Construction emissions will be temporary in nature. Operational emissions will be minimal and will occur intermittently for Project maintenance.

The nearest population center, the City of Williams, is located approximately 6.5 miles northeast of the site. Sensitive receptors in Williams and their distances to the site include:

- Liz Kidz Daycare, located 5.8 miles northeast of the Project boundary;
- Williams Elementary School, located 6.4 miles from the Project boundary; and
- Mid Valley High School, located 6.4 miles from the Project boundary.

In addition to the large distance from the Project to sensitive receptors, mitigated pollutant impacts during construction and operation would not result in emissions of criteria pollutants in excess of established BCAQMD thresholds.

Mitigation Measure AQ-2 would limit diesel particulate matter from construction activities. The Project would also use ultra-low sulfur diesel fuels (less than or equal to 5 parts per million by weight sulfur).

Based on the temporary nature and the time frame for construction, these measures will reduce construction emissions and impacts to levels that are in compliance with the CCAPCD air quality regulations.

BCAQMD also identifies significance thresholds for TAC that are based on localized impacts. These include a maximum incremental lifetime cancer risk greater than 10 in 1 million, a chronic and acute hazard index (i.e., ratio of concentrations to Reference Exposure Levels) of one or more, and an annual diesel particulate matter concentration of 0.3 µg/m^3. The primary TAC emitted from construction activities is diesel PM (as $PM_{2.5}$); however, because emissions of TACs from diesel-powered construction equipment are expected to be minimal, intermittent, and of short duration, the Project is not expected to substantially increase ambient concentrations of TACs regionally or locally. There are only two residences within 1,000 feet of the Project and no other sensitive receptors in the 1,000-foot radius from the Project boundaries. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations. As such, localized impacts to off-site sensitive receptors would be less than significant.

Another potential TAC that may impact sensitive receptors is natural occurring asbestos (NOA). NOA has been identified by the CARB as a toxic air contaminant. Serpentine and ultramafic rocks, which may contain NOA, are found in certain mountainous areas of Colusa County. A review of geologic formations within the Project site indicates no ultramafic rocks present (California Department of Conservation 2021). Figure 4.2-2 presents a geologic map of the Project area showing the location of ultramafic (serpentine rock).

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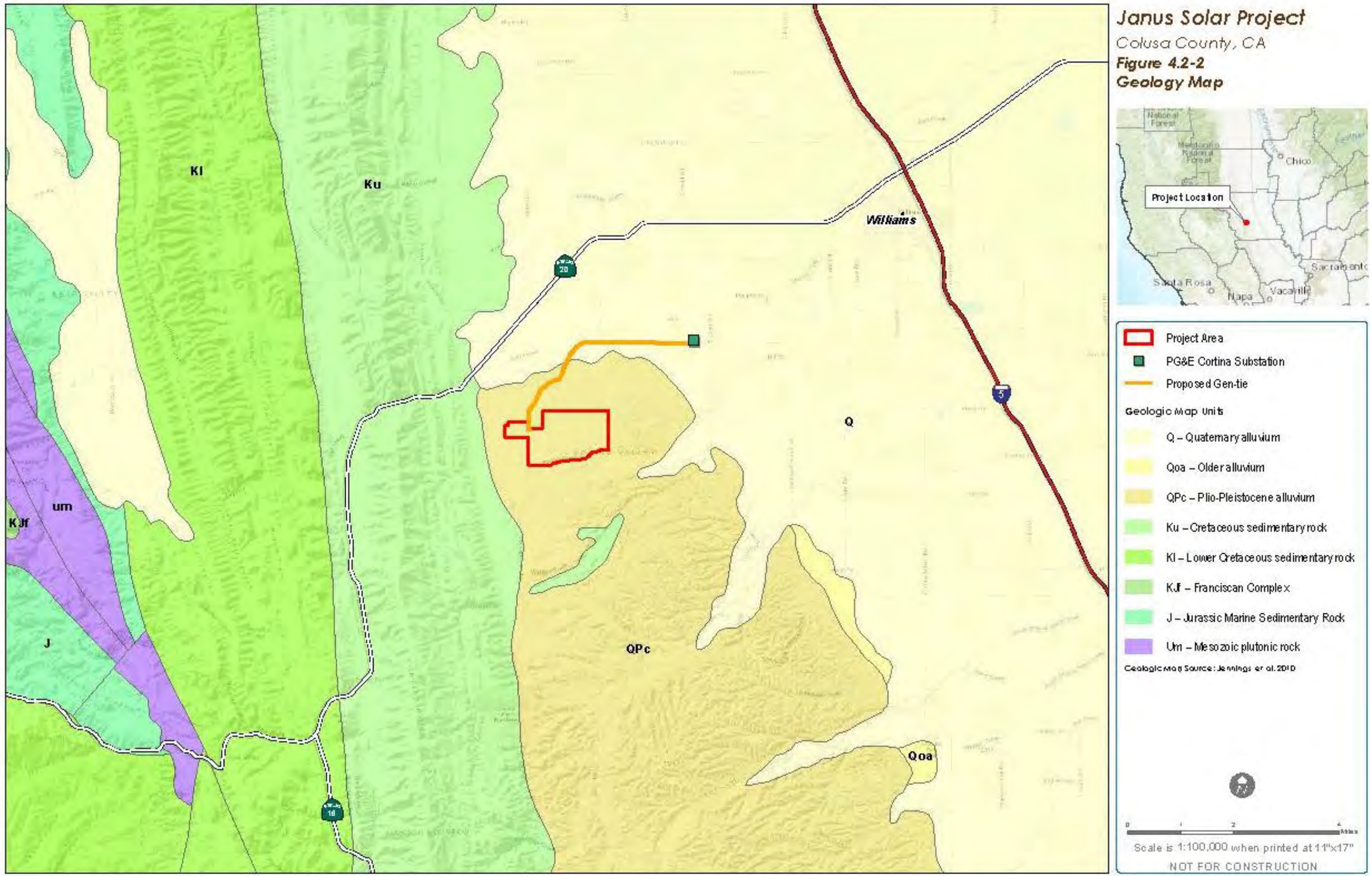


Figure 4.2-2 Geology Map

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IMPACT 4.2-4: *Would the project create objectionable odors affecting a substantial number of people?*

Less Than Significant Impact. The land use surrounding the Project site is rural. Properties are currently being used for cattle grazing, agriculture, and open space. The closest residence is approximately 100 feet to the south of the Project site, and the next closest residence is approximately 400 feet south of the proposed gen-tie line. During Project-related construction activities, various diesel-powered vehicles and equipment could create minor odors. These odors are not likely to be noticeable beyond the immediate vicinity and would be temporary and short-lived. Therefore, construction odor impacts would be less than significant.

Long-term odors are associated typically with industrial projects involving use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The Project involves no elements related to these types of uses. Therefore, no long-term odor impacts would occur with Project implementation.

4.2.7 Mitigation Measures

The following mitigation measures are recommended to reduce significant impacts to air quality:

AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices:

- All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.
- When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.
- Limit traffic speeds on unpaved roads to 15 miles per hour
- Curtail construction activities when the County's Air Quality Index exceeds 150.

AQ-2: Construction Equipment Requirements

During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

4.2.8 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that would extend from where the Applicant's gen-tie line terminates at the boundary of the PG&E's property at the Cortina Substation to the available

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PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements would be made within the existing Cortina Substation footprint.

Through the implementation of **Mitigation Measure AQ-1** and **AQ-2**, these improvements would not have a substantial adverse effect on any applicable air quality plans. Nor would the improvements cause an increase in pollutants that may be considered as non-attainment by federal or state standards. The Cortina Substation improvements would not expose any sensitive receptors to substantial pollutants or any objectional odors. Therefore, no further mitigation is required.

4.2.9 Cumulative Impacts

The SVAB is considered the area of cumulative effects, and it is currently in non-attainment for the California AAQS for PM_{10}. Therefore, there is an existing adverse cumulative impact in SVAB relative to these pollutants.

The contribution of a project's individual air emissions to regional air quality impacts is a cumulative effect due to the collective nature of the air quality resource. Emissions from past, present, and future projects in the region also have or will contribute to adverse regional air quality impacts on a cumulative basis. No single project by itself would be sufficient in size to result in non-attainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulative air quality conditions. The project-level thresholds for criteria air pollutants are based on levels by which new sources are not anticipated to contribute to an air quality violation or result in a considerable net increase in criteria air pollutants. As Project construction emissions would be below thresholds, the Project's incremental contribution to the cumulative impact in the region would not be considered cumulatively considerable. Additionally, as discussed above, the Project, with mitigation incorporated, would not conflict with or obstruct implementation of air quality plans. Therefore, the Project construction and decommissioning would not result in a cumulatively considerable increase in emissions of non-attainment pollutants.

Project emissions of pollutants for which SVAB is in attainment for state and federal air quality standards also would not lead to a cumulative impact because the individual Project emissions would be well below the thresholds in an area that does not experience violations of these standards.

The BCAQMD considers TAC emissions to be localized impacts. The BCAQMD has established thresholds of significance for TACs that are conservative and protective of health impacts on sensitive receptors. As discussed in **IMPACT 4.2-3**, the Project is not expected to substantially increase ambient concentrations of TACs regionally or locally. Therefore, the Project would not result in a cumulatively significant impact related to TACs. Similarly, odor impacts from the Project would be very minimal and localized and would not contribute to cumulative odors impacts in the area.

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4.2.10 References

BCAQMD (Butte County Air Quality Management District). 2014. Air Quality Handbook. Guidelines for Assessing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA Review. October 2014. https://bcaqmd.org/wp-content/uploads/CEQA-Handbook-Appendices-2014.pdf.

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CARB (California Air Resources Board). 2021a. Appendix C Maps and Tables of Designations for State and National Ambient Air Quality Standards. February 2021. https://ww3.arb.ca.gov/regact/2021/sad20/appc.pdf

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EPA (U.S. Environmental Protection Agency). 2021. "AirData: Access to Air Pollution Data." Last updated February 2021. Accessed May 2021. http://www.epa.gov/airdata/ad_rep_mon.html.

NOAA NCDC (National Oceanic and Atmospheric Administration National Climatic Data Center). 2021. *Data Tools: 1981-2010 Normals*. Accessed April 2021. 1981-2010 Normals | Data Tools | Climate Data Online (CDO) | National Climatic Data Center (NCDC) (noaa.gov).

SVAQEEP (Sacramento Valley Air Quality Engineering and Enforcement Professionals). 2015. *Northern Sacramento Valley Planning Area 2015 Triennial Air Quality Attainment Plan.* August 2015. https://www.fraqmd.org/files/cc5597e19/2015+Triennial+AQAP.pdf.

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4.3 AESTHETICS

This section identifies and evaluates issues related to Aesthetic Resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Aesthetic Resources.

4.3.1 Aesthetics Concepts and Methodology

Individuals' values, familiarity with a landscape, concern for a landscape, or interpretation of scenic quality can lead to varying individual determinations of scenic quality and varying individual responses to changes made to a landscape. Due to unique individual attachments to values for a particular landscape, visual changes will inherently affect viewers differently. However, general assumptions can be made about viewer sensitivity to scenic quality and visual changes. For the purpose of this analysis, visual or aesthetic resources are defined as both the natural and built features of the landscape that contribute to the public's experience and appreciation of a given environment.

4.3.2 Visual Change Criteria

Visual impacts are generally defined in terms of a project's physical characteristics and potential visibility, as well as the extent to which the project's presence would change the perceived visual character and quality of the environment in which it would be located. Tetra Tech followed the contrast rating system used by the U.S. Bureau of Land Management (BLM) to objectively measure potential changes to the visual environment (BLM 1986). The BLM's contrast rating system is commonly used by federal agencies to assess potential visual resource impacts from proposed projects.

Potential visual impacts were characterized by determining the level of visual contrast introduced by the Project based on comparing existing conditions and photo simulations. The Visual Impacts Assessment is included as Appendix D. Visual contrast is a means to evaluate the level of modification to existing landscape features. Existing landscape is defined by the visual characteristics (form, line, color, and texture) associated with the landform (including water), vegetation, and existing development. The level of visual contrast introduced by a project can be measured by changes in the visual characteristics that would occur as a result of project implementation. The greater the difference between the character elements found within the existing landscape and with a proposed project, the more apparent the level of visual contrast. The following general criteria[1] were used when evaluating the degree of contrast:

- *None* – The contrast is not visible or perceived.
- *Weak* – The contrast can be seen but does not attract attention.
- *Moderate* – The element contrast begins to attract attention and begins to dominate the characteristic landscape.
- *Strong* – The element contrast demands attention, would not be overlooked, and is dominant in the landscape.

[1] These criteria are based on the BLM Visual Resource Management system, a process using the concept of "contrast" to objectively measure potential changes to the landscape features.

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4.3.3 Viewshed

The viewshed is generally the area that is visible from an observer's viewpoint and includes the screening effects of intervening vegetation and/or physical structures. Although some portion of the project site may be visible from a relatively large area, the degree of visibility would depend on distance and view angle. Generally, the Project site would be most visible from viewpoints within 1 mile, while site visibility would diminish as distance increases and view angle decreases. Air quality, including dust and other visible particulates, can affect visibility in the area. Distance is only one of the factors that determine visibility of a site from a viewpoint. Terrain, vegetation, and structural features can obscure views that might otherwise be available at a certain distance.

4.3.4 Key Observation Points

Key Observation Points (KOPs) were identified based on locations from which the Project infrastructure would potentially be visible and noticeable to the casual observer. The "casual observer" is considered an observer who is not actively looking or searching for the Project, but who is engaged in activities at locations with potential views of the Project, such as hiking or driving along a scenic road. If the Project infrastructure is not noticeable to the casual observer, visual impacts can be considered minor to negligible.

Six KOPs were selected as representative vantage points in the landscape that offer motorists traveling on area roadways and local residents' views of the proposed Project site (Figure 4.3-1). These KOPs provide views of each side of the Project site from publicly accessible areas.

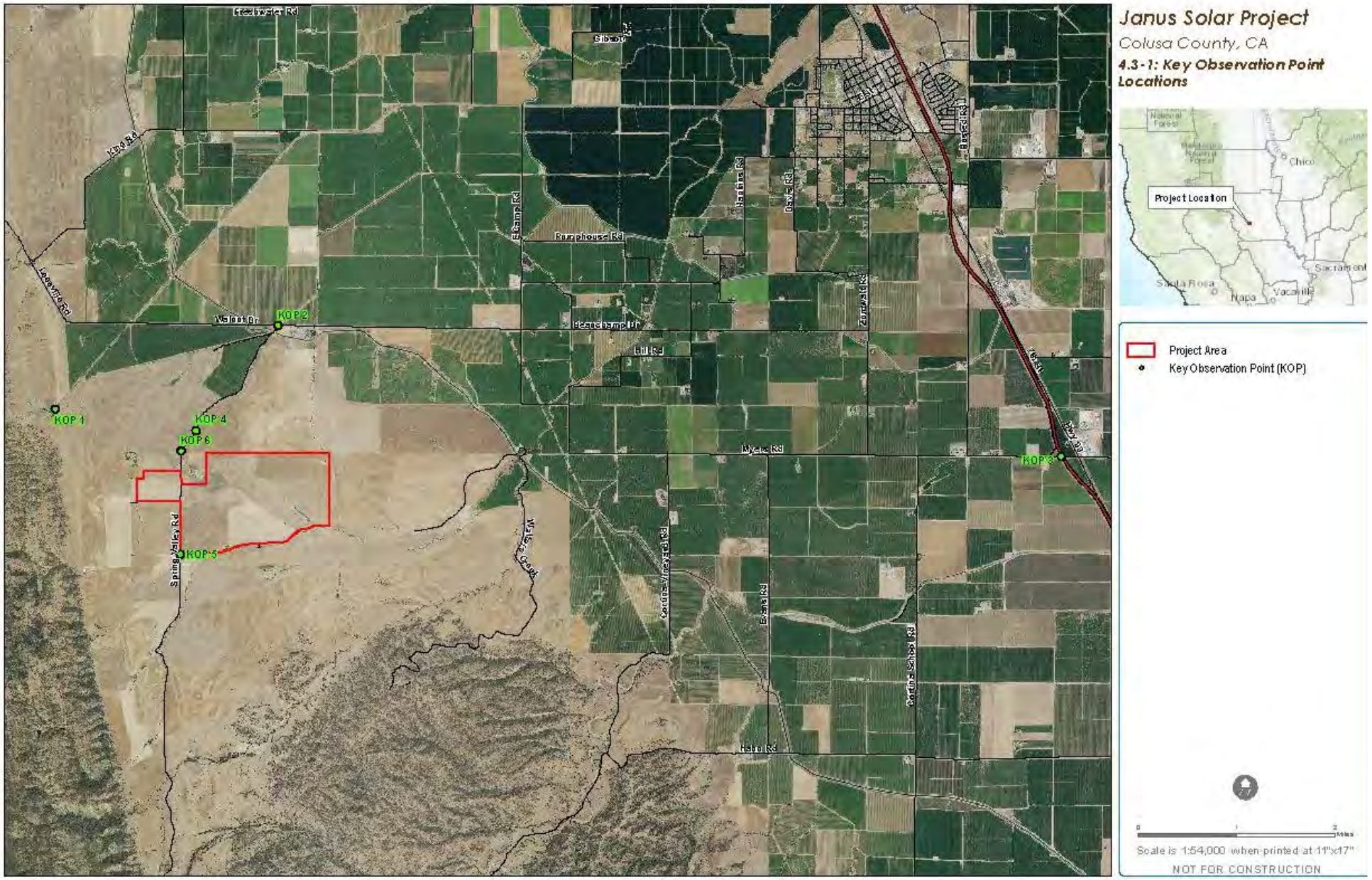
Factors considered in the selection of KOPs included locations with sensitive viewers (e.g., local residences, motorists on nearby roadways) and potential for the Project site to be visible (e.g., distance and view angle). The KOPs were selected to capture representative vantages from Interstate (I)-5, local roadways, and residences.

Digital photographs were taken from the selected KOP locations to support the discussion on existing visual setting and the analysis of potential visual impacts associated with the proposed Project site (Figures 4.3-2 through 4.3-4). Photographs of existing conditions were taken on March 17, 2021 using a digital single-lens reflex Canon 5D Mark III camera.

4.3.5 Visual Simulations

Three-dimensional visual simulations from three representative KOP photographs were rendered to approximate the visual conditions resulting with Project implementation. Using the photographs acquired at each KOP, a three-dimensional physical massing model was created that incorporated the PV scale model, placed in array configurations. The model was then georeferenced and placed on global positioning system (GPS)–controlled site-specific photographs to create simulations that demonstrate visual changes from the Project. Figures 4.3-5 through 4.3-7 present simulated views of Project features.

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Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01



Key Viewpoint plan

KOP 1: EXISTING CONDITIONS

Photograph Information

Time of photograph:	4:11pm
Date of photograph:	3/16/21
Weather condition:	Mostly Sunny
Viewing direction:	Southeast
Latitude:	39°6'28.12"N
Longitude:	122°18'20.09"W



KOP 2: EXISTING CONDITIONS

Photograph Information

Time of photograph:	3:33pm
Date of photograph:	3/16/21
Weather condition:	Mostly Sunny
Viewing direction:	South
Latitude:	39°07'12.69"N
Longitude:	122°15'44.95"W



JANUS SOLAR PROJECT

Colusa County, CA

EXISTING CONDITION

Figure 4.3-2

KOP 1 and KOP 2 Existing Conditions



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Key Viewpoint plan

KOP 3: EXISTING CONDITIONS

Photograph Information

Time of photograph:	4:55pm
Date of photograph:	3/16/21
Weather condition:	Mostly Sunny
Viewing direction:	West
Latitude:	39°6'3.89"N
Longitude:	122°6'54.84"W



KOP 4: EXISTING CONDITIONS

Photograph Information

Time of photograph:	3:01pm
Date of photograph:	3/16/21
Weather condition:	Mostly Sunny
Viewing direction:	South
Latitude:	39°6'17.19"N
Longitude:	122°16'43.96"W



JANUS SOLAR PROJECT

Colusa County, CA

EXISTING CONDITION

Figure 4.3-3

KOP 3 and KOP 4 Existing Conditions



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Key Viewpoint plan

KOP 5: EXISTING CONDITIONS

Photograph Information

Time of photograph:	12:47pm
Date of photograph:	3/16/21
Weather condition:	Sunny
Viewing direction:	North
Latitude:	39°05'11.75"N
Longitude:	122°16'54.41"W



KOP 6: EXISTING CONDITIONS

Photograph Information

Time of photograph:	11:07am
Date of photograph:	3/16/21
Weather condition:	Cloudy
Viewing direction:	East
Latitude:	39°6'5.94"N
Longitude:	122°16'54.43"W



JANUS SOLAR PROJECT

Colusa County, CA

EXISTING CONDITION

Figure 4.3-4

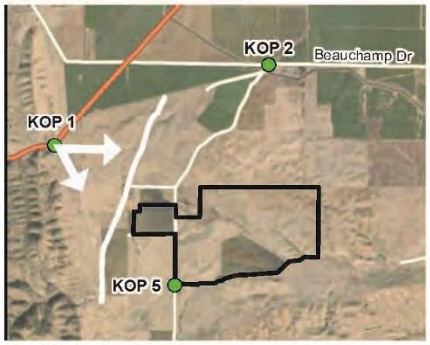
KOP 5 and KOP 6 Existing Conditions



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Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS SOLAR PROJECT

Colusa County, CA

PHOTO SIMULATION

Figure 4.3-5
Point 01:
State Highway 20



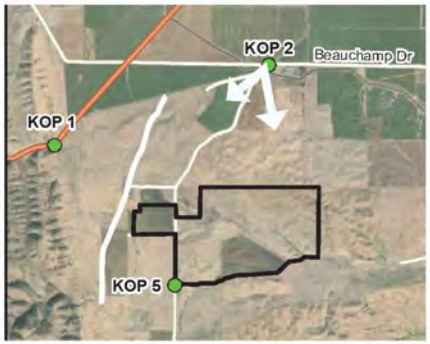
Photograph Information

Time of photograph:	4:11pm
Date of photograph:	3/16/21
Weather condition:	Mostly Sunny
Viewing direction:	Southeast
Latitude:	39°6'28.12"N
Longitude:	122°18'20.09"W

Disclaimer: visualizations and plans are for reference only; Not for construction

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Key Viewpoint plan

EXISTING CONDITIONS



Project Area is obscured by existing terrain and vegetation, as indicated by yellow overlay

SIMULATED CONDITIONS



JANUS SOLAR PROJECT

Colusa County, CA

PHOTO SIMULATION

Figure 4.3-6

Key Observation Point 02:
Beauchamp Dr



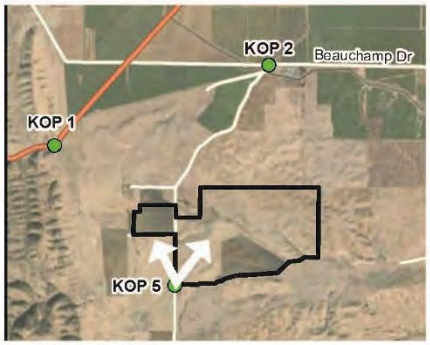
Photograph Information

Time of photograph:	3:33pm
Date of photograph:	3/16/21
Weather condition:	Mostly Sunny
Viewing direction:	South
Latitude:	39°07'12.69"N
Longitude:	122°15'44.95"W

Disclaimer: visualizations and plans are for reference only; Not for construction

TETRA TECH RWE

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Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS SOLAR PROJECT

Colusa County, CA

PHOTO SIMULATION

Figure 4.3-7

Key Observation Point 05:
Spring Valley Rd



Photograph Information

Time of photograph:	12:47pm
Date of photograph:	3/16/21
Weather condition:	Sunny
Viewing direction:	North
Latitude:	39°05'11.75"N
Longitude:	122°16'54.41"W

Disclaimer: visualizations and plans are for reference only; Not for construction

TETRA TECH RWE

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4.3.6 Existing Conditions

4.3.6.1 Regional Character

The Project is within the northwestern Sacramento Valley, which is part of the Great Central Valley Geomorphic Province (Beck and Haase 1974). The province is comprised of a large northwest trending alluvial plain situated between the Coast Ranges to the west and the Sierra Nevada Range to the east. Specifically, the Project is within the low eastern foothills of the Coast Ranges, situated in Spring Valley and near the foot of the Cortina Ridge east facing slope. The topography of the Project is slightly flat with undulating low foothills. A geographic feature, Bunker Hill, is located within the central portion of the Project. The elevation across the Project ranges from 240 to 328 feet above median sea level. Salt Creek is located near the southern Project boundary and an east to west trending ephemeral drainage (possibly a tributary of Spring Creek) crosses the southwest portion of the area of potential significant impact. The Project is roughly 12 miles west of the Sacramento River and is within the Colusa Basin Watershed which is part of the Sacramento National Wildlife Refuge Complex.

4.3.6.2 Local Setting

The elevation across the Project ranges from 240 to 328 feet above median sea level. The Project site currently supports cattle grazing and grain cultivation. Vegetation on the Project site includes non-native grassland, cultivated grain fields, low growing herbaceous plants, and disturbed riparian areas and drainages with sparse native and non-native trees, as well as non-native cultivated trees rows along the proposed gen-tie.

4.3.6.3 Scenic Routes/Vista Points

According to the California Department of Transportation (Caltrans) Scenic Highway System Lists, there are no officially designated state scenic highways. However, there are two eligible state scenic highways, State Route (SR)-16 and SR-20, in Colusa County. The sections of SR-16 and SR-20 that are designated as eligible state scenic highways are located approximately 6.5 miles from the Project site (Caltrans 2021). There are no Department of Transportation designated vista points on I-5 near the Project site (Caltrans 2018).

4.3.6.4 Existing Visual Character

Six KOPs were selected to assess the level of visual change resulting from the Project on the existing environment. The location of the six KOPs are presented in Figure 4.3-1. The KOPs were selected to capture representative vantages from I-5 and Myers Road, SR-20, Beauchamp Drive, Spring Valley Road, and residences north and south of the Project site.

Key Observation Point 1

KOP 1 is located on SR-20, approximately 1.1 miles northwest of the Project site. This KOP depicts views oriented southeast toward the Project site. As shown in Figure 4.3-2, the existing landscape setting is characterized by agricultural land relatively flat to moderately rolling terrain. Existing structural features include residences, agricultural buildings, fencing, and transmission lines in the foreground[2]. Vegetation includes grasses, and a few stands of trees. Dominant colors for the landscape are tans, browns, and greens while the structures are white, tan, and brown.

[2] Depending on viewpoint topography, foreground describes an approximate area from 0 to 1 mile, middleground describes an approximate area from 1 to 3 miles, and background describes an approximate area from 3 to 15 miles from the viewpoint.

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The vegetation consists of irregular, organic forms: grasses are continuous with a few irregular shaped trees. The linear and horizontal lines associated with the structures are visible but not prominent from this viewpoint. This KOP provides a typical view for drivers traveling along SR-20, likely traveling at a high rate of speed. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Key Observation Point 2

KOP 2 is located at the intersection of Beauchamp Drive and Spring Valley Road, approximately 1.3 miles north of the Project site. This KOP depicts views oriented south toward the Project site. As shown in Figure 4.3-2, the existing landscape setting is characterized by agricultural land relatively flat to gently rolling terrain. Existing structural features include Spring Valley Road and fencing in the foreground and transmission lines in the middleground. Vegetation includes grasses. Dominant colors for the landscape are green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of contiguous grasses. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Beauchamp Drive and Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area. This KOP also provides a typical view for the occupants of the residence along Beauchamp Drive. Considering the frequent viewing by local residents, viewers would have a moderate sensitivity to the visual changes in the area.

Key Observation Point 3

KOP 3 is located on the Myers Road overpass of I-5, approximately 7.4 miles east of the Project site. This KOP depicts views oriented west toward the Project site. As shown in Figure 4.3-3, the existing landscape setting is characterized by agricultural land and buildings with relatively flat terrain in the foreground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include roadway infrastructure, residences, agricultural buildings and equipment, fencing, and transmission lines in the foreground. Vegetation includes orchards, ornamental trees and shrubs, and row crops. Dominant colors for the landscape are greens and browns while the structures are gray, white, tan, and brown. The vegetation consists of irregular shaped, organic forms of trees and shrubs. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Myers Road or I-5, likely traveling at a high rate of speed. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area. This KOP also provides a typical view for the occupants of the residence on Myers Road. Considering the frequent viewing by local residents, viewers would have a moderate sensitivity to the visual changes in the area.

Key Observation Point 4

KOP 4 is located on Spring Valley Road, approximately 0.4 miles north of the Project site. This KOP depicts views oriented southeast toward the Project site. As shown in Figure 4.3-3, the existing landscape setting is characterized by the agricultural land with gently rolling terrain in the foreground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, and utility pole lines in the foreground. Vegetation includes grasses and a stand of trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of irregular, organic forms: grasses are continuous with the irregular shaped trees. The linear and

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horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Key Observation Point 5

KOP 5 is located on Spring Valley Road, immediately adjacent to the Project site. This KOP depicts views focused northeast toward the Project site. As shown in Figure 4.3-4, the existing landscape setting is characterized by agricultural land with relatively flat terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, transmission lines, and a residence and agricultural buildings. Vegetation includes grasses and occasional trees. Dominant colors for the landscape are brown and green while the structures are gray, brown, and white. The vegetation consists of irregular, organic forms: grasses are continuous with the occasional irregular shaped trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Key Observation Point 6

KOP 6 is located near Spring Valley Road, approximately 0.2 miles north of the Project site. This KOP depicts views oriented east toward the Project site. As shown in Figure 4.3-4, the existing landscape setting is characterized by agricultural land with relatively flat terrain in the foreground/middleground and rolling terrain in the background. Existing structural features include Spring Valley Road and fencing in the foreground. Vegetation includes grasses. Dominant colors for the landscape are brown, tan, and green while the structures are gray and brown. The vegetation consists of irregular, organic forms of contiguous grasses. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area. This KOP also provides a typical view for the occupants of the residence west of Spring Valley Road. Considering the frequent viewing by local residents, viewers would have a moderate sensitivity to the visual changes in the area.

4.3.7 Regulatory Setting

4.3.7.1 Federal

National Scenic Byways Program

The National Scenic Byways Program, a part of the Federal Highway Administration, recognizes, preserves, and enhances selected roads throughout the United States as All-American Roads or National Scenic Byways based on one or more archaeological, cultural, historic, natural, recreational, and scenic qualities. According to the Federal Highway Administration's America's Byways website, there are no officially designated National Scenic Byways in the vicinity of the Project site (FHWA 2021).

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4.3.7.2 State

Caltrans Scenic Highway Program

State scenic highways are those that are either officially designated as state scenic highways by Caltrans or are eligible for such designation. The scenic designation is based on the amount of natural landscape visible by motorists, the scenic quality of the landscape, and the extent to which development intrudes on the motorist's enjoyment of the view. There are two sections of SR-16 and SR-20 in Colusa County that are designated as eligible state scenic highways located approximately 6.5 miles from the Project site (Caltrans 2021). There are no Department of Transportation designated vista points on I-5 near the Project site (Caltrans 2018).

4.3.7.3 Local

Colusa County

Community Character Element (Colusa County 2012a)

Goal CC-1: Protect the Rural Qualities that make the County and its Communities Distinct from other Counties in California, and Conserve and Enhance the Elements that Contribute to a Favorable Quality of Life

Objective CC-1B: To Maintain and Enhance the Aesthetic Beauty of the County

Policy CC 1-14: Encourage private landowners to maintain their property in a way that contributes to the attractive appearance of the County, while recognizing that many of the land uses in the County, including agriculture and light industry, require a variety of on-site structures, equipment, machinery and vehicles in order to operate effectively.

Policy CC 1-15: Preserve and enhance the rural landscape as an important scenic feature of the County.

Policy CC 1-16: Require all new development to protect the scenic beauty of the County, incorporate high quality site design, architecture, and planning so as to enhance the overall quality of the built environment in the County's communities and create a visually interesting and aesthetically pleasing built environment that respects the rural nature of the County.

Policy CC 1-17: Establish design standards, including community-specific policies, to encourage visually attractive development and lessen the visual impact of existing non-conforming uses

Conservation Element (Colusa County 2012b)

Goal CON-2: Conserve, protect, and enhance energy, air, and mineral resources.

Objective CON-2A: Use Energy Efficiently and Encourage the Use of Renewable and Sustainable Sources of Energy

Policy CON 2-4: Allow alternative energy production infrastructure (such as solar panel arrays) that limits energy generation to the amount necessary to support on-site uses in all land use designations as a principally permitted use, provided that the project complies with the following: a. Does not detract from the visual character from the area and are either screened or designed to blend with the other uses on the site…

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Open Space and Conservation Element (Colusa County 2012c)

Goal OSR-1: Preserve and Protect the Natural Resources and Scenic Beauty of the County

Objective OSR 1-C: Maintain and Enhance the Quality of the County's Scenic and Visual Resources

Policy OSR 1-10: To the maximum extent feasible, maintain and protect views of the County's scenic resources, including water bodies, the Sutter Buttes, Snow Mountain, St. John Mountain, Goat Mountain, unique geologic features, and wildlife habitat areas.

Policy OSR 1-11: To the maximum extent feasible, the significant open space resources in the County, such as the western foothills, Indian Valley, and Bear Valley should remain visually undisturbed.

Policy OSR 1-12: Limit visually intrusive development near scenic resources in order to minimize visual impacts to the greatest extent feasible.

Policy OSR 1-13: Visual impacts to scenic resources, such as regional focal points, from new development or resource extraction activities shall be addressed and mitigated through the CEQA review process.

Policy OSR 1-14: Reduce light and glare from artificial lighting within open space and agricultural areas to the extent that it does not adversely impact the County's rural character.

Objective OSR 1-D: Encourage the Preservation of Scenic Vistas and Limit the Proliferation of Unsightly Signage along County Roadways and in Scenic Areas Policy

OSR 1-15: Protect roadway viewsheds with high scenic value and "rural flavor" and encourage the establishment of public viewing areas in areas with rural character and scenic beauty.

Policy OSR-1-16: Protect and preserve the following features along rural character corridors and in scenic areas to the extent appropriate and feasible:

- Trees, wildflowers, and other natural or unique vegetation
- Landforms and natural or unique features
- Views and vistas, including expansive views of open space and agricultural lands
- Historic structures (where feasible), including buildings, bridges, and signs

Policy OSR 1-17: Provide a greater number of areas along rural character corridors and in scenic areas for public access and recreation, including vistas, rest stops, or picnicking.

Policy OSR 1-18: Discourage non-agricultural or non-recreational roadside commercial and industrial activities along rural character corridors.

Policy OSR 1-19: Design new roads in hillside areas along the lines of the landscape and in a manner which minimizes visual impact from surrounding areas.

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4.3.8 Thresholds of Significance

A project would result in significant impacts to aesthetic resources if it would:

a) *Have substantial adverse effect on a scenic vista?*

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

c) *In non-urbanized area, would substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations of governing scenic quality?*

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

4.3.9 Impact Analysis

IMPACT 4.3-1: *Would the project have substantial adverse effect on a scenic vista?* **(No Impact)**

No designated scenic vistas are located within visible distance of the Project site. The Project site and surrounding area includes existing agricultural land and buildings, residences, and utility infrastructure. The Project area is not a scenic vista or visible from any designated scenic vista. No impact on scenic vistas would occur.

IMPACT 4.3-2: *Would the project substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?* **(No Impact)**

There are no officially designated state scenic highways in the vicinity of the Project site. The sections of SR-16 and SR-20 that are designated as eligible state scenic highways are located approximately 6.5 miles from the Project site. Due to terrain and distance, the Project site is not visible from these sections of these highways, therefore, no impact to a scenic highway will occur.

IMPACT 4.3-3*: In non-urbanized area, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations of governing scenic quality?* **(Less than Significant Impact)**

The Project site is rural in character with a wide variety of visual encroachments, including scattered ranch structures, agricultural buildings and infrastructure, fencing, local electrical distribution lines and high-voltage transmission lines, and roadways.

Construction

The proposed Project would involve both temporary and permanent changes to the visual character of the site. Temporary changes are associated with construction activities, including construction equipment, staging, and Site construction. These visual impacts would be short-term in nature and are not considered to be significant.

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Operation

KOP 1

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting; however, the Project would barely be visible from this location by a casual observer because of the screening of the Project site by rolling terrain and vegetation, see Figure 4.3-5. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess horizontal and vertical lines (residences, agricultural buildings, fencing, and transmission lines). The portions of the Project that are visible would not attract attention and would be a subordinate feature in the landscape setting. This viewpoint reflects the views of drivers traveling along SR-20. These impacts would be short term for travelers because they would only be paralleling the Project site for a limited time and their focus would be on the road ahead. As the contrast is anticipated to be weak from Viewpoint 1, the visual impacts are considered minor and less than significant.

KOP 2

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting; however, the Project would not be visible from this location by a casual observer because of the screening of the Project site by rolling terrain, see Figure 4.3-6. This viewpoint reflects the views of drivers traveling along Beauchamp Drive and Spring Valley Road and the views of the occupants of the residence along Beauchamp Drive. As the Project would not be visible from this location by a casual observer, there would be no visual impacts from Viewpoint 2.

KOP 3

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting; however, the Project would barely be visible from this location by a casual observer because of the screening of the Project site by distance and vegetation. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess horizontal and vertical lines (roadway infrastructure, residences, agricultural buildings and equipment, fencing, and transmission lines) and some are colored gray (roadway infrastructure, agricultural buildings and equipment, transmission lines). The portions of the Project that are visible would not attract attention and would be a subordinate feature in the landscape setting. This viewpoint reflects the views of drivers traveling along Myers Road or I-5. These impacts would be short term for travelers because they would only be approaching or paralleling the Project site for a limited time and their focus would be on the road ahead. As the contrast is anticipated to be weak from Viewpoint 3, the visual impacts are considered minor. This viewpoint also reflects the views of the occupants of the residence along Myers Road. The Project would not block views of the foothills of the Coast Ranges. For views from residences, while appearing as new and highly visible features, the Project infrastructure, including the new poles for the gen-tie, would be consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape. The contrast is anticipated to be weak from Viewpoint 3 and the portion of the Project that would be visible would be sub-dominate in the landscape, therefore the contrast and the visual impact are considered to be minor and less than significant.

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KOP 4

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting; however, the Project would not be visible from this location by a casual observer because of the screening of the Project site by rolling terrain. This viewpoint reflects the views of drivers traveling south along Spring Valley Road. As the Project would not be visible from this location by a casual observer, there would be no visual impacts from Viewpoint 4.

KOP 5

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible from this location by a casual observer, see Figure 4.3-7. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess horizontal and vertical lines (roadway, fencing, transmission lines, a residence, agricultural buildings) and some are colored gray (roadway, fencing, transmission lines). This viewpoint reflects the views of drivers traveling north along Spring Valley Road. As the Project would attract attention to the casual observer and the portion of the Project that would be visible would co-dominate the landscape, the contrast would be considered moderate. These impacts would be short term for travelers because they would only be approaching the Project site for a limited time and their focus would be on the road ahead.

This viewpoint also reflects the views of the occupants of the residence south of the Project site. For views from the residence, while appearing as new and highly visible features, the Project infrastructure, including the new gen-tie poles, would be consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape. As the Project would attract attention to the casual observer and the portion of the Project that would be visible would co-dominate the landscape, the contrast would be considered moderate. However, the Project would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. Therefore, the impacts would be less than significant.

KOP 6

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible from this location by a casual observer. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess gray color and horizontal and vertical lines (roadway, fencing). This viewpoint reflects the views of drivers traveling along Spring Valley Road. These impacts would be short term for travelers because they would only be approaching or paralleling the Project site for a limited time and their focus would be on the road ahead. This viewpoint also reflects the views of the occupants of the residence west of Spring Valley Road. For views from residence, while appearing as new and highly visible features, the Project infrastructure, including the new gen-tie poles, would be consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape. As the Project would attract attention to the casual observer and the portion of the Project that would be visible would co-dominate the landscape, the contrast would be considered moderate. However, the Project would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. Therefore, the impacts would be less than significant.

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IMPACT 4.3-4: *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?* **(Less Than Significant Impact)**

The Project is not expected to create a substantial new source of nighttime lighting or daytime glare. The proposed Project will provide external safety lighting for both normal and emergency conditions at the primary access points. Lighting will be designed to provide the minimum illumination needed to achieve safety and security and will be downward facing and shielded to focus illumination in the immediate area. All lighting associated with the proposed Project will be subject to County approval and compliance with Colusa County requirements. Therefore, the Project will have a less than significant impact associated with nighttime lighting.

Unlike solar thermal facilities, which rely on large fields of mirrors to reflect light, the potential reflection from solar PV modules is inherently low since they are designed to capture and not to reflect sunlight. PV panels have a lower index of refraction/reflectivity than common sources of glare in residential environments. The glare and reflectance levels from a given PV system are lower than the glare and reflectance levels of steel, snow, standard glass, plexiglass, and smooth water (Shields 2010). The glare and reflectance levels of modules are further reduced with the application of anti-reflective coatings. PV suppliers typically use stippled glass for panels as the “texturing” of the glass to allow more light energy to be channeled/transmitted through the glass while weakening the reflected light. With the application of anti-reflective coatings and use of modern glass technology, Project PV panels would display overall low reflectivity. In addition, because tracker systems follow the sun, the underside of the PV panels and most of the structure supporting them are shadowed throughout the day.

Moreover, light reflected from the PV panels would travel above the line of site of most, if not all, viewers. PV tracking systems position the array so that the sun’s rays are always perpendicular to the face of the panel. What light is reflected from the panels is reflected back towards the sun. During midday conditions, when the sun is high in the sky, the rays of the sun are reflected directly upwards. For example, when the sun is low on the horizon (near dawn or dusk), the sun's angle in the sky is low; however, reflected rays would still be directed away from ground-level receptors because the maximum downward angle of the arrays would not be below 30 degrees. Similarly, and also due to their low reflectivity, the panels are not expected to cause visual impairment for motorists on area roadways or pilots arriving and departing at the Williams Airport or Colusa County Airport.

4.3.10 Pacific Gas and Electric Cortina Substation Improvement

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant’s gen-tie line terminates at the boundary of PG&E’s Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. Construction, operation, maintenance and decommissioning of the PG&E interconnection infrastructure would result in a less than significant impact relating to the potential for a substantial adverse effect on a scenic vista, a substantial degradation of the character or visual quality of views from publicly accessible vantage points (i.e., any of the KOPs), or to substantially damage scenic resources within a state scenic highway. Similarly, because the new infrastructure would not include

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substantial new sources of light or glare, the Project-proposed construction and modifications of PG&E infrastructure would have a less than significant impact. No mitigation is required.

4.3.11 Cumulative Impacts

There would be no impact with respect to scenic resources within a state scenic highway or scenic vistas because there are none in the Project study area. Additionally, due to the isolated location and site-specific nature in which glare is experienced, the Project's less than significant impact related to glare could not combine with impacts from other facilities. Therefore, the Project's impact to visual resources resulting from glare would not cause or contribute to a significant adverse cumulative impact.

Generally, projects located 3 miles distant or more from the Project site would not be visible within the same viewshed as the Project. Cumulative aesthetic impacts could occur as long as the Project contributes to visual changes to the landscape that are visible or perceived by the public, either within the same viewpoints, or as a noticeable element in a cumulative viewing experience (e.g., a driver on a local road). Because there are no cumulative projects within the same viewshed of the Project, the Project would not contribute to a significant cumulative impact.

4.3.12 References

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4.4 BIOLOGICAL RESOURCES

This section describes the biological resources[1] of the proposed Project Area and evaluates habitat conditions to determine the potential for occurrence of common and special-status species[2] and their habitats[3].

Information presented in this section is based on the following reports included in the *Biological Resources*, Appendix E, of this Draft EIR. Biologists from Tetra Tech conducted literature reviews and field surveys of the biological resources potentially associated with the Project site. Estep Environmental Consulting also conducted breeding season surveys and habitat assessment of the Swainson's hawk in the vicinity of the site. The following types of general and focused biological surveys were conducted in 2019, 2020, and 2021:

- Vegetation and habitat mapping
- Rare plant surveys
- Raptor nest surveys
- Swainson's hawk breeding season surveys and habitat assessment
- Protocol burrowing owl (BUOW) burrow survey
- Protocol breeding season and winter season BUOW surveys
- Jurisdictional delineation of wetlands/waters of the United States (U.S.), Waters of the State, and rivers, streams, or lakes regulated by the California Department of Fish and Wildlife (CDFW)

The analysis is based on the Project-specific biological resources technical reports that are listed below. Each technical report has been prepared on the Applicant's behalf and copies can be found in Appendix E, *Biological Resources*.

1. Habitat Characterization Report (Tetra Tech 2020)
2. Biological Survey Report (Tetra Tech 2021a)
3. Burrowing Owl Survey Report (Tetra Tech 2021b)
4. Jurisdictional Delineation Report (Tetra Tech 2021c)
5. The Distribution, Abundance, and Habitat Associations of Nesting Swainson's Hawks (*Buteo swainsoni*) in the Vicinity of the Proposed Janus Solar Project (Estep Environmental Consulting 2021)

[1] For the purposes of this analysis, "biological resources" refers to the plants, wildlife, and habitats that occur, or have the potential to occur, within the biological study area.

[2] For the purposes of this analysis, "special-status species" refers to any species that has been afforded special protection by federal, state, or local resource agencies (e.g., United States Fish and Wildlife Service, California Department of Fish and Wildlife) or resource conservation organizations (e.g., California Native Plant Society). The term "special-status species" excludes those avian species solely identified under Section 10 of the Migratory Bird Treaty Act for federal protection. Nonetheless, Migratory Bird Treaty Act Section 10 protected species are afforded avoidance and minimization measures per state and federal requirements.

[3] A "habitat" is defined as the place, or type of locale where a plant or animal naturally or normally lives and grows.

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4.4.1 Existing Conditions

Site Setting

The Project site is located in northern California within the Sacramento Valley Subregion of the Great Central Valley Region (Jepson Flora Project [eds.] 2020). This region experiences hot, dry summers, mild winters, and annual rainfall averaging between roughly 5 and 25 inches. Elevation at the Project site ranges from approximately 144 to 331 feet. The Project site currently supports cattle grazing and grain cultivation. Vegetation on the Project site includes non-native grassland, cultivated grain fields, low growing herbaceous plants, and disturbed riparian areas and drainages with sparse native and non-native trees, as well as non-native cultivated tree rows along the proposed gen-tie line. Wetlands and standing water also occur in small areas on the Project site (Tetra Tech 2020, 2021c).

Plant Communities

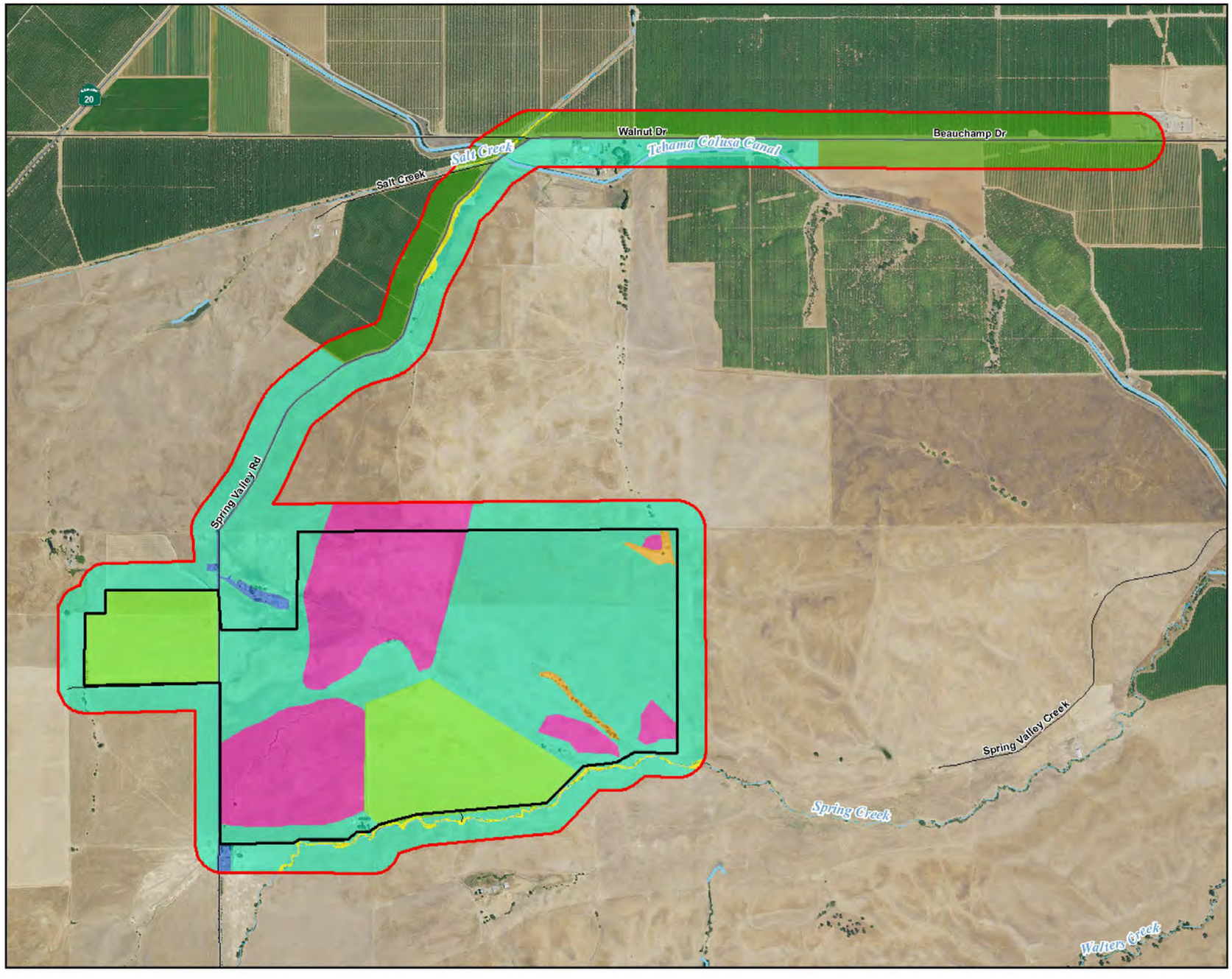
Vegetation communities were mapped within the Biological Survey Area (BSA) during the surveys, which is defined as the Project site and 150-meter buffer. No CDFW sensitive natural communities were found. All vegetated areas of the Project site have previously been or are currently being used for grazing and/or cultivation of common wheat. Table 4.4-1 summarizes the vegetation communities and their corresponding acreage; acreage includes the Project site and 150-meter buffer (i.e., the BSA). The vegetation communities are shown in Figure 4.4-1. Descriptions of the communities are provided below.

Table 4.4-1 Vegetation Communities

Vegetation Communities	Acres within BSA
Aegilops triuncialis Provisional Herbaceous Semi-Natural Alliance	955.9
Amsinckia menziesii – Achyrachaena mollis Herbaceous Alliance	292.3
Cultivated Tree Rows	247.1
Planted Common Wheat Fields	225.4
Developed	24.8
Salix gooddingii – Salix laevigata Forest and Woodland Alliance	14.9
Disturbed *Salix gooddingii – Salix laevigata* Forest and Woodland Alliance	8.9
Total acres	**1,769.3**

Note: Total acres include the Project site and 150-meter buffer.

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Janus Solar Project

Colusa County, CA

Figure 4.4-1
Vegetation Communities



- Project Area
- Biological Study Area
- Generator Tie Route

Vegetation Communities

- Disturbed *Salix gooddingii - Salix laevigata* Forest and Woodland Alliance
- *Salix gooddingii - Salix laevigata* Forest and Woodland Alliance
- *Amsinckia menziesii - Achyrachaena mollis* Herbaceous Alliance
- *Aegilops triuncialis* Provisional Herbaceous Semi-Natural Alliance
- Cultivated Tree Rows
- Planted Common Wheat Fields
- Developed

0 0.4 0.8 Miles

Scale is 1:19,356 when printed at 11"x17"

NOT FOR CONSTRUCTION

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Over 50 percent of the BSA consisted of non-native grasslands in the *Aegilops triuncialis* Provisional Herbaceous Semi-Natural Alliance. This alliance is considered a semi-natural alliance, which is defined as a vegetation community dominated by non-native plants that are naturalized (i.e., growing in the wild and reproducing) in California. In addition, nearly 30 percent of the BSA consisted of cultivated tree rows, planted common wheat fields, or developed areas, which provide poor quality habitat for native plants and wildlife. Trees in the cultivated tree rows or developed areas can provide nesting habitat for birds. The remainder of the BSA consisted of areas dominated by native forbs in the *Amsinckia menziesii – Achyrachaena mollis* Herbaceous Alliance, and small areas dominated by native willows in the *Salix gooddingii – Salix laevigata* Forest and Woodland Alliance.

Mature trees were found within the Project site, including native willows in the *disturbed Salix gooddingii – Salix laevigata* Forest and Woodland Alliance, and a small stand (approximately nine trees total) consisting of native northern California black walnut, non-native pepper tree, non-native elm, and fan palm in the southwestern portion of the site.

***Aegilops triuncialis* Provisional Herbaceous Semi-Natural Alliance.** This non-native grassland community was the most common community throughout the Project site and was dominated by non-native barbed goat grass (*Aegilops triuncialis*) and non-native oat (*Avena sp.*). Other species that were common in this community were non-native yellow star thistle (*Centaurea solstitialis*) and native hayfield tarweed (*Hemizonia congesta*). Barbed goat grass and yellow star thistle are both rated high (i.e., highly invasive) by the California Invasive Plant Council (Cal-IPC 2021a, Cal-IPC 2021b). The California Invasive Plant Council defines invasive plants as: plants that are not native to an environment, and once introduced, they establish, quickly reproduce and spread, and cause harm to the environment, economy, or human health (Cal-IPC 2021c). All areas of this community on the Project site were actively grazed by cattle.

***Amsinckia menziesii – Achyrachaena mollis* Herbaceous Alliance.** This native forb community was dominated by native common fiddleneck (*Amsinckia menziesii*) and native soft blow wives (*Achyrachaena mollis*). Other species found in this community were native miniature lupine (*Lupinus bicolor*), native purple owl's-clover (*Castilleja exserta*), native Tejon cryptantha (*Cryptantha microstachys*), native vinegarweed (*Trichostema lanceolatum*), non-native yellow star thistle, and non-native oat. Cover of native forbs in this community in April ranged from 50 percent in the northwestern portion of the Project site to 10–20 percent in the northeastern, southeastern, and southwestern portions of the site.

Cultivated Tree Rows. These areas consisted of cultivated almond (*Prunus dulcis*) tree rows within the 150-meter buffer of the gen-tie route.

Planted Common Wheat Fields. These areas consisted of densely planted common wheat for grain production. Soils within this community are actively disked/tilled.

Developed. These areas included houses, barns/storage sheds, paved and dirt roads, and non-native ornamental species such as eucalyptus and rosemary (*Rosmarinus officinalis*). These areas were found outside the Project site and within the 150-meter buffer.

***Salix gooddingii – Salix laevigata* Forest and Woodland Alliance.** This native riparian community was dominated by native Goodding's black willow (*Salix gooddingii*) and native red

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willow (*Salix laevigata*). Other species found in this community were native Fremont cottonwood (*Populus fremontii*), native northern California black walnut, and non-native edible fig *(Ficus carica*). This community occurred outside of the Project site and within the 150-meter buffer.

Disturbed Salix gooddingii – Salix laevigata **Forest and Woodland Alliance**. This native riparian community was similar to the version above but was heavily disturbed by intensive cattle grazing. This community occurred in the northeast and southeast portions of the Project site and was dominated by sparse native Goodding's black willow and native red willow. Native Fremont cottonwood was also found in this community.

In the northeast portion of the Project site, this community contained muddy soils and the low point had standing water seasonally. Disturbed native willows, one mature native Fremont cottonwood, canary grass (*Phalaris sp*.), non-native bindweed (*Convolvulus arvensis*), and non-native goosefoot (*Chenopodium sp*.) were present in this area. Based on aerial imagery and National Wetlands Inventory (NWI) data, this area appears to have historically connected to a drainage to the north but large soil berms are currently present that create ponding. A portion of this area was found to be a jurisdictional wetland during the wetland delineation (Tetra Tech 2020c).

In the southeast portion of the Project site, plant species in this community included native willows and native Fremont cottonwood. Based on aerial imagery and NWI data, this area appears to have historically connected to other drainages to the north and south; however, due to intensive grazing of the Project site, this connection was no longer evident.

Plants and Wildlife

The proposed Project site supports an assortment of plants and wildlife and provides shelter, cover, roosting, foraging, and breeding habitats to mammals, birds, invertebrates, reptiles, and amphibians as year-round residents, seasonal residents, and/or migrants. Overall, the Project site supports low quality wildlife habitat since it is disturbed by cattle grazing and grain cultivation and lacks complex vegetation communities. During the 2019, 2020, and 2021 field surveys, 93 native and non-native plant species, six mammals, 35 birds, six invertebrates, three reptiles, and two amphibian species were recorded within the BSA. A list of plant and wildlife species recorded during the field surveys is provided in Appendix E, *Biological Resources* (Tetra Tech 2021a).

Special-Status Species

Special-status species are plants and wildlife that require special consideration or protection at State and/or Federal levels due to vulnerability from human environmental impacts or population decline of the species. Critical Habitat is also designated for certain species that are listed as threatened or endangered under the Federal Endangered Species Act. No Critical Habitat occurs at/on the Project site. Table 4.4.2 presents the special-status species observed on the Project site during the field surveys or with moderate to high potential to occur on the site.

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Table 4.4-2 Special-Status Species

Scientific Name	Common Name	Federal Status	State Status/ Other Status	Summary
Centromadia parryi ssp. *rudis*	Parry's rough tarplant	None	None/4.2	Eight populations of Parry's rough tarplant were found within the Project site in 2020 (total of approximately 463 individuals) as shown in Figure 4.4-2. One population was found outside the Project site but within the BSA. The populations were generally located on previously disturbed soils with relatively higher cover of bare ground and lower cover of non-native grasses.
Athene cunicularia	burrowing owl	None	SSC	BUOWs were observed during the November 2020 cultural survey and the January 2021 winter season BUOW survey (Figure 4.4-3).
Buteo swainsoni	Swainson's hawk	None	Threatened	Two adult Swainson's hawks were briefly observed within the central portion of the Project site on the ground, perched on a cattle fence, and flying overhead during the rare plant survey in 2020. In addition, one active Swainson's hawk nest was found in 2020 within the 5-mile raptor survey buffer, approximately 2.5 miles from the northeast end of the generator tie line at the Cortina substation and over 4 miles from the main Project site boundary (Figure 4.4-4). Additional active nests were found in the vicinity of the proposed Project during separate Swainson's hawk surveys in 2021 (Estep Environmental Consulting 2021). The locations of these nests are shown in Appendix E, *Biological Resources* (Estep Environmental Consulting 2021; Figure 7).
Circus hudsonius	northern harrier	None	SSC	Two northern harriers were observed flying overhead during the field spot check in November 2019 and approximately three harriers were observed during the surveys in 2020. Nesting is not likely on the Project site, as this species is not tolerant of disturbance when nesting (The Cornell Lab 2019).
Falco columbarius	merlin	None	None/WL	One merlin was observed perching on the Project site during the field spot check in November 2019. Merlin nesting does not occur in California.
Falco mexicanus	prairie falcon	None	None/WL, BCC	One prairie falcon was observed foraging and perching in the vicinity of the Project site in 2020 but no nests were found. This species is unlikely to nest within the Project site because cliff/bluff nesting habitat is not present on the site.
Lanius ludovicianus	loggerhead shrike	None	SSC	Individuals of this species were observed foraging and perching in the vicinity of the Project site in 2019 and 2020 but no nests were found. The Project site provides only limited potential nesting sites (i.e., trees and shrubs) and is heavily disturbed by consistent active grazing.

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Scientific Name	Common Name	Federal Status	State Status/ Other Status	Summary
Plegadis chihi	white-faced ibis	None	None/WL	Numerous individuals of this species were observed in 2021 foraging in grasslands within the Project site but no nests were found. This species would not nest within the Project site because preferred nesting sites (i.e., dense, freshwater emergent wetland and extensive marshes) do not occur. In addition, this species no longer breeds regularly anywhere in California (California Department of Fish and Game 2005).
Taxidea taxus	American badger	None	SSC	American badger was not observed during the surveys and no large underground holes or potential burrows/dens were found in the vicinity of the Project site that would be considered suitable for habitation by this species. Seven culverts of sufficient size, which were found in 2020 along existing roads within the Project site and 150-meter buffer, are sometimes used by this species for refuge or to pass safely beneath roads (Figure 4.4-3).

Notes: 4.2 = California Native Plant Society watch list; BCC = United States Fish and Wildlife Service Birds of Conservation Concern; S = BLM Sensitive Species; SSC = CDFW Species of Special Concern; WL = CDFW Watch List.

Parry's rough tarplant

Parry's rough tarplant (*Centromadia parryi* ssp. *Rudis*) is a California Native Plant Society (CNPS) Rank 4.2, indicating that the species is of limited distribution or infrequent throughout a broad area in California, and is moderately threatened in the state (20 to 80 percent of occurrences are threatened). This species is known to occur in valley and foothill grassland and vernal pool habitats as well as disturbed areas.

Eight populations of Parry's rough tarplant were found within the Project site in 2020 with a total of approximately 463 individuals (Figure 4.4-2). One population was found outside the Project site but within the BSA. The populations were generally located on previously disturbed soils with relatively higher cover of bare ground and lower cover of non-native grasses. Additional details are provided in Appendix E, *Biological Resources* (Tetra Tech 2021a).

Burrowing Owl

The BUOW is a California Species of Special Concern and a United States Fish and Wildlife Service (USFWS) Bird of Conservation Concern. BUOW can be found throughout California primarily in open areas with short vegetation and bare ground in desert, grassland, and shrub-steppe (i.e., grassland that supports perennial grasses or shrubs) environments (USFWS 2003). They are dependent on the presence of fossorial mammals whose vacant burrows can be used by BUOW for nesting and roosting. BUOW prefers disturbed environments such as agricultural areas, ruderal grassy fields, vacant lots, pastures with sparse vegetation, construction sites, and other urban settings. They may also use debris piles, rip rap, culverts, and large pipes as burrows.

It was determined that the Project site contains suitable BUOW habitat due to low-growing grazed vegetation and agricultural use. Multiple BUOW were identified using burrows on the Project site during the cultural survey in November 2020 and during the winter protocol surveys in January

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2021 (Figure 4.4-3). Additional details are provided in Appendix E, *Biological Resources* (Tetra Tech 2021b).

Swainson's Hawk

Swainson's hawk is a California State Threatened species. Most populations are found ranging from the Central Valley to the Great Basin of northeastern California, with some populations in Shasta Valley, Owens Valley, and the Mohave Desert (CDFW 2021). Breeding habitat includes riparian, agricultural environments, oak savannah, and juniper-sage flats (Zeiner 1990). In the Central Valley, Swainson's hawk nest in large trees in woodlands, as well as in roadside trees, trees along field borders, isolated trees, trees around farm houses and farmyards, and in urban areas that are adjacent to cultivated lands (Estep Environmental Consulting 2021). This species nest in California between March 1 and September 15. Swainson's hawk has become dependent on alfalfa crops, as its habitat is increasingly being converted into agricultural lands (CDFW 2021). Populations of Swainson's hawk have declined due to the loss of suitable foraging and nesting habitat.

Swainson's hawk foraging habitat and preferred nesting habitat of solitary or small groves of trees near agricultural fields are present on the Project site (The Cornell Lab 2019). Two adult Swainson's hawks were observed within the central portion of the Project site in 2020. They were observed to be on the ground, perched on a cattle fence, and flying overhead. One active Swainson's hawk nest was found approximately 2.5 miles northeast of the Cortina substation, over 4 miles from the main Project site boundary (Figure 4.4-4). Eleven additional active nests were found in the vicinity of the proposed Project during separate Swainson's hawk surveys in 2021, none were within 1 mile, one was within 5 miles, and ten were within 5 to 10 miles of the site (Estep Environmental Consulting 2021). The locations of these nests are shown in Appendix E, *Biological Resources* (Estep Environmental Consulting 2021; Figure 7).

Northern Harrier

The northern harrier is a California Species of Special Concern. It ranges widely from northern Alaska to Baja California (Shuford et. 2008). In California, the harrier's range extends from the Modoc Plateau to San Diego, primarily found along the humid coast in the northwest and in the arid southeastern deserts (Shuford et. 2008). The harrier most often nests on the ground within dense, tall vegetation in undisturbed areas. Habitat ranges from freshwater marshes and brackish and saltwater marshes to ungrazed or lightly grazed pastures, sage brush flats, and desert sinks (Shuford et. 2008).

Two northern harriers were observed flying overhead during a field spot check in November 2019. Approximately three harriers were observed in the field surveys conducted in 2020. Since this species is not tolerant of disturbance when nesting (The Cornell Lab 2019), nesting is not likely to occur at the Project site as the site is heavily disturbed by consistent grazing.

Merlin

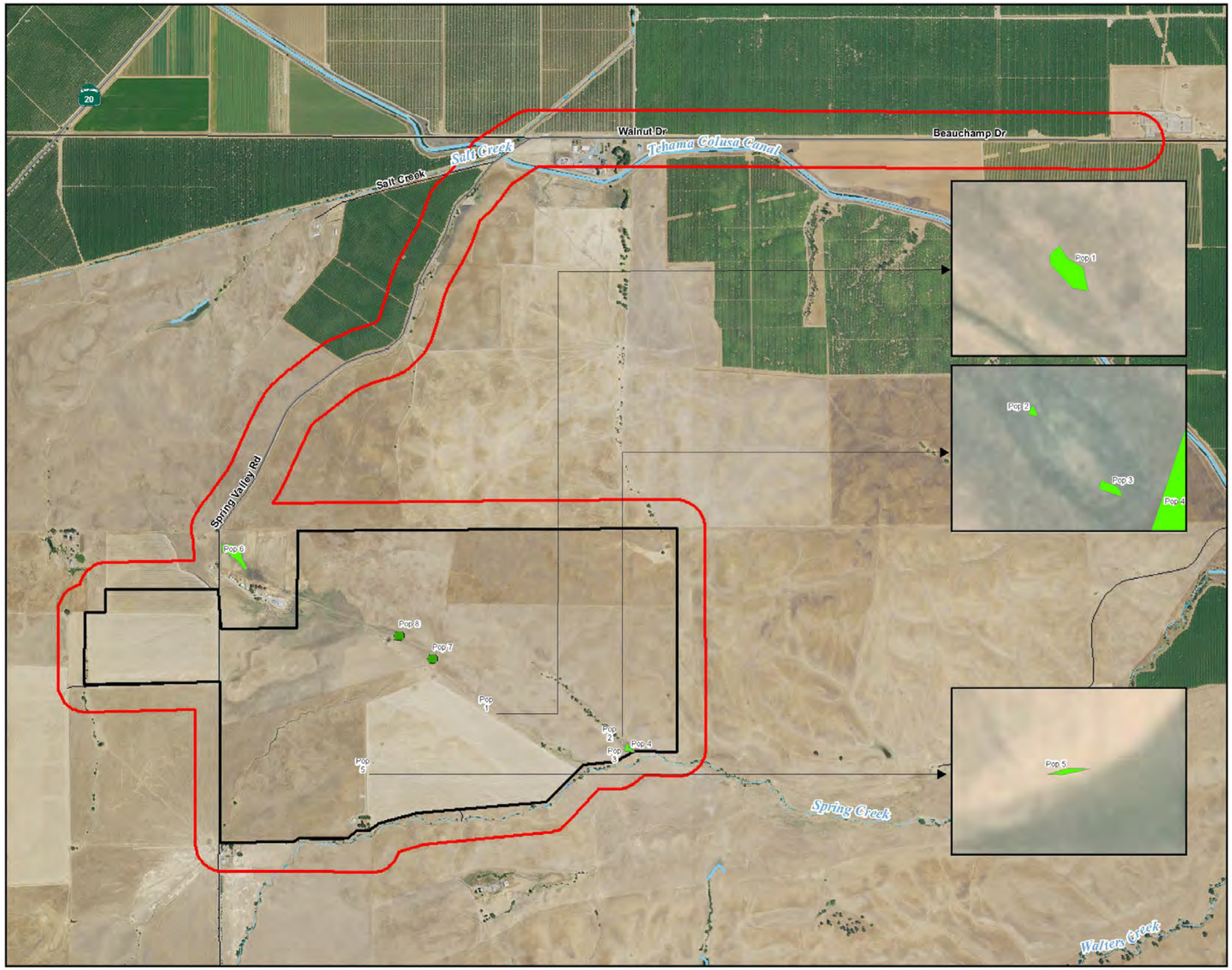
The merlin is a California Watch List species. Merlins use open forest and grassland habitats across North America but do not nest in California. One merlin was observed perching on the Project site during a field spot check in November 2019. Foraging habitat is available on-site. However, this species would not nest at the Project site due to seasonal migration patterns.

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Janus Solar Project

Colusa County, CA

Figure 4.4-2
Special-Status Plants





Project Area
Biological Study Area
Generator Tie Route

Special Status Species

Parry's Rough Tarplant Point *
Parry's Rough Tarplant Polygon

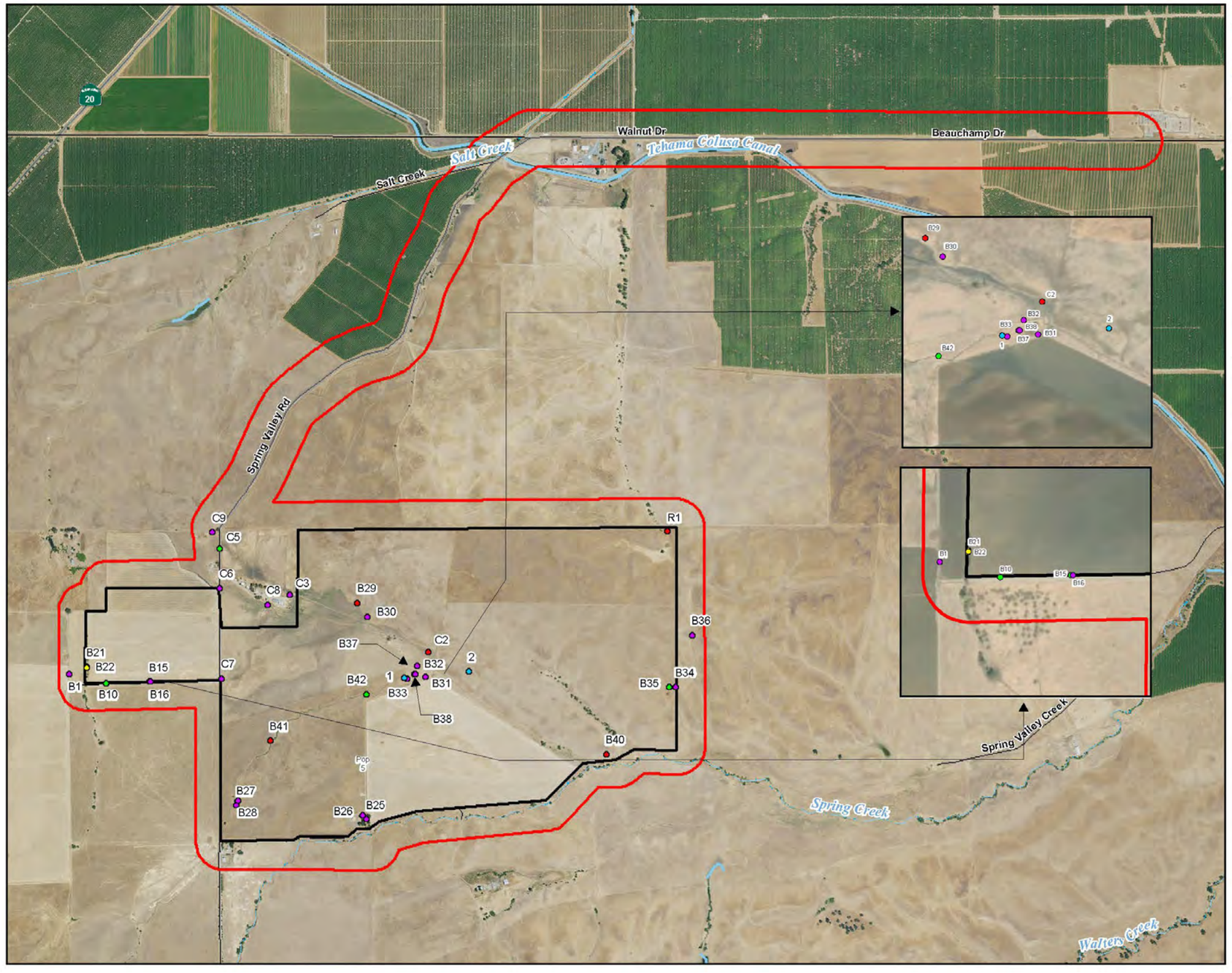
* Points are not to scale and have been enlarged for viewing purposes.

0 0.4 0.8 Miles

Scale is 1:19,356 when printed at 11"x17"

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Janus Solar Project

Colusa County, CA

Figure 4.4-3
Burrowing Owl



Project Area
Biological Study Area
Generator Tie Route

Burrowing Owl Observations

B=Burrow C=Culvert

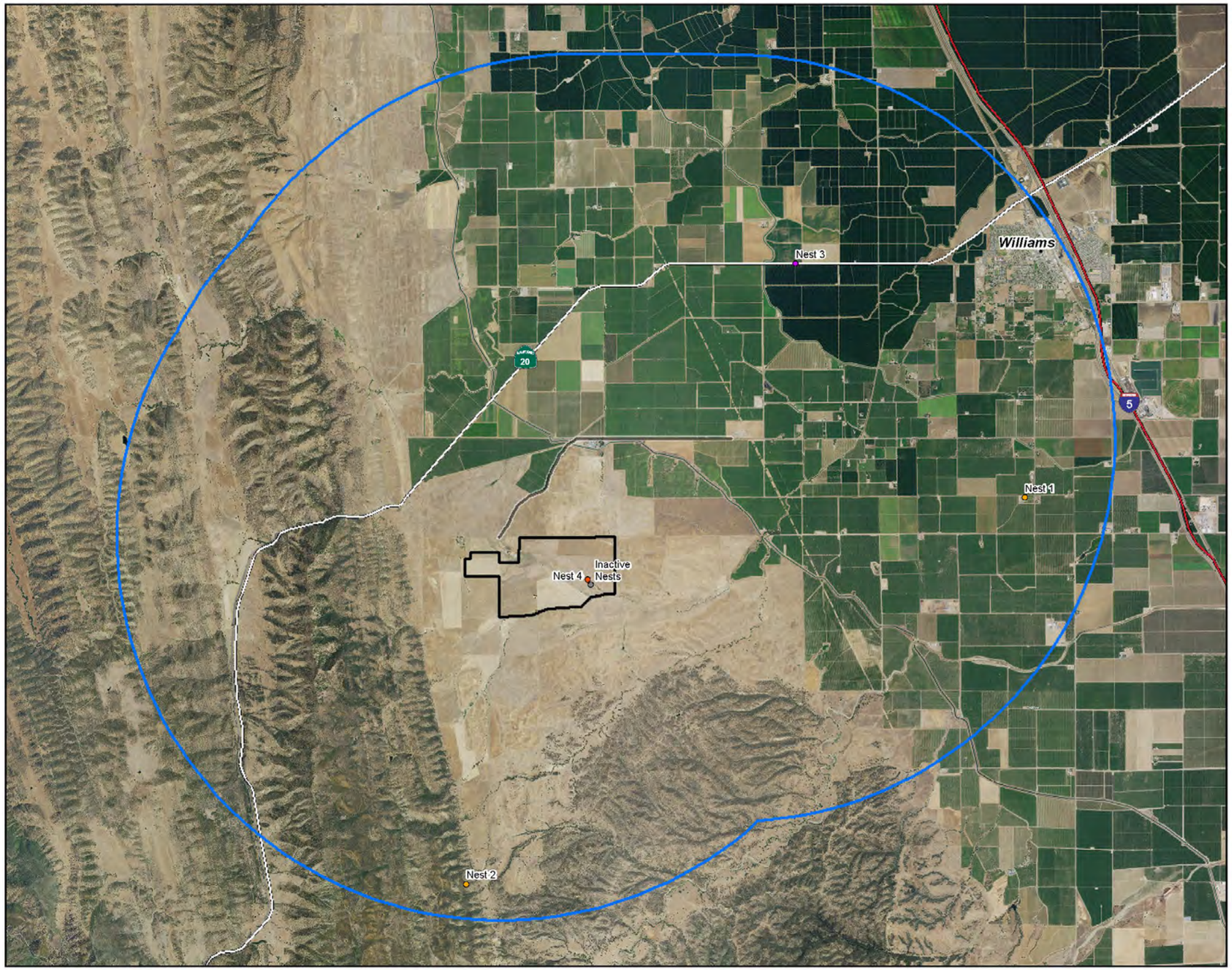
- Potential Sign Observed
- No Longer Present
- No Sign Observed
- Occupied by BUOW
- Incidential BUOW Observation

0 0.4 0.8 Miles

Scale is 1:19,356 when printed at 11"x17"

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Figure 4.4-4
Swainson's Hawk and Raptor Nests



- Raptor Nest Survey Area (5-Mile Radius)
- Project Area
- Generator Tie Route

Raptor Nest Survey

- Red-tailed Hawk Nest (Active)
- Swainson's Hawk Nest (Active)
- Unknown Raptor Species Nest (Active)
- Three Inactive Raptor Nests*

* These three nests were located in close proximity.

0 1.5 3 Miles

Scale is 1:76,426 when printed at 11"x17"

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Prairie Falcon

Prairie falcon is a USFWS Bird of Conservation Concern. It ranges from southeastern deserts throughout the Central Valley towards the inner Coast Ranges and the Sierra Nevada (Zeiner 1990). Prairie falcons prefer environments that include perennial grasslands, savannahs, rangeland, agricultural fields, and desert scrub (Zeiner 1990). They require sheltered cliff ledges for nesting.

One prairie falcon was observed on-site foraging and perching in 2020. However, no nests of this species were found. In addition, the Project site is not ideal for the prairie falcon to nest because they prefer cliff or bluff nesting habitat that does not occur on the site. Only foraging habitat is available on-site.

Loggerhead Shrike

The loggerhead shrike is a California Species of Special Concern and a USFWS Bird of Conservation of Concern. It is found widely throughout the United States, except in areas of the northwest and northeast, and in Mexico (CDFW 2008). In California, loggerhead shrikes prefer lower elevations throughout the state. Breeding populations are mainly found in areas of the Central Valley, Coast Ranges, and southeastern deserts (Humple 2008). Shrikes prefer breeding habitats of shrublands and open woodlands with a decent amount of grass and bare ground (CDFW 2008). They need tall trees, fences, or utility lines for hunting perches, as well as sharp, thorny, multi-stemmed plants and barbed wire fences for impaling prey or to use for storage (CDFW 2008). Shrikes are found most frequently in riparian woodland, chaparral, oak woodland, oak savannah, and desert scrub (CDFW 2008)

Several loggerhead shrike individuals were observed foraging and perched within the Project site in 2019 and 2020; however, no nests were found. The Project site provides limited nesting sites (i.e., trees and shrubs) and is heavily disturbed by consistent grazing.

White-faced Ibis

The white-faced ibis is a California Watch List species. White-faced ibis are migratory birds that winter in central and southern California. Their preferred habitat includes freshwater marshes, flooded agricultural fields such as rice or alfalfa, and mudflats around lakes and marshes where they can forage for crustaceans, earthworms, and aquatic/moist soil insects (CalRice 2021). They nest in dense, freshwater wetlands, and rarely in trees. However, this species no longer nests regularly in California (California Department of Fish and Game 2005).

Several white-faced ibis were observed foraging on the Project site in 2021; however, no nests were found. Foraging habitat is available on the Project site, but preferred nesting habitat is not available on the site since it is heavily disturbed by regular grazing.

American Badger

The American badger is a California Species of Special Concern. The American badger is a habitat generalist that often occurs in dry, open grasslands, including semi-desert, sagebrush, and meadows. The badger is a fossorial mammal that prefers to dig their burrows in loose soil. Their diet consists of small mammals such as ground squirrels.

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No American badgers were observed on the Project site and no large underground holes or potential burrows/dens found in the vicinity of the site were considered suitable for habitation by this species. Seven culverts of sufficient size were found in 2020 along existing roads within the site and in the 150-meter buffer that could be used as refuge or allow badgers to pass safely beneath roads (Figure 4.4-3).

Migratory Birds and Nests

The Project site provides potential nesting habitat for birds and raptors that are protected under the federal Migratory Bird Treaty Act. One active red-tailed hawk nest was observed in a tree on the Project site during field surveys in 2020. In addition, three inactive raptor nests were observed in trees on the Project site.

Hydrology

The Project site is located in the Colusa Basin Watershed which drains into the Sacramento River. Two creeks occur near the Project site; Spring Creek which is adjacent to the Project site at the south, and Salt Creek which is located approximately 1 mile north. Both creeks converge and drain into the Colusa Basin Drain, located approximately 10 miles to the northeast of the Project site. Surface water connectivity on the Project site has been significantly impacted by grazing and agricultural activities. The Project site is predominately flat with low slope rolling hills.

A jurisdictional delineation was conducted in 2021 at the 10 potential jurisdictional features on the Project site (Tetra Tech 2021c). Of these features, only three were determined to be wetlands. Ephemeral drainages on the Project site only have surface flow or standing water in direct response to precipitation.

United States Army Corps of Engineers Defined Wetlands

In 2021, there were three United States Army Corps of Engineers (USACE) defined wetlands identified within the proposed Project site (Tetra Tech 2021c). In order to qualify as a USACE defined wetland, an aquatic feature must exhibit all three wetland parameters (i.e., wetland hydrology, hydric soils, and hydrophytic vegetation). Evidence of hydrology (e.g., surface water) was present within Features 1, 5, and 7 during the 2021 survey. Portions of Feature 1 and all of Features 5 and 7 met the criteria to be classified as a wetland. Feature 1 had low cover of vegetation that was dominated by hydrophytic plants and standing water and/or saturated soils were present. Vegetation present at Feature 1 included red willow (*Salix laevigata*), Fremont cottonwood (*Populus fremontii*), cattail (*Typha sp*.), and rush (*Juncus sp.)*. Additional wetland indicators were observed including hydrogen sulfide odor, water stained leaves, and/or water marks. Features 5 and 7 are depressional ponds where standing water was previously observed and can be observed from aerial imagery (Tetra Tech 2021c). However, no water was observed during the 2021 survey. Features 5 and 7 ranged from low to high vegetation cover that was dominated by hydrophytic plants. Due to the presence of large soil berms on Features 5 and 7, it is hypothesized that the manmade blocks were used to stop flow and create ponding for stock ponds or agricultural use.

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Jurisdictional Acreage

The Project site contains jurisdictional wetlands regulated by the USACE, waters of the State regulated by the Regional Water Quality Control Board (RWQCB), and areas regulated by the CDFW (Figure 4.4-5). Features 1, 5, and 7 are determined to be USACE wetlands, and therefore, they are also considered to be waters of the State. No features with wetland hydrology and hydric soils that lacked vegetation were identified on-site that would qualify as waters of the State under the new State wetland definition. Features 1 and 3 have a defined bed, bank, and channel, meeting the criteria for CDFW jurisdiction. Since CDFW does not differentiate lakes from ponds, Features 5 and 7 are considered to be under CDFW jurisdiction.

Table 4.4-3 summarizes the extent of jurisdictional areas mapped within the BSA (Tetra Tech 2021c). The acres in the table below include a portion of Feature 3 that is located outside the Project site but within the 150-meter buffer. Other features that are located within the 150-meter buffer but entirely outside the Project site were not included in the wetland delineation (e.g., Spring Creek).

Table 4.4-3. Acreage of Mapped Jurisdictional Areas within the BSA

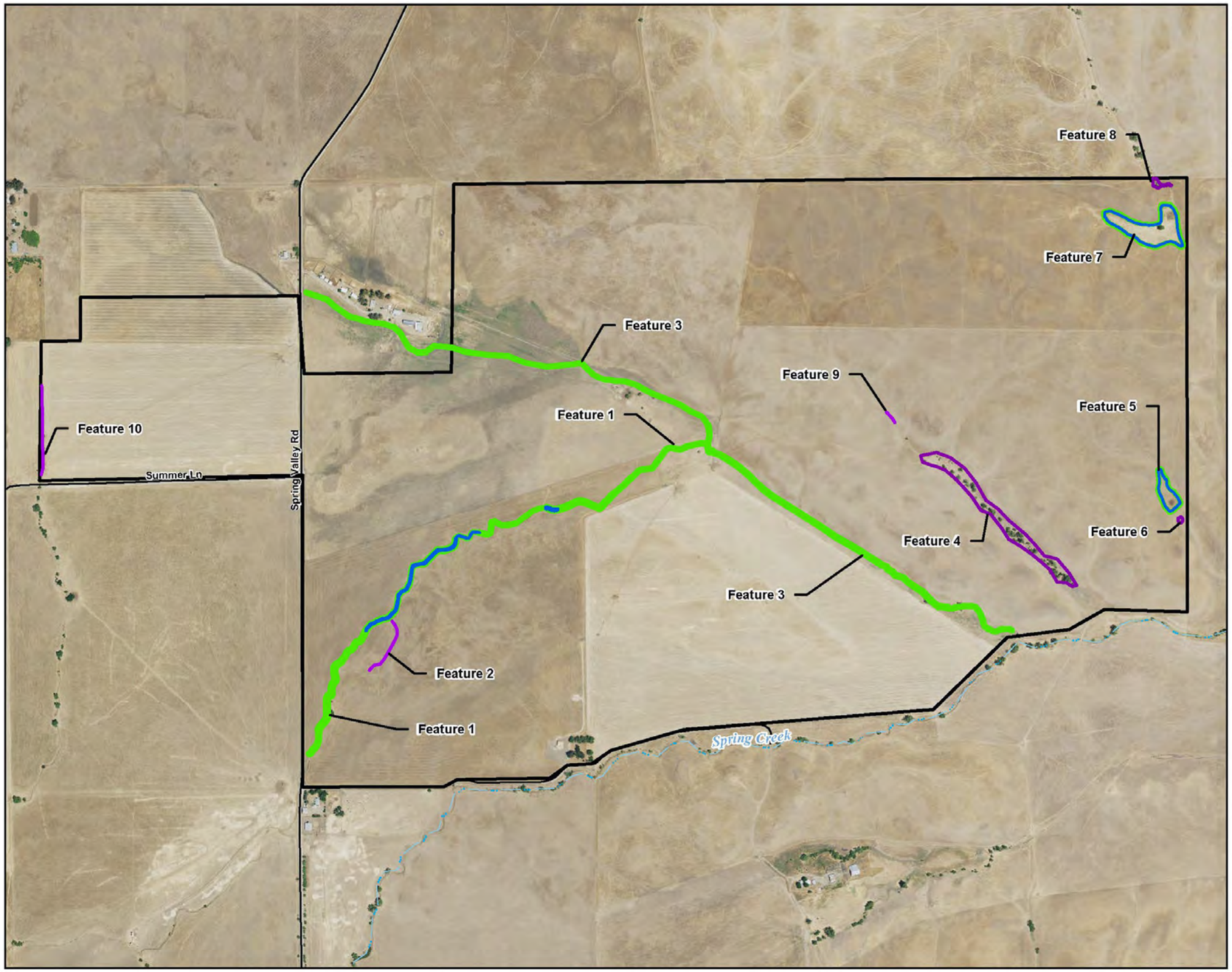
Sample Area	USACE Wetlands (acres)	RWQCB Waters of the State (acres)	CDFW Jurisdiction (acres)
Feature 1	0.4	0.4	2.3
Feature 3	-	-	2.22
Feature 5	0.8	0.8	0.9
Feature 7	2.8	2.8	3.1
Total	**4.0**	**4.0**	**8.52**

Wildlife Movement

A wildlife corridor is a connection of habitat, generally native vegetation, which joins two or more larger areas of similar habitat that are otherwise separated by natural barriers, changes in vegetation composition, or land permanently altered for human activities, such as farms; and infrastructure, such as roads, railroads, residential development, or fencing. When native vegetation is cleared, fragmented patches of open space or isolated “islands” of wildlife habitat are created. Fragmentation and habitat loss are the two main contributors to continuing biodiversity decline. The main goal of corridors is to facilitate movement of individuals, through dispersal, seasonal migration, and movement for foraging, breeding, cover, etc. Corridors allow for physical and genetic exchange between isolated wildlife populations and are critical for the maintenance of ecological processes, including allowing for the movement of animals and the continuation of viable populations and higher species diversity.

The Project site is designated in the California Habitat Connectivity Project as Rank 4 (CDFW 2021). This designation indicates that habitat connectivity linkages occur in the area. Habitat connectivity linkages represent the best connections between core natural areas to maintain habitat connectivity. However, these linkages are not considered irreplaceable and essential corridors (i.e., Rank 5). The Project site also likely occurs within avian migration routes along western North America and may provide migratory bird stopover habitat.

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Janus Solar Project

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Figure 4.4-5
Jurisdictional Delineation Results



Project Area

Wetland Delineation

- CDFW Jurisdiction*
- USACE Wetland and RWQCB Waters of the State*
- Feature Boundary (Non-Jurisdictional)*

**Boundary widths not to scale*

0 0.2 0.4 Miles

Scale is 1:10,000 when printed at 11"x17"

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Although wildlife movement studies were not conducted in the Project site, based on the grazing and agricultural use of the site, and that the immediately surrounding areas are heavily influenced by grazing and agriculture, limited opportunities for habitat continuity or wildlife movement are available due to the lack of natural habitat. While disturbed riparian areas and drainages with sparse native and non-native trees occur in the Project site, these areas are fragmented and do not provide connectivity between large areas of natural habitat. Cattle fences are also currently in place around the entire perimeter of and within the Project site, which may impede the movement of some wildlife species. The culverts at the Project site could provide temporary shelter for mammals transiting through the site; however, it is not likely that any portion of the site serves as an important linkage between habitats.

4.4.2 Regulatory Setting

Federal Endangered Species Act

The federal Endangered Species Act of 1973, as amended (Title 16, United States Code [U.S.C] 1531, *et seq*.) designates and provides for protection of federally listed threatened and endangered plant and animal species and their Critical Habitat. The USFWS and National Oceanic and Atmospheric Administration (NOAA) Fisheries share responsibility for administration of the Endangered Species Act. These responsibilities include listing and delisting species, designating critical habitat, and formulating recovery plans. The USFWS has primary responsibility for terrestrial and freshwater organisms, while the responsibilities of NOAA Fisheries are mainly marine wildlife.

The Endangered Species Act is divided into 18 sections that are intended to work together to prevent species from going extinct by helping to stabilize populations, reducing the threats to their survival, and helping species recover to the point that they no longer require federal protection. Once a species is listed, section 9 of the Endangered Species Act makes it unlawful for any person, including private and public entities, to “take” species listed as endangered without a permit issued pursuant to section 10 or an incidental take statement issued pursuant to section 7. Incidental take is defined as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

Federal Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 16, U.S.C. §§703–712), as amended, implements various treaties and conventions between the United States and Canada, Japan, Mexico, and the former Soviet Union for the protection of migratory birds. The MBTA makes it unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg or any such bird, unless authorized under a permit issued by the Secretary of the Interior. Some regulatory exceptions apply. “Take” is defined in regulations implementing the MBTA as “to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to carry out these activities.” The MBTA prohibits the collection and destruction of a migratory bird, its nest, and birds or eggs contained in the nest. USFWS’ Migratory Bird Permit Memorandum (MBPM-2) dated April 15, 2003, clarifies that destruction of most unoccupied bird nests is permissible under the MBTA; exceptions include nests of federally listed threatened or endangered migratory birds, bald eagles (*Haliaeetus leucocephalus*), and golden eagles (*Aquila chrysaetos*). Take under the MBTA does not include habitat destruction or

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alteration, if there is not a direct taking of birds, nests, eggs, or parts thereof. The USFWS has statutory authority and responsibility for enforcing the MBTA.

California Endangered Species Act (Fish and Game Code §2050 et seq.)

The California Endangered Species Act (CESA) was enacted in 1984 to parallel the federal ESA and allows the California Fish and Game Commission to designate species, including plants, as "threatened" or "endangered." The CESA states that all native species of fishes, amphibians, reptiles, birds, mammals, and plants, and their habitats, threatened with extinction and those experiencing a significant decline which, if not halted, would lead to a threatened or endangered designation, will be protected or preserved. Unlike the ESA, the CESA does not include listing provisions for invertebrate species.

CESA makes it illegal to import, export, take, possess, purchase, sell, or attempt to do any of those actions to species that are designated as threatened, endangered, or candidates for listing, unless permitted by the CDFW. Section 2080 of the California Fish and Game Code prohibits take of any species that the California Fish and Game Commission determines to be an endangered species or a threatened species. "Take" is defined in section 86 of the California Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

Under section 2081 of CESA, CDFW may permit take or possession of threatened, endangered, or candidate species for scientific, educational, or management purposes, and may also permit take of these species that is incidental to otherwise lawful activities if certain conditions are met. Some of the conditions for issuance of permits allowing incidental take are that the adverse effects of the take must be minimized and fully mitigated, adequate funding must be ensured for implementation of identified mitigation, and that the activity shall not jeopardize the continued existence of the listed species. CESA emphasizes early consultation to avoid potential impacts on candidate and listed endangered and threatened species, and to develop appropriate mitigation to offset project caused losses of listed species populations and their essential habitats.

California Fish and Game Code

Sections 3511, 4700, 5050 and 5515 - Fully Protected Species

The classification of fully protected was the State of California's initial effort in the 1960s to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for birds (section 3511), mammals (section 4700), amphibians and reptiles (section 5050), and fish (section 5515). Fully protected animal species may not be taken or possessed at any time and no licenses or permits may be issued for their take, except for collecting these species for scientific research and relocation of the species for certain purposes.

Sections 3503, 3503.5, and 3513

California Fish and Game Code section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Disturbance that causes nest abandonment and/or loss of reproductive effort (e.g., killing or abandonment of eggs or young) may be considered take. Avoidance measures sufficient to prevent incidental take of bird nests and eggs protected by this statute must be incorporated into the project.

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All raptors and their nests are protected under section 3503.5. Avoidance measures sufficient to prevent incidental take of these species, their eggs and their nests protected by this statute must be incorporated into the project.

California Fish and Game Code section 3513 protects California's migratory birds by making it unlawful to take or possess any migratory non-game bird as designated by the MBTA, except as authorized in regulations adopted by the federal government under provisions of the MBTA. Except as permitted by USFWS under a Habitat Conservation Plan, avoidance measures sufficient to prevent incidental take of these species, their eggs and their nests protected by this statute must be incorporated into the project.

Sections 1900–1913 - Native Plant Protection Act

The Native Plant Protection Act, enacted in 1977, allows the California Fish and Game Commission to designate native plants as state "endangered" or "rare," mirroring the designations created for animal species by the CESA of 1970. The Native Plant Protection Act, administered by CDFW, requires all state agencies to utilize their authority to preserve, protect and enhance endangered or rare native plants of California. Section 1908 of the Act prohibits the take of any native plant that the California Fish and Game Commission determines to be an endangered or rare native plant, except when the take is incidental to agricultural and nursery operations, emergencies, or the possession or sale of real property on which the plant is growing. Section 1913(c) further provides that where the owner of land has been notified by CDFW that native plant listed as rare or endangered is growing on such land, the owner shall notify CDFW at least 10 days in advance of changing the land use to allow for salvage of the listed plant(s) subject to the notification. The failure by CDFW to salvage such plant within 10 days of notification of change in land use shall entitle the owner of the land to proceed with the change.

Federal Clean Water Act

The federal Clean Water Act (CWA) is the principal federal law governing pollution control and water quality of the nation's waterways. The objective of the CWA is "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." It establishes the basic structure for regulating discharges of pollutants into Waters of the U.S. and for regulating water quality and establishing water quality standards for surface waters. Sections 404 and 401 of the CWA are pertinent to surface and coastal Waters of the U.S. The CWA provides regulatory authority over the navigable Waters of the U.S. which are defined as the "waters of the United States, including the territorial seas." 33 U.S.C. §1362(7). This statute is implemented by the USACE and the USEPA.

Congress did not define in the CWA what it meant by "Waters of the U.S." and left it up to the USACE and USEPA to provide more detail through rulemaking. Waters of the U.S. are comprised of those wetland and non-wetland bodies of water that met criteria set forth in 33 Code of Federal Regulations section 328.3, as interpreted by several court opinions and guidance. On June 29, 2015, the USACE and USEPA published an amendment to 33 Code of Federal Regulations section 328.3 revising the definition of Waters of the U.S. in a manner intended to consider, but supersede prior judicial decisions, regulations and guidance. The revised regulation, named the "Clean Water Rule" was published in the Federal Register (80 FR 124: 37054-37127) and became effective on August 28, 2015.

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The Clean Water Rule was challenged in court and on October 22, 2019, the USACE and USEPA published a final rule (Step One) to repeal the 2015 Clean Water Rule and to restore the regulatory text that existed prior to the 2015 Clean Water Rule. The final rule (Step One) became effective on December 23, 2019.

On April 21, 2020, the USACE and USEPA completed Step Two of the two-step "repeal and replace" process by publishing The Navigable Waters Protection Rule: Definition of “Waters of the United States” in the Federal Register. The Navigable Waters Protection Rule revises the definition of Waters of the U.S. under the CWA. It creates four categories of jurisdictional waters and it provides specific exclusions for many water features that traditionally have not been regulated. The Navigable Waters Protection Rule (Step Two) became effective on June 22, 2020, replacing the final rule (Step One).

California Porter-Cologne Water Quality Control Act

In 1969, the California State Legislature enacted the Porter-Cologne Water Quality Control Act (Porter-Cologne) to revise the existing water quality laws in California. Through the act, the California State Water Resources Control Board (SWRCB) and nine RWQCBs were entrusted with duties and powers to preserve, restore, and enhance the quality of California's water resources. The SWRCB has the ultimate authority over state water rights and water quality policy. The SWRCB adopts statewide water quality control plans, policies and guidance that direct RWQCBs in designating beneficial uses, setting water quality control standards, and administering programs to protect and preserve the “Waters of the State.” Pursuant to these statewide plans, policies and guidance, each of the nine RWQCBs within California is required to adopt a Basin Plan that sets water quality standards, including narrative and numeric water quality objectives for various constituents of concern, recognizing and reflecting the regional differences in existing water quality, the beneficial uses of the region’s ground and surface waters, and local water quality conditions

Pursuant to Porter-Cologne, the SWRCB and RWQCBs, on a statewide and regional basis, respectively, have authority to regulate the “discharge of waste” to “Waters of the State” independently of the CWA and as a matter of state law. Discharges of waste are defined to “include sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation or of human or animal origin, or from any producing, manufacturing or processing operations, include waste placed in containers of whatever nature prior to and for purposes of, disposal.” Cal. Water Code §13050(d). Discharges of fill are included in the Porter-Cologne definition of discharge of “waste.”

“Waters of the State” are defined to mean “any surface water or groundwater, including saline waters, within the boundaries of the state.” Cal. Water Code §13050(e). Under Porter-Cologne, Waters of the State include, but are not limited to, Waters of the U.S. As a matter of state law, any party proposing a discharge of waste, including fill or other pollutants, that threatens to affect any Water of the State that is not also a Water of the U.S. must file a Report of Waste Discharge with the appropriate RWQCB, as applicable. Cal. Water Code §§13260; 13264. The RWQCB, after a public hearing, will then respond to the Report of Waste Discharge by imposing appropriate Waste Discharge Requirements (WDRs) (Cal. Water Code §§13263; 13264), or by issuing a Waiver of WDRs with appropriate conditions (Cal. Water Code §13269) to control discharges for the protection of Waters of the State.

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The SWRCB and RWQCBs, on a statewide and regional basis, respectively, also have authority to issue, deny, condition, enforce and otherwise administer all CWA section 402 National Pollutant Discharge Elimination System (NPDES) Permits for discharges of pollutants into Waters of the U.S., and section 401 water quality certifications for section 404 permits. 33 U.S.C. §1311; Cal. Water Code §13160; Memorandum of Understanding Regarding Permit and Enforcement Programs Between the State Water Resources Control Board and the Regional Administrator, Region IX, Environmental Protection Agency (effective March 26, 1973) as supplemented by the NPDES Memorandum of Agreement between the U.S. Environmental Protection Agency and the California State Water Resources Control Board (effective June 8, 1989). USACE retains and has not delegated jurisdiction to issue section 404 permits for discharges of fill to Waters of the U.S.

Accordingly, the SWRCB and RWQCBs have, respectively, issued the statewide Construction General NPDES Permit and the MS4 NPDES Permits which constitute both Federal CWA section 402 permits and state Porter-Cologne WDRs under guidance issued by the SWRCB, discharges of fill subject to USACE CWA section 404 permitting are reviewed and protected by the SWRCB by issuance of section 401 water quality certifications, and no additional state law WDRs are required to authorize discharges of fill. Discharges of fill to Waters of the State that are not also Waters of the U.S. are subject to regulation by the SWRCB or appropriate RWQCBs, as applicable. Any project proponent proposing such discharges of fill must submit a report of waste discharges along with USACE jurisdictional disclaimers, and prior to placing such fill, must either obtain coverage for such discharges under:

(i) the SWRCB's Statewide General Waste Discharge Requirements for Dredged or Fill Discharges to Waters Deemed by the U.S. Army Corps of Engineers to be Outside of Federal Jurisdiction, Order No. 2004-004-DWQ,

(ii) individual WDRs, or

(iii) a conditional waiver of WDRs. Guidance for Regulation of Discharges to "Isolated" Waters (Celeste Cantu, Executive Director June 25, 2004).

The SWRCB has adopted the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State, which became effective on May 28, 2020 (SWRCB 2019). The Procedures define an area as a wetland as follows: an area is a wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation. The Procedures consider natural wetlands, wetlands created by modification of surface Waters of the State, and areas that meet the current or historic definitions of Waters of the U.S., to be Waters of the State (SWRCB 2019). In addition, the Procedures considers artificial wetlands (i.e., wetlands that result from human activity) that meet specific criteria to be Waters of the State (SWRCB 2019). However, contrary to the USACE wetland definition, the State's wetland delineation also protects non-vegetated wetlands. This definition does not affect the meaning of Waters of the State as it pertains to SWRCB/RWQCB jurisdiction pursuant to the Porter-Cologne Act, nor does it modify the current authorities of the SWRCB/RWQCB to protect water quality.

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California Fish and Game Code Sections 1600–1616

Pursuant to sections 1600–1616 of the California Fish and Game Code, the CDFW regulates all substantial diversions, obstructions, or changes to the natural flow or the bed, channel, or bank of any river, stream, or lake, which provides habitat and supports fish or wildlife. CDFW defines a "stream" (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation" (CCR, Title 14, Division 1, Subdivision 1, Chapter 1, section 1.72). "Bank" means the slope or elevation of land that bounds the bed of the stream in a permanent or longstanding way, and that confines the stream water up to its highest level. "Lake" includes "natural lakes or man-made reservoirs."

Rivers, streams, lakes, and riparian vegetation that provide habitat for fish and wildlife species are subject to jurisdiction by the CDFW under sections 1600–1616 of the California Fish and Game Code. Riparian areas are lands adjacent to streams, lakes, and estuarine-marine shorelines. Section 2785(e) defines "riparian habitat" as lands that contain habitat which grows close to and which depends upon soil moisture from a nearby freshwater source. CDFW regulates the bed, bank to bank, as well as associated riparian vegetation, and fish and wildlife resources. CDFW has interpreted jurisdictional boundaries to be defined by the tops of stream banks (i.e., the limit of stream influence) and/or the limit of the canopy of riparian vegetation (outer drip line) that is hydrologically connected to river, stream, or lake, whichever is greatest. As a result, the area of CDFW jurisdiction is usually greater than the active channel and overlaps and extends beyond the USACE jurisdiction. Isolated wetlands not associated with a river, stream or lake are not protected under sections 1600 *et seq.* of the California Fish and Game Code. In addition, CDFW does not have regulatory authority on Tribal Lands.

CDFW jurisdiction may also extend to altered or artificial waterways based upon the value of those waterways to fish and wildlife (CDFG ESD 1994), particularly to the extent that such constructed waterways were originally natural waterways.

The Lake and Streambed Alteration Program requires execution of an agreement with CDFW before any activity substantially modifies a river, stream or lake. It is not legal to alter the bed or bank of a stream or lake or their natural water flow without a CDFW Streambed Alteration Agreement. The California Fish and Game Code section 1602 requires an entity to notify CDFW of any proposed activity that may substantially modify a perennial, intermittent, and ephemeral river, stream, or lake in the state. Notification is required by any person, business, state or local government agency, or public utility that proposes an activity that will:

- Substantially divert or obstruct the natural flow of any river, stream or lake.
- Substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake.
- Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

The notification requirement applies to any work undertaken in or near a river, stream, or lake that flows at least intermittently through a bed or channel. This includes intermittent and ephemeral

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streams and washes, and other watercourses with subsurface flows, or drainages with beds and banks that support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife.

Colusa County General Plan

The Conversation Element in the Colusa County General Plan includes the following policies that apply to biological resources:

> ***Policy CON 1-7:*** Conserve and enhance those biological communities that contribute to the County's rich biodiversity including, but not limited to, blue oak woodlands, annual grasslands, mixed chaparral, pine woodlands, wetlands, riparian areas, aquatic habitat, and agricultural lands.
>
> ***Policy CON 1-8:*** Conserve existing native vegetation where possible and integrate existing native vegetation into new development if appropriate.
>
> ***Policy CON 1-11:*** Protect wetlands and riparian habitat areas from encroachment by development to the greatest extend feasible.
>
> ***Policy CON 1-12:*** Require new development to include maintained and managed setbacks and buffers along riparian corridors and adjacent to sensitive habitat.
>
> ***Policy CON 1-13:*** Sensitive habitats include oak woodlands, wetlands, vernal pools, riparian areas, wildlife and fish migration corridors, native plant nursery sites, Waters of the U.S., and other habitats designated by state and federal agencies and laws.
>
> ***Policy CON 1-14:*** Require any proposed project that may affect special-status species, their habitat, or other sensitive habitat to submit a biological resources evaluation as part of the development review process. Evaluations shall be carried out under the direction of the Colusa County Department of Planning and Building and consistent with applicable state and federal guidelines. Additional focused surveys shall be conducted during the appropriate season (e.g., nesting season, flowering season, etc.), if necessary.
>
> ***Policy CON 1-15:*** Require that impacts to wetlands and riparian habitat protected by State or Federal regulations be avoided to the greatest extent feasible. If avoidance is not possible, fully mitigate impacts consistent with applicable local, State and Federal requirements.
>
> ***Policy CON 1-16:*** Require new development projects to incorporate measures that eliminate or avoid direct impacts to lakes, reservoirs, rivers, creeks, streams, wetlands, and other waterways to the greatest extent feasible. Measures may include, but are not limited to, appropriate setbacks or the implementation of best management practices approved by the Department of Planning and Building.
>
> ***Policy CON 1-17:*** All discretionary public and private projects that identify special-status species or sensitive habitats in biological resources evaluation shall avoid impacts to special-status species and their habitat to the maximum extent feasible. Where impacts cannot be avoided, projects shall include the implementation of site-specific or project-specific effective mitigation strategies developed by a qualified professional in consultation with state or federal resource agencies with jurisdiction (if applicable) including, but not limited to, the following strategies:

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a. Preservation of habitat and connectivity of adequate size, quality, and configuration to support the special-status species. Connectivity shall be determined based on the specifics of the species' needs.

b. Project design measures, such as clustering of structures or locating project features to avoid known locations of special-status species and/or sensitive habitats.

c. Provision of supplemental planting and maintenance of grasses, shrubs, and trees of similar quality and quantity to provide adequate vegetation cover to enhance water quality, minimize sedimentation and soil transport, and provide adequate shelter and food for wildlife.

d. Protection for habitat and the known locations of special-status species through adequate buffering or other means.

e. Provisions of replacement habitat of like quantity and quality on- or off-site for special-status species.

f. Enhancement of existing special status species habitat values through restoration and replanting of native plant species.

g. Provision of temporary or permanent buffers of adequate size (based on the specifics of the special status species) to avoid nest abandonment by nesting migratory birds and raptors associated with construction and site development activities.

h. Incorporation of the provisions or demonstration of compliance with applicable recovery plans for federally listed species.

i. Monitoring of construction activities by a qualified biologist to avoid impacts to on-site special status species.

Policy CON 1-18: Where sensitive biological habitats have been identified on or immediately adjacent to a project site, the following measures shall be implemented.

a. Preconstruction surveys for species listed under the State or Federal Endangered Species Acts, or species identified as special status by the resource agencies, shall be conducted by a qualified biologist;

b. Construction barrier fencing shall be installed around sensitive resources and areas identified for avoidance or protection; and

c. Employees shall be trained by a qualified biologist to identify and avoid protected species and habitat.

Policy CON 1-23: Protect and enhance streams, channels, seasonal and permanent marshland, wetlands, sloughs, riparian habitat and vernal pools through sound land use planning, community design, and site planning.

Policy CON 1-24: If a proposed project may result in impacts to wetlands or other Waters of the U.S., require the project proponent to consult with the appropriate regulatory agency and implement all applicable permit requirements as a condition of project approval.

Policy CON 1-27: Encourage agricultural landowners to improve on-site storm water retention features and implement feasible Best Management Practices (BMPs) to reduce site runoff and provide for natural removal of water pollutants.

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Policy CON 1-33: Require new development and expansion of existing uses to incorporate best management practices for water use and water conservation measures.

4.4.3 Methodology

The following summarizes the literature and field survey methods used for evaluating the biological resources for the Janus Solar Project. See Appendix E for additional details on the methodology.

Literature Review

Prior to the field surveys, biologists reviewed relevant literature, databases, agency web sites, reports, management plans, Geographic Information System data, maps, and aerial imagery. The following sources were reviewed:

- CDFW California Natural Diversity Database data
- U.S. Geological Service topographic maps
- CNPS Inventory of Rare and Endangered Plants data
- Satellite and aerial imagery from Google Earth
- NWI data
- United States Department of Agriculture Natural Resources Conservation Service data
- *Janus Solar Project—Foothill Agriculture Site Critical Issues Analysis Memo* (Stantec 2018)

Field Surveys

The following types of general and focused biological surveys were conducted at the proposed Project site in 2019, 2020, and 2021:

- Vegetation and habitat mapping
- Spring rare plant survey
- Summer rare plant survey
- Raptor nest surveys
- Swainson's hawk breeding season surveys and habitat assessment
- Protocol BUOW burrow survey
- Protocol breeding season BUOW survey
- Protocol winter season BUOW survey
- Jurisdictional delineation

Impact Analysis

Biological resources either may be "directly" or "indirectly" impacted by a project (defined by State CEQA Guidelines section 15358):

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- *Direct impact*: impacts which are caused by the project and occur at the same time and place. Any alteration, disturbance or destruction of biological resources that could result from project-related activities is considered a direct impact.
- *Indirect impact*: impacts which are caused by the project and are later in time or farther removed in distance but are still reasonably foreseeable. Examples include growth-inducing impacts and other impacts related to induced changes in the pattern of land use, population density, or growth rate, and related effects on air and water and other natural systems, including ecosystems.

Impacts either may be “permanent” or “temporary” in nature:

- *Temporary impacts (short-term)*: impacts considered as having reversible impacts on biological resources can be viewed as temporary, such as construction noise.
- *Permanent impacts (long-term)*: impacts that result in the irreversible removal of biological resources are considered permanent, such as development.

4.4.4 Thresholds of Significance

A project would result in significant impacts to biological resources if it would:

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

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service;*

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

d) *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; or*

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

4.4.5 Impacts Analysis

IMPACT 4.4-1: Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service? **(Less than Significant Impact with Mitigation Incorporated)**

To avoid environmental constraints, approximately 768 acres of the 1,024-acre site would be used for the Project (Figure 4.4-1). Permanent impacts would include construction of the solar energy generating facility, energy storage system, access roads, and perimeter fences. The gen-tie line

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would not impact areas of natural habitat since it would occur within an existing road easement. The majority of these acres would be permanently converted to solar panel arrays and support infrastructure. Most of the development would occur in agricultural fields and non-native grassland and herbaceous habitats that are disturbed by cattle grazing. Not all areas within the Project boundary would be impacted; these areas would remain as the current habitat type and no disturbance would occur (Figure 4.4-1). Impacts to specific biological resources and mitigation measures are discussed in the sections below.

Special-Status Plants

The vast majority of the site provides low quality habitat for special-status plant species due to high levels of grazing and non-native plant cover. One special-status plant species, Parry's rough tarplant (CNPS Rank 4.2), was found within small areas on the Project site during field surveys (Figure 4.4-2). With implementation of **Mitigation Measure BIO-1**, all locations of Parry's rough tarplant would be flagged in the field for avoidance during construction. If these locations cannot be avoided, a seed collection and replanting plan would be prepared to reduce impacts. Any herbicides used on-site would be applied in accordance with all regulations by a state-licensed pesticide applicator to eliminate the potential for drift effects. During Project operations, no ground disturbance of new areas would occur and locations of Parry's rough tarplant would continue to be avoided. Furthermore, all on-site vehicle traffic and personnel would be confined to designated work areas and transportation routes. Therefore, the Project would have no substantial adverse effects on special-status plants, and the impact would be less than significant with mitigation incorporated.

Burrowing Owl

BUOWs were observed on the Project site in late 2020 and early 2021 (Figure 4.4-3). Project construction, including ground disturbance, noise, vehicle traffic, and on-site personnel, may impact this species if they are present on or near the site during construction. These impacts could include direct mortality, loss of burrow or foraging habitat, behavioral disturbance, and nest failure. All construction lighting would be shielded, directed downward, and temporary to minimize potential impacts. With implementation of **Mitigation Measures BIO-1** and **BIO-2**, including the preparation of a CDFW-approved mitigation plan if BUOWs are detected during the pre-construction survey, construction impacts would be reduced to a less than significant level and the Project would have no substantial adverse effects on BUOW.

Project operations and maintenance are unlikely to impact BUOW since vehicle traffic and on-site personnel would be minimal, and heavy equipment would be infrequently used. Furthermore, infrastructure areas where the activities would occur are unlikely to support BUOW. The minor increase in vehicle traffic and on-site personnel would be temporary and normal wildlife behavior is expected to resume after the disturbance. All Project security lighting would be shielded, directed downward, and equipped with switches or motion detectors (rather than remaining on from dusk to dawn) to minimize potential impacts. If vegetation removal is required, **Mitigation Measure BIO-1** would be implemented to protect BUOW. Therefore, Project operations and maintenance would have no substantial adverse effects on this species, and the impact would be less than significant with mitigation incorporated.

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Swainson's Hawk and Other Raptors

Swainson's hawk were observed on the Project site and one Swainson's hawk nest was observed a few miles from the site during field surveys in 2020 (Figure 4.4-4). Additional nests were also observed within 10 miles of the site in 2021 (Estep Environmental Consulting 2021). Other special-status raptors observed on the Project site include northern harrier, merlin, and prairie falcon, however, these species are unlikely to nest on the site. Project construction would occur on Swainson's hawk and raptor foraging habitat on the Project site, including the *Aegilops triuncialis* Provisional Herbaceous Semi-Natural Alliance, *Amsinckia menziesii – Achyrachaena mollis* Herbaceous Alliance, and planted common wheat fields habitats It is estimated that up to 580 acres of Swainson's hawk foraging habitat would be affected by the Project (Estep Environmental Consulting 2021). It should be noted that solar panel array areas may continue to support a variety of raptor prey species and provide some foraging opportunities for raptors (Estep Environmental Consulting 2021). Overall, the Project would impact approximately 1.8 percent of the total suitable Swainson's hawk foraging habitat in a 10-mile radius around the Project site (Estep Environmental Consulting 2021). However, there are no Swainson's hawk nests within or near the foothill grassland transition area of the Project site, and although suitable for foraging (foraging by Swainson's hawks was observed on the site in 2020), use of the site by Swainson's hawks is likely minimal compared with the irrigated croplands in the interior of the valley (Estep Environmental Consulting 2021). The Project would not reduce the number or restrict the range of the species (Estep Environmental Consulting 2021). Therefore, the construction impact to foraging habitat would not result in substantial adverse effects on the species.

Ground disturbance, noise, vehicle traffic, and on-site personnel may also disturb these species if nesting on or near the Project site during construction. However, implementation of **Mitigation Measures BIO-1**, **BIO-2**, and **BIO-3** would reduce construction impacts to Swainson's hawk and other raptors to a less than significant level and ensure that the Project would have no substantial adverse effects on these species.

Project operations and maintenance are unlikely to impact Swainson's hawk and other raptors since vehicle traffic and on-site personnel would be minimal, and heavy equipment would be infrequently used. Furthermore, infrastructure areas where the activities would occur are unlikely to support nesting raptors. The minor increase in vehicle traffic and on-site personnel would be temporary and normal wildlife behavior is expected to resume after the disturbance. In addition, new transmission and communication lines and structures would be constructed in accordance with the most recent Avian Power Line Interaction Committee guidance to reduce the potential for bird injury and mortality from collisions and electrocution. If vegetation removal is required, **Mitigation Measures BIO-1** and **BIO-3** would be implemented to protect nests. Therefore, Project operations and maintenance would have no substantial adverse effects on these species, and the impact would be less than significant with mitigation incorporated.

Special-status Migratory Birds

Special-status migratory birds known to occur on the Project site include loggerhead shrike and white-faced ibis. The Project site provides only limited potential nesting sites (i.e., trees and shrubs) for loggerhead shrike, and white-faced ibis would not nest on the site because preferred nesting sites do not occur, and the species no longer breeds regularly in California (California Department of Fish and Game 2005). Construction of the proposed Project would develop potential foraging habitat that could be used by special-status birds. However, as described above

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for raptors, this represents a very small percentage of the total suitable foraging habitat available in the region and would result in an insignificant impact. In addition, ground disturbance, noise, vehicle traffic, and on-site personnel during construction have the potential to disturb nesting birds in and near the Project site. However, implementation of **Mitigation Measures BIO-2** and **BIO-3** would reduce construction impacts to a less than significant level and ensure that the Project would have no substantial adverse effects on special-status migratory birds.

Project operations and maintenance are unlikely to impact special-status migratory birds since vehicle traffic and on-site personnel would be minimal, and heavy equipment would be infrequently used. Furthermore, infrastructure areas where the activities would occur are unlikely to support nesting birds. The minor increase in vehicle traffic and on-site personnel would be temporary and normal wildlife behavior is expected to resume after the disturbance. In addition, if vegetation removal is required, **Mitigation Measure BIO-3** would be implemented to protect nests.

New transmission and communications lines and structures would be constructed in accordance with the most recent Avian Power Line Interaction Committee guidance to reduce the potential for bird injury and mortality from collisions and electrocution. Migratory birds may be affected by collisions with solar panel infrastructure. The polarization signature of the Project's PV panels could attract migratory bird species to the Project site where they might mistake the reflective panels for a water body (Roth 2016).

Limited monitoring data are available for avian collision with solar panels. A USFWS summary of avian solar facility mortalities from 2012 to 2016 by Dietsch (2016) cited 3,545 bird deaths at seven Southern California solar farms, including four listed and one CDFW Fully Protected species (Yuma Ridgway's rail, willow flycatcher, yellow-billed cuckoo, bank swallow, and peregrine falcon). Yuma Ridgway's rail is federally listed endangered and state-listed threatened, willow flycatcher is state-listed endangered, yellow-billed cuckoo is federally listed threatened and state-listed endangered, bank swallow is state-listed threatened, and peregrine falcon is federally and state delisted but is also CDFW Fully Protected. Walston et al. (2014) examined a 250 MW PV project (the California Valley Solar Ranch in San Luis Obispo County), where the mortality rate from the project was approximately 0.5 birds per MW per year. Western EcoSystems Technology, Inc. (WEST) (2014a, 2014b) examined three California PV facilities (the California Valley Solar Ranch and Topaz in San Luis Obispo County, and Desert Sunlight in Riverside County) and found most deaths were passerines (songbirds), followed by game birds (doves and pigeons). Water birds (mainly grebes and coots) were found at one of the facilities (Desert Sunlight), but not at the other two. Two Ridgway's rail carcasses also were discovered at Desert Sunlight (WEST 2014a, 2014b). WEST's 2018 summary of avian collision monitoring results from 2014 through 2017 for PV solar projects in Riverside County reports all bird fatality rates in the solar arrays was between 0.2 and 2.0 per MW per year (WEST 2018). Based on this rate, bird fatality for this proposed Project (80 MW) would be between 16 to 160 birds per year, however, it should be noted that this Project would occur in Colusa County which may have a different fatality rate than Riverside County. Although data from PV solar array-type facilities indicate instances of avian mortality resulting from collisions, the best available scientific information to date does not indicate a significant risk of substantial avian mortality occurring at facilities such as the Project.

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Therefore, for the reasons described above, Project operations and maintenance would have no substantial adverse effects on special-status migratory birds, and the impact would be less than significant with mitigation incorporated.

American Badger

While American badger was not observed during the field surveys and no large underground holes or potential burrows/dens were found in the Project site, culverts of sufficient size, which were found along existing roads within and around the site, can be used by this species for refuge or to pass safely beneath roads. Construction of the proposed Project, including ground disturbance, noise, vehicle traffic, and on-site personnel has the potential to affect American badger if present in or near the construction area. These impacts may result in direct mortality or behavioral disturbance. All construction lighting would be shielded, directed downward, and temporary to minimize disturbance. With implementation of **Mitigation Measures BIO-1** and **BIO-2**, construction impacts would be reduced to a less than significant level and the Project would have no substantial adverse effects on American badger.

Project operations and maintenance are unlikely to impact American badger since vehicle traffic and on-site personnel would be minimal, and heavy equipment would be infrequently used. Furthermore, infrastructure areas where the activities would occur are unlikely to support American badger. The minor increase in vehicle traffic and on-site personnel would be temporary and normal wildlife behavior is expected to resume after the disturbance. All Project security lighting would be shielded, directed downward, and equipped with switches or motion detectors to minimize potential impacts. If vegetation removal is required, **Mitigation Measure BIO-1** would be implemented to protect American badger. Therefore, Project operations and maintenance would have no substantial adverse effects on this species, and the impact would be less than significant with **Mitigation Measures BIO-1**, **BIO-2**, and **BIO-3** incorporated.

IMPACT 4.4-2: Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? **(No Impact)**

No sensitive natural community occurs in the Project site. While areas under regulation by the CDFW were found during the jurisdictional delineation of the Project site, these were sparsely vegetated drainages or ponds that do not provide riparian habitat (Figure 4.4-5). Remnant willow riparian habitat that occurs on the Project site is disturbed by grazing and only has sparse native and non-native trees (Figure 4.4-1). All of these areas would be avoided during Project construction, operations, and maintenance activities. With the implementation of **Mitigation Measure BIO-2**, these areas and an appropriate protective buffer would be flagged in the field for avoidance during construction. Therefore, no impact to any riparian habitat or other sensitive natural community would occur.

IMPACT 4.4-3: Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? **(No Impact)**

State and federally protected wetlands occur on the Project site (Table 4.4-3; Figure 4.4-5). The wetlands consisted of distinct portions of a drainage and two depressional ponds. All wetlands would be avoided during Project construction, operations, and maintenance activities. The site

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has been designed to follow natural drainage patterns and would avoid hydrological interruption of these wetlands. Site preparation and construction activities would also be performed in accordance with a Stormwater Pollution Prevention Plan or similar plan that incorporates stormwater Best Management Practices to reduce the adverse effects of erosion and sedimentation. With the implementation of **Mitigation Measure BIO-2**, these areas and an appropriate protective buffer would be flagged in the field for avoidance during construction. Therefore, no impact to state or federally protected wetlands would occur.

IMPACT 4.4-4: Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? **(Less than Significant)**

Construction and operation of the proposed Project may impede wildlife movement through areas of the site. The proposed infrastructure including solar arrays and chain-link perimeter fencing, vehicle traffic, and on-site personnel could inhibit the movement of larger or more sensitive wildlife through the Project site. If feasible, wildlife-movement friendly fencing would be used instead of chain-link fencing. The Project site likely provides limited opportunities for habitat continuity or wildlife movement due to existing on-site disturbances such as agriculture, grazing, and cattle fencing. Wildlife that do move through the Project site are likely acclimated to low levels of human activity given the existing grazing and agricultural activities on the site.

All riparian areas/drainages in the Project site that could provide dispersal corridors would be avoided during Project construction and operations and could continue to be used by wildlife. In addition, the ability of wildlife to move through areas surrounding the Project site would not be affected. New transmission and communications lines and structures would be constructed in accordance with the most recent Avian Power Line Interaction Committee guidance to reduce the potential for injury and mortality to migratory birds from collisions and electrocution. No native wildlife nursery sites are known to occur in the Project site. Therefore, the impact due to interference with movement of native fish or wildlife, established native wildlife corridors, or native wildlife nursery sites would be less than significant.

IMPACT 4.4-5: Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? **(Less than Significant with Mitigation Incorporated)**

The County has policies and ordinances protecting biological resources, including Conservation Element Policies 7, 8, 11-18, 23, 24, 27, and 33. However, the Project would not conflict with any local policies or ordinances protecting biological resources because the Project would not impact oak woodlands or oak trees, and would avoid impacts to riparian and wetland habitats. Incorporation of **Mitigation Measures BIO-1**, **BIO-2**, and **BIO-3** would implement pre-construction surveys and minimization and avoidance measures. Therefore, the impact due to conflicts with local policies protecting biological resources would be less than significant with **Mitigation Measures BIO-1**, **BIO-2**, and **BIO-3** incorporated.

4.4.6 Mitigation Measures

The following mitigation measures are recommended to reduce significant impacts to biological resources.

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BIO-1: Protection of Special-Status Species

Parry's Rough Tarplant

A pre-construction survey for Parry's rough tarplant shall be conducted in work areas with potential habitat no more than 14 days prior to construction activities during the blooming period (May to October). If Parry's rough tarplant populations are located outside of the Project construction footprint (including staging areas), a qualified biologist shall flag an appropriate zone to completely avoid impacts to any individuals. If necessary, based on the timing of the construction work, populations may also be flagged based on previous survey data of the population extents.

If Parry's rough tarplant populations cannot be avoided, a qualified biologist shall prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. Temporary impacts (impacts in areas that would be restored to natural conditions) may be mitigated by salvaging the first 6 inches of topsoil during ground disturbance, storing on-site and protecting the soil from weed seed dispersal, and then returning the soil horizon to its original profile to keep seeds at the appropriate soil depth. Permanent impacts (impacts in areas that would not be restored to natural conditions) may be mitigated by enhancing other Parry's rough tarplant habitat within or outside the Project site. Topsoil would not be salvaged in the case of permanent impacts, and other habitat enhancement methods would be used, such as seed collection and propagation, in other non-impacted locations.

Burrowing Owl

The Project owner shall have pre-construction surveys performed no less than 14 days prior to the initiation of equipment staging or ground-disturbing activities (e.g., vegetation clearing or grading) and within 24 hours prior to these activities. A qualified biologist shall conduct pre-construction surveys on the site and 150-meters around the site (access permitting) in areas with suitable burrowing habitat to locate any active breeding or wintering BUOW burrows and to check known burrows. Areas that have been plowed within 12 months prior to the start of ground-disturbing activities are not considered suitable habitat. The survey methodology shall be consistent with the methods outlined in the CDFW (2012) *Staff Report on Burrowing Owl Mitigation* and shall consist of walking parallel transects 23 to 66 feet (7 to 20 meters) apart, noting any potential burrows with fresh BUOW sign or presence of BUOWs, and visiting potential burrows during the timeframe described in the protocol. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities. Copies of the survey results shall be submitted to CDFW and the Colusa County Planning Department.

- If BUOWs are detected on the Project site or within 150 meters during the pre-construction survey, a Project-specific mitigation plan shall be prepared for CDFW review and approval and implemented to protect BUOWs and their nest sites. No ground-disturbing activities, such as vegetation clearance, grading, or equipment staging shall be permitted within 330 feet from an active burrow during the breeding season (February 1 to August 31), unless otherwise approved by a qualified biologist. During the non-breeding (winter) season (September 1 to January 31), no ground-disturbing work or equipment staging shall be permitted within a buffer of 165 feet from the active burrow. Depending on the level of disturbance, a smaller buffer may be

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established by a qualified biologist based on the visibility and sensitivity responses of each individual BUOW or pairs in consultation with CDFW.

- If burrow avoidance is infeasible during the non-breeding season or during the breeding season where resident BUOWs have not yet begun egg laying or incubation or where the juveniles are foraging independently and capable of independent survival, a qualified biologist shall implement a passive relocation program in accordance with the CDFW (2012) *Staff Report on Burrowing Owl Mitigation*. If passive relocation is anticipated due to on-site BUOW populations, a Burrowing Owl Exclusion Plan in accordance with CDFW (2012) *Staff Report on Burrowing Owl Mitigation* would be included in the Project-specific mitigation plan prior to passive relocation activities.

Swainson's Hawk

If construction (i.e., equipment staging, vegetation removal, or ground disturbance) is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys or additional measures are required for Swainson's hawk. During the breeding season (March 1 to September 15), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site. The survey shall focus on potential nest sites within a 0.5-mile buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000) and occur no more than 10 days prior to construction activities.

Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by Swainson's hawk without causing intrusive disturbance. If active Swainson's hawk nests are found, a 0.5-mile buffer shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest), adult and juvenile Swainson's hawks have left the area, or the breeding season has ended. Encroachment into the buffer for Swainson's hawk must be authorized by the CDFW.

American Badger

A pre-construction survey for the American badger shall occur during the burrowing owl surveys. Any active American badger dens shall be avoided by establishing a minimum 50-foot buffer around the den. No construction activities shall occur within this buffer unless a qualified biologist determines that the den is inactive.

BIO-2: Worker Environmental Awareness Training and Best Management Practices for Biological Resources

During construction, operation and maintenance, and decommissioning of the facility, the Project owner and/or contractor shall implement the following general avoidance and protective measures to protect special-status wildlife species and habitats:

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- Prior to and for the duration of construction activities, the Project owner, or its contractor, shall implement a Worker Environmental Awareness Program to train all on-site construction personnel how to recognize and protect biological resources on the Project site. The Worker Environmental Awareness Program training shall include a review of the special-status species and other sensitive biological resources that could exist in the Project area, the locations of sensitive biological resources and their legal status and protections, and measures to be implemented for avoidance of these sensitive resources, highlighting Parry's rough tarplant, burrowing owl, Swainson's hawk, American badger, nesting birds, and protected waters and wetlands.
- The Project owner shall limit the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. Buffers and avoidance areas established for biological resources, as described in **BIO-1** and **BIO-3** above, shall be delineated with stakes and/or flagging prior to construction. Construction-related activities and use of vehicles and equipment shall not occur within protected buffers or avoidance areas.
- Any sensitive habitats, including riparian areas and state and federally protected wetlands, within 50 feet of the Project impact areas shall be flagged in the field by a qualified biologist prior to Project construction. To the extent feasible, the greatest buffer (up to 50 feet) should be flagged around the sensitive habitat. No work will occur in the flagged areas. The avoidance areas will be maintained for the duration of construction activities in the vicinity of these areas.
- To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches with a 2-foot or greater depth shall be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected by on-site workers for trapped animals. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape. If a special-status species is trapped, the USFWS and/or CDFW shall be contacted immediately.
- All construction pipes, culverts, or similar structures with a 4-inch or greater diameter that are stored at a construction site for one or more overnight periods shall be covered and/or thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until a qualified biologist has been consulted and the animal has either moved from the structure on its own accord or until the animal has been captured and relocated by the biologist. No handling of special-status species shall occur without consultation with the applicable agencies (CDFW, USFWS).
- Vehicles and equipment parked on the site during construction shall have the ground beneath the vehicle or equipment inspected for the presence of wildlife prior to moving.
- Vehicular traffic shall use existing routes of travel. Cross country vehicle and equipment use outside of the Project properties shall be prohibited.
- A speed limit of 20 miles per hour shall be enforced within all construction areas.
- A long-term trash abatement program shall be established for construction, operation, and decommissioning and submitted to the County. Trash and food items shall be

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contained in closed containers and removed daily to reduce the attractiveness to wildlife such as common raven (*Corvus corax*), coyote (*Canis latrans*), and feral dogs.

- Workers shall be prohibited from bringing pets to the Project site and from feeding wildlife in the vicinity.
- Intentional killing or collection of any wildlife species shall be prohibited.
- Rodenticides shall not be used within the Project site except within buildings and disturbance to mammal burrows shall be avoided and minimized.

BIO-3: Protection of Nesting Birds

If construction (i.e., vegetation removal or ground disturbance) is scheduled to commence outside of the bird nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required for nesting birds, including raptors. During the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site where construction is planned. The survey shall focus on potential nest sites within a 500-foot buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted no more than 14 days prior to construction activities. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities.

Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by migratory birds and all locally breeding raptor species without causing intrusive disturbance. If active nests are found, a suitable buffer (e.g., 200 feet for non-listed raptors, 50 feet for non-listed birds) shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest) or the breeding season has ended. Encroachment into the buffer may occur at the discretion of a qualified biologist for non-listed species.

4.4.7 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements would be made within the existing Cortina Substation footprint.

Through the implementation of **Mitigation Measures BIO-1, BIO-2**, and **BIO-3,** these improvements would not have a substantial adverse effect on any listed, candidate or special status species that is protected under any regional plans, polices, or regulations. Nor would these improvements have an adverse impact on any sensitive natural communities identified in any local or regional plan, policies, or regulations. The PG&E improvements would not have an adverse effect on protected wetlands. No resident or migratory wildlife species or established

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wildlife corridors would be affected by the PG&E improvements. In addition, these improvements would not conflict with any local policies or ordinances protecting biological resources with the implementation of **Mitigation Measures BIO-1, BIO-2**, and **BIO-3.** Therefore, no additional mitigation measures would be required.

4.4.8 Cumulative Impacts

Cumulative effects of multiple projects are caused by the incremental impact of a proposed project in combination with the impacts of other closely related past, present, and reasonably foreseeable probable future projects. The ongoing impacts of past projects are reflected in the existing environmental setting. In this context, the cumulative effects of the Project in combination with the incremental impacts of present and reasonably foreseeable probable future projects in the cumulative scenario are analyzed. For Biological Resources, the geographic scope of the cumulative analysis includes the regional population or extent of the species, community, or corridor affected, or the extent of the local watershed in the case of impacts to wetlands. The list of projects considered for cumulative analysis is provided in Chapter 2.

As discussed above, there would be no impact with respect to sensitive natural communities, including riparian areas, or federal or state jurisdictional wetlands. Therefore, the Project would not cause or contribute to any significant cumulative effect to these resources.

Project impacts to Parry's rough tarplant after the implementation of recommended mitigation measures would be less than significant. No identified cumulative project in the vicinity of the site has a known population of this plant on-site. In addition, the acres of potential habitat for this species that would be impacted by the proposed Project and the identified cumulative projects would be a small fraction of the total potential habitat in the Central Valley. Therefore, the Project would contribute a less than significant amount to a cumulative impact on this species and impacts to the species would not be cumulatively considerable.

Project impacts to BUOW after the implementation of recommended mitigation measures would be less than significant. The cumulative projects may result in impacts to this species, primarily associated with the loss of potential nesting and foraging habitat. For example, the Descendant Ranch Solar Project would develop a site of approximately 2,552 acres in size, some of which likely provides potential habitat for BUOW. However, the Central Valley offers substantial amounts of suitable nesting and foraging habitat for this species, and the area affected by the identified cumulative projects does not represent a significant portion of remaining suitable nesting and foraging habitat within the Central Valley. Therefore, the incremental impacts of the Project, in combination with the incremental impacts of other past, present, and reasonably foreseeable future projects is not expected to cause a significant cumulative effect on BUOW.

Project impacts to Swainson's hawk and other raptors after implementation of recommended mitigation measures would be less than significant. Mitigation measures would protect raptor and other bird nests from disturbance during construction, and loss of foraging habitat is less than significant without mitigation required. The identified cumulative solar project (Descendant Ranch) would also have the potential to impact suitable nesting and foraging habitat for Swainson's hawk and other raptors since approximately 2,552 acres of land would be converted to a solar facility. However, the cumulative solar project is outside of the Project's 10-mile radius, and the Project, in combination with all identified cumulative projects, would not substantially affect habitat for

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Swainson's hawk and other raptors relative to the total available habitat in the Central Valley. In addition, new Project overhead powerlines and associated structures would be designed in accordance with the current Avian Power Line Interaction Committee design standards (including use of avian-safe line designs, and installation of devices to make powerlines visible to birds) to reduce the potential for bird injury and mortality from collisions and electrocution, and it is anticipated that the cumulative Projects would also follow similar guidance in areas of potential habitat. Therefore, the Project would not result in a cumulatively considerable impact to Swainson's hawk or other raptors .

Project impacts to special-status migratory birds would be less than significant with mitigation. This proposed Project in combination with the identified cumulative projects would not substantially affect habitat for migratory birds relative to the total available habitat in the Central Valley. The solar facility listed as a cumulative project (NextEra Descendant Ranch) would have the potential to cause impacts to special-status birds, including injury and mortality associated with PV panel collisions. Available data suggest that injury to and mortality of birds may occur from collision with PV panels at solar facilities. The identified cumulative solar project would increase the area of PV collision hazards that could injure or kill birds, would also include new power lines that have the potential to cause injury or mortality from collision or electrocution, and these effects are likely cumulative with this proposed Project. However, this proposed Project includes the commitment to adhere to current Avian Power Line Interaction Committee design standards as described above, which would reduce the potential for bird injury and mortality from collisions and electrocution. Therefore, the incremental effects of the Project on overall bird fatality from collision or electrocution risk in the Central Valley would not be cumulatively considerable.

Project impacts to American badger would be less than significant with mitigation. The cumulative projects may result in impacts to this species, primarily associated with the loss of potential habitat. However, the Central Valley offers substantial amounts of suitable habitat for this species, and the area affected by the identified cumulative projects does not represent a significant portion of remaining suitable habitat within the Central Valley. In addition, this proposed Project would design construction and security lighting to avoid potential impacts (e.g., shielded, directed downward) to nocturnal species such as the American badger. Therefore, the incremental impacts of the Project, in combination with the incremental impacts of other past, present, and reasonably foreseeable future projects is not expected to cause a significant cumulative effect on American badger.

Project impacts to movement of wildlife and established native wildlife corridors would be less than significant and no native wildlife nursery sites are known to occur on the Project site. The proposed Project, in combination with the identified cumulative projects, would not impede the overall ability of wildlife to move through the region, and the total area that would be developed represents a small fraction of land in the Central Valley that could be used for wildlife movement. Therefore, the incremental impacts of the Project, in combination with the incremental impacts of other past, present, and reasonably foreseeable future projects is not expected to cause a significant cumulative effect on this resource.

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4.5 CULTURAL RESOURCES

This section identifies and evaluates issues related to cultural resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received scoping comments relating to Cultural Resources from the California Native American Heritage Commission (NAHC), and those comments have been incorporated into the Draft Environmental Impact Report (EIR).

This analysis is based in part on the Project-specific Cultural Resources Phase I Survey Report prepared by Tetra Tech in July 2021. Respecting the culturally sensitive nature of the information included, the Phase I Survey Report is not included as an appendix to this analysis. Nonetheless, the preparers of this Draft EIR independently reviewed this report and other materials prepared by or on behalf of the Applicant and determined them to be suitable for reliance on (in combination with other materials included in the formal record) in the preparation of this Draft EIR. The cultural evaluations completed by Tetra Tech were conducted in compliance with California Environmental Quality Act (CEQA) to identify cultural resources, including (but not limited to) archaeological, historic built architectural, and Native American resources within the Project site (or area) and transmission line corridor.

4.5.1 Existing Conditions

4.5.1.1 Regional and Local Setting

The Project is within the northwestern Sacramento Valley, which is part of the Great Central Valley Geomorphic Province (Beck and Haase 1974). The province is comprised of a large northwest trending alluvial plain situated between the Coast Ranges to the west and the Sierra Nevada Range to the east. The Grand Central Valley encompasses both the Sacramento Valley and San Joaquin Valley which are drained by the Sacramento River to the north and the San Joaquin River to the south that converges at San Francisco Bay. The topography of the Project is slightly flat within, with undulating low foothills. A geographic feature, Bunker Hill, is located within the central portion of the Project. The elevation across the Project ranges from 240 to 328 feet above median sea level. Salt Creek is located near the southern Project boundary and an east to west trending ephemeral drainage (possible a tributary of Spring Creek) crosses the southwest portion of the Project site. Sutter Buttes, which is a defunct volcano active around 1.4 to 1.6 million years ago, is located approximately 23 miles northeast of the Project (Alt and Hyndman 2016:259). The Project is roughly 12 miles west of the Sacramento River and is within the Colusa Basin Watershed which is part of the Sacramento National Wildlife Refuges Complex.

The Project site is comprised of recent Holocene alluvial fan and basin deposits (and ranges from 0 to 200 feet in depth) within the flat areas, and Pliocene deposits of the Tehama Formation within the hilly higher elevation areas (Rich 1971). The Tehama Formation is comprised of interbraided, noncontiguous layers of metamorphic pale green, gray, and tan sandstone siltstone, and clay with lenses of gravel (pebble and cobble) (De Novo Planning Group 2010; Helley and Harwood 1985; Rich 1971). The Tehama Formation is exposed in some areas along the Coast Range foothills within the western portion of the Sacramento Valley and extends to depths of approximately 1,700 feet near the central portion of the Sacramento Valley (De Novo Planning Group 2010). The Tehama Formation is overlain by the younger alluvium in flat areas of the valley. According to the

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United States Department of Agriculture Web Soil Survey website (2020) soils across the Project site include avar clay, corning clay loam, Clear Lake clay, and corval.

Currently, vegetation in the Project site consists primarily of nonnative species and agricultural fields. Surrounding areas are agricultural fields and an undeveloped open space. Prior to water diversions in the nineteenth century for agricultural use, and the introduction of nonnative species, the Central Valley basin contained a mosaic of biological diversity that was supported by climatic and hydrological conditions conducive to abundant resource availability and subsistence procurement by aboriginal populations (e.g., Patwin; Preston 1990). Before historic alterations to the landscape occurred, the Sacramento Valley was characterized by extensive seasonal wetlands/marches, riverine environments, and alkali basins along active floodplains. Various vegetative communities in the northern Central Valley included bunch grass prairies, upland oak-grass savannas, alkali basins, seasonal wetlands, freshwater marshlands and sloughs, and riparian forests along rivers and drainages.

4.5.1.2 Cultural Context

Pre-Contact

The prehistory of the Central Valley is defined by different temporal periods and cultural complexes based on cross-dating of distinct artifact types, cultural patterns, and radiocarbon dates, if available. There is no single cultural historical framework that encompasses the entire prehistoric record of the Central Valley (Rosenthal et al. 2007). Several key archaeologists have contributed to the development of the chronological framework for the Central Valley such as Fredrickson (1973, 1974, 1994), Bennyhoff (1994), Rosenthal et al. (2007), and others. The generalized cultural sequence collaborated by Rosenthal et al. (2007) includes the Paleoindian Period (13,500–10,500 calibrated Before Present [cal BP]), Lower Archaic Period (10,500–7,500 cal BP), Middle Archaic Period (7,500–2,500 cal BP), Upper Archaic Period (2,500 cal BP–calibrated Anno Domini [cal AD] 1000), and Emergent Period (cal AD 1000–Historic).

Paleoindian Period (13,500 BP to 10,500 cal B.P.)

During the Holocene, periods episodes of erosion and deposition altered, buried, and/or removed the Late Pleistocene landscape (Rosenthal et al., 2007). Evidence of this period comes from scattered surface locations in the southern portion of the Great Valley basin. The earliest known human presence in the region is recorded in Lake County, near Clear Lake, at the Borax Lake Site (CA-LAK-36) with an assemblage that yielded fluted projectile points; several in the San Joaquin Valley that includes the Witt site (CA-KIN-32), located on the remnant south-southwestern shoreline of Tulare Lake; and one possible fluted point in the Sacramento Valley. During this period, hunters and gatherers crossed very large subsistence areas with extensive foraging ranges (Jones et al. 2003). This is supported by obsidian tracing and dating of projectile points from the Witt site. This evidence indicates that wide ranging expeditions to distant areas were made for trade or direct procurement of obsidian sources from Napa Valley and those closer to Tulare Lake but still representing rather lengthy forays east of the Sierra Nevada. During this period, foragers seem to have operated in small mobile groups with low population densities.

Lower Archaic Period (10,500 to 7,500 cal BP)

The environment at the end of the Pleistocene was significantly altered by climate change, which facilitated the production of alluvial fans and flood plains (Rosenthal et al. 2007). The Lower Archaic Period is characterized by isolated finds of stemmed points (like Borax Lake, Lake

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Mojave, Siler Lake, and Pinto wide stem types), stone crescents, and other distinctive, formalized, flaked stone artifacts (Rosenthal et al. 2007). Such artifacts were found in the Sacramento Valley as an isolated crescent on an ancient alluvial fan, and further south in the Central Valley at the Buena Vista Lake Site (CA-KER-116; Fredrickson and Grossman 1977), and the shorelines of Tulare Lake at the Witt site. Faunal remains from the Buena Vista Lake site are limited but diverse, including freshwater fish, waterfowl, freshwater mussels (*Margaritiferid margaritifera*), and artiodactyl bones. In the foothills of the Sierra Nevada and Coast Range, lower archaic sites exhibit milling equipment such as handstones, milling slabs, and various cobble core tools that suggest an increased reliance on seasonal plant resources (Rosenthal et al. 2007).

Middle Archaic Period (7,500 BP to 2,500 cal BP)

The Middle Archaic climate was characterized by warmer and drier conditions facilitating the reduction or complete desiccation of Central Valley lakes. Thus, with sea levels rising, new wetland habitats were developed leading to the formation of the Sacramento and San Joaquin Delta (Atwater and Belknap 1980; Goman and Wells 2000). This period is categorized by projectile points such as notched, stemmed, thick-leaf, and narrow concave base darts, groundstone, pottery, twined basketry, basketry awls, and polished stone plummets (Rosenthal et al. 2007). At this time, the classic Windmiller Pattern burial mounds occur. This pattern represents riverine adaptions that were permanent, year-round, habitation sites (Rosenthal et al. 2007). Paleobotanical studies of the Windmiller Pattern indicate early use of acorns and pine nuts. Faunal remains include large game animals (elk, deer, pronghorn), leporids, waterfowl, small and large fish, and small rodents. The fauna represented indicates the use of marshes, grasslands, and riverine forests of the valley region. The foothill tradition is characterized by flaked and ground stone tool use such as expedient cobble-based pounding, chopping, scraping, and mulling tools, and rock filled hearts and ovens, used for subsistence procurement (Rosenthal et al. 2007). Projectile point types include stemmed, thick leaf, notched, and narrow concave base darts. Sites from this period have been identified in the foothills of Solano, Calaveras, Glen, Mariposa, and Fresno County.

Upper Archaic Period (2,500 cal B.P.—cal A.D. 1000)

During the early portion of this period the environment was cooler and wetter. Populations were characterized by geographically complex sociopolitical organizations as evident from archaeological burial data (e.g., contrasting burial postures), artifact styles, and other items of material culture (Rosenthal et al. 2007:156). Specialized technologies appeared during the Upper Archaic Period such as bone tools and implements and the production of saucer and saddle-shaped shell beads (Olivella) and ornaments (Haliotis), and ceremonial obsidian blades. A large amount of obsidian was obtained from the eastern side of the Sierra Nevada, and lanceolate-shaped bifaces were widely traded (Rosenthal et al. 2007:157). This period was also marked by mortar and pestle use and an increase in plant procurement, specifically acorns (Rosenthal et al. 2007; Wohlgemuth 1996; Rosenthal and Wohlgemuth 2011). Artifact assemblages from the period include temporally diagnostic forms of beads (Olivella) and ornaments (Haliotis), charm stones (often found cached), cobble mortars, chisel ended pestles, and dart points. Other diagnostic artifacts include a wide array of bone tools including awls, fish spears, saws, and flake tools. During the transition from the Upper Archaic Period to the Emergent Period, the Central Valley experienced drier conditions resulting in resource depression of valley and lowland resources. Native groups abandoned the valley floor and relocated to upland foothill resource

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areas (Moratto 2004). As the climate improved, people expanded downslope again to the valley floor.

Emergent Period (cal A.D. 1000—Historic)

The Emergent Period is characterized by the appearance of bow and arrow technology, the rise of wealth-linked social status, the specialization of bead manufacturing, and increased social complexity as indicated by increased variation in burial types and furnishings (Rosenthal et al. 2007; Bennyhoff and Fredrickson 1994; Milliken and Bennyhoff 1993). This period is also marked by the importance of fish and plant resources, and the use of the mortar and pestle (Rosenthal et al. 2007; Wohlgemuth 1996; Rosenthal and Wohlgemuth 2011). Archaeological deposits from this period have yielded diverse subsistence resources such as fish bone, various mammal and bird remains, and plant resources such as acorn, pine nut, and manzanita. Rosenthal and Wohlgemuth (2011) examined environmental and artifact assemblage data for several upland (west central Sierra Nevada) and lowland (Central San Joaquin Valley) archaeological sites. The authors suggest that plant intensification was adapted earlier in the lowland regions compared to the uplands due to the greater availability and spatial distribution of various resources in the valley, allowing for more residential stability and increased population. Artifact assemblages are characterized by small corner-notched and side-notched projectile points, Olivella lipped and clam disc beads and bead drills, magnesite cylinders, hopper mortars, pottery, clay balls, and village sites with house pits (Rosenthal 2007). This period is associated with the Sweetwater and Shasta Complexes in the northern Sacramento Valley and the Augustine Pattern in the lower Sacramento.

Ethnographic Context

It is estimated that 100,000 native people, roughly one-third of the state's native population, lived in the Central Valley at the time of European contact. Anthropologists from the twentieth century identified the Great Valley as the core of the California Culture area. Seven distinct languages, all from the Penutian family, were spoken among the eight various tribal groups living within the valley (Rosenthal et al 2010:149). The shared linguistic roots indicate a common heritage and culture. The Project is within the ancestral land boundaries of the Patwin band of the Southern Wintun people. A brief ethnographic summary of the Patwin people is provided below.

Patwin (River, Hill, and Sothern)

The Patwin fall into three geographical divisions, the River Patwin, the Hill Patwin, and Southern Patwin. The Hill Patwin inhabited areas within the Coast Ranges east of Clear Lake to Lodoga to the northeast, and areas west of the Sacramento River valley. The River Patwin occupied the valley west of the Sacramento River and west of Sutter Buttes, to as far north as Butte City, and as far south as Capay. The Southern Patwin inhabited areas in the Napa Valley, near Putah Creek east of Lake Berryessa, to the south at Suisun Bay, and to the west at Knights Landing. There were more river villages than in the Coast Range (Powers 1877:143). The location of habitation sites varied depending on the season and the highest density of habitation tended to be river villages with the Coast Ranges used to a lesser extent (Powers 1877). The low topography and presence of the Colusa Basin Drain makes this area prone to regular winter flooding while the summer months experience dry conditions (Colusa National Wildlife Refuge 2020). The Patwin favored areas along the edge of tule wetlands and other waterways, except during the wet season when the Patwin would use hunting camps at higher elevations within the open plains. The low bluff along the Sacramento River, where Colusa is now located, once consisted of tule wetlands

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that were used for hunting waterfowl (Heizer 1975). The Patwin people practiced a mixed economy of resource procurement and focused on fishing, hunting, fowling, and collecting river salmon, as well as plant resources such as roots and seeds (Powers 1877). Acorns and wild oats were an important food staple and were gathered from groves of valley oaks, and often collected in mass quantities and stored in granaries (Powers 1877:143).

Historic contact between the Patwin people and European immigrants took a devastating toll on the indigenous people. Military raids, disease, epidemics, and forced servitude claimed many indigenous lives during the Spanish, Mexican, and American periods. Despite these tragedies, many Patwin descendants continue to live near their traditional homelands and exhibit a strong sense of cultural identity and continue to practice cultural traditions integrated with modern economic activities. Six prominent bands of Patwin currently live in the region and include the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community; the Yocha Dehe Wintun Nation, formerly known as the Rumsey Band of Wintun Indians; Cortina Rancheria, the Kletsel Dehe Band of Wintun Indians; Estom Yumeka Maidu Tribe of the Enterprise Rancheria; Grindstone Rancheria of Wintun-Wailaki; and the Raskenta Band of Nomlaki Indians. These tribes are active participants of their communities through intertribal community service programs as well as offering environmental, educational, and recreational opportunities to the public such as the Cache Creek Casino Resort (Yocha Dehe Wintun Nation 2020). Similarly, the Cachil Dehe Band maintains the present-day Colusa Casino Resort, has a membership of 84 people, offers guided outdoor adventures to the public, and published a language book in 2004 (Colusa Indian Community 2020).

4.5.1.3 Historic Context

In California, the historic era is generally divided into three periods: the Spanish Mission Period (1769–1821), the Mexican Rancho Period (1821–1848), and the American Period (1848–present).

Spanish Mission Period (1769–1821)

The Spanish Mission Period—between 1769 and 1821—designates the time when the Spanish established missions along the California coast. The first recorded contact between California natives and Europeans occurred in 1542, when the Juan Rodriguez Cabrillo expedition traveled along the west coast of California. Between 1769 and 1833, the Spanish founded 21 missions from San Diego north to the San Francisco bay area (Presidio). Mission San Francisco de Asis (also Mission Dolores: founded in 1776), San Jose (founded 1797), Mission Sonoma (founded in 1823), San Francisco Solano (founded in 1823), San Rafael Archangel (founded in 1817), and Mission Santa Clara (founded 1777), were established along the central California coast, over 100 miles west and southwest of the Project. Although the inland areas of the Sacramento Valley were not settled by the Spanish, influences from coastal missions and presidios were felt inland by the end of the eighteenth century. The mission lands extended from the coast west to the valley. The local Patwin population was forcibly indoctrinated into the mission system and were baptized as neophytes. Many Patwin people were transported to mission San Francisco de Asis, San Jose, and Santa Clara. The padres used the Patwin people as laborers for the mission's large tracts of land, putting them to work with agricultural and ranching duties. The mental and physical health of the Patwin people suffered, and many people died or tried to escape to the interior valley. The padres would send soldiers to search and retrieve the people that escaped,

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many were able to elude the soldiers. The transition between the Spanish release of their northern California territory to Mexico occurred during the early 1820s.

Mexican Rancho Period (1821–1848)

The period from 1821 to 1848 is referred to as the Mexican Rancho Period. In 1821, Mexico gained independence from Spain, and the secularization of the missions was completed in 1834. It was during this period that large tracts of land called ranchos were granted by the various Mexican Governors of Alta California, usually to individuals who had worked in the service of the Mexican Government. No Mexican land grants were identified for the Project site. In 1844 and 1845, three Mexican land grants were within Colusa County and include Rancho Colus, Jimeno (Colusa and Yolo County), and Larkin (Colusa and Glenn County). In 1845, the Rancho Colus was granted to John Bidwell by Mexican Governor Pio Pico. The rancho encompassed 8,887 acres of land that was located along the west bank of the Sacramento River and included the Patwin village Ko'roo or Korusi (Heizer and Hester 1970:84). This period is also characterized by declines in the Native American population in the Sacramento Valley due to infectious disease and loss of territory to both Mexicans and incoming European immigrants (Johnson 1978).

American Period (Post 1848)

Following the end of hostilities between Mexico and the United States in January 1847, the United States officially obtained California from Mexico through the Treaty of Guadalupe Hidalgo on February 2, 1848 (Hoover et al. 1962). In 1850, California was accepted into the Union of the United States, primarily due to the population increase created by the Gold Rush of 1849. This increase in foreign immigrants searching for riches and land further decimated the indigenous population. The mild climate, extensive fertile soils, and ample water sources made the Sacramento Valley region an attractive prospect for both agricultural and ranching industries. In 1846, William Bryant is recorded as one of the first European immigrants to settle in the area. Bryant's homestead was located near the mouth of Stony Creek. In 1850, Colusa County was established and included portions of land within current day Glenn and Tehama Counties (McComish 1918). The state passed legislative bills that separated Glenn (in 1856) and Tehama (in 1891) into their current respective boundaries. Monroeville was the original county seat for Colusa County. Monroeville was established on the ranch of Uriah P. Monroe within lands of the original Rancho Capay (within present day Tehama and Glenn Counties). The town of Colusa was established in 1850, and later became the County seat in 1854. By 1862, Colusa County had a population of 4,500 people. The settlement of the County by Euro-Americans began to increase as settlers were drawn to the area for economic purposes such as agriculture, mining, and infrastructure (Guinn 1906).

Specific to the Project site, federal land patent records listed several individuals for Township 14 North, Range 4 West, Sections 1, 2, and 3 between 1860 and 1869. Fredrick Bishop and William Henry Williams (together and separately) were granted land patents in the northeast quarter of Section 3 (approximately 248 acres) (GLO 2020). William Henry Williams came to California from Illinois in 1850 (Colusa County 2020b). He settled in Spring Valley (10 miles west from the town of Colusa) in 1851 and grew crops of wheat and barley, and raised sheep, cattle, hogs, and horses (Colusa County 2020b). Mr. Williams became a prominent landholder in Colusa County and his estate included over 7,000 acres of land. In the early 1870s, Mr. Williams provided a right of way grant to the Northern Railroad Company for an alignment of railroad that would cross through his lands (Colusa County 2020b). In anticipation of the coming railroad, Mr. Williams platted out his

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land and sold several plots centered around the future railroad line. The parcels were sold to new settlers that eventually constructed residential and commercial buildings, and a post office. Thus, the new town of Central was established in 1874. The town was later renamed Williams in 1876 (in honor of W.H. Williams). Mr. Williams built a new home and a large grain building in Williams and continued farming and ranching. He lived the rest of his life in Williams and died in 1909 (Find a Grave 2020).

Federal land patent records indicate that Henry P. Eakle was granted 250 acres of land in 1869 in Township 14 North, Range 4 West, Sections 2 and 1 (GLO 2020). In 1832, Henry P. Eakle was born in Tennessee to German-Irish immigrant parents (Woodland Daily Democrat 1910). Mr. Eakle came out west to California in the early 1860s, where he built a home and farmed land near the town of current day Woodland. In 1867, Mr. Eakle moved to current day Colusa County where he purchased over 700 acres of land in Spring Valley. He built a large ranch in Spring Valley and raised livestock (Woodland Democrat 1910). During the mid to late nineteenth century, Mr. Eakle would acquire over 18,000 acres of land in current day Yolo, Colusa, Butte, and Lassen Counties (Woodland Daily Democrat 1910). At the time, he was considered one of the largest landowners in California. He was also interested in local politics and took an active role in public affairs (Woodland Daily Democrat 1910). He was a registered Democrat and was elected to represent Colusa County in the California legislature. Mr. Eakle provided legislature for the division of Colusa and Glenn Counties, he promoted infrastructure projects (e.g., road improvements), and was a large stockholder of the Central Irrigation Company. He served as the director during the initial organization of Central Irrigation Company (Woodland Daily Democrat 1910). Mr. Eakle died at his residence in Woodland in 1910 (Woodland Daily Democrat 1910).

Another prominent early settler of Colusa County was Jesse Curl Stovall. He became an important leader in the development of the town of Williams and the surrounding vicinity. He arrived in Colusa County in 1850 from Tennessee and became a banker, large landowner, and president of the Stovall-Wilcoxson Company. The company was a large grains operation. The town of Williams was incorporated into Colusa County in 1920 (Durham 1998:557). The main economic interest included agriculture and ranching.

Today, the Colusa County has a population of approximately 21,500 people and continues to primarily be an agricultural-based economy which includes crops of alfalfa, almonds, Asian pears, beans, corn, cotton, melons, onions, pistachios, prunes, pumpkins, rice, safflower, sunflowers, tomatoes, walnuts, wheat, and wine grapes (Colusa County 2020a). The County also promotes recreation and boasts three national wildlife refuges, the Delevan National Wildlife Refuge, the Colusa National Wildlife Refuge, and a part of the Sacramento National Wildlife Refuge where recreational wildlife photography and hunting is allowed dependent upon the season.

4.5.2 Regulatory Setting

Federal

National Register of Historic Places

The National Register of Historic Places (NRHP) was established by the National Historic Preservation Act, as “an authoritative guide to be used by federal, state, and local governments, private groups and citizens to identify the Nation’s historic resources and to indicate what properties should be considered for protection from destruction or impairment” (36 CFR §60.2).

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The NRHP recognizes both historical-period and prehistoric archaeological properties that are significant at the national, state, and local levels.

To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must meet one or more of the following four established criteria, along with being at least 50 years old and possessing integrity to convey its significance (U.S. Department of the Interior 1995):

a. Are associated with events that have made a significant contribution to the broad patterns of our history;
b. Are associated with the lives of persons significant in our past;
c. Embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
d. Have yielded, or may be likely to yield, information important in prehistory or history.

Resources identified as eligible for or listed in the NRHP are automatically considered eligible for listing in the California Register of Historical Resources (CRHR).

American Indian Religious Freedom Act

The American Indian Religious Freedom Act of 1978 protects the rights of Native Americans to freedom of expression of traditional religions (24 United States Code [U.S.C.] §1996). This act established “the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions… including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.”

State

California Environmental Quality Act

CEQA (Section 21084.1) requires a lead agency determine whether a project could have a substantial adverse change in the significance of a historical resource or tribal cultural resources (Public Resource Code [PRC] Section 21074 [a][1][A]-[B]).

Under the CEQA (Section 15064.5 (a)), a historic resource (e.g. building, structure, or archaeological resource) shall include resource that is listed in, or determined to be eligible for listing in, the California Register of Historical Resources (CRHR), or a resource listed in a local register or landmark, identified as significant in a historical resource survey (meeting the requirements of Section 5024.1(g) of the PRC), or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California (Section 15064.5[a][3]). Under the California Code of Regulations (CCR), Title 14, Chapter 11.5, properties listed on or formally determined to be eligible for listing in the NRHP) are automatically eligible for listing in the CRHR. A resource is generally considered to be historically significant under CEQA if it meets the following criteria for listing in the CRHR (PRC SS5024.1, Title 14, CCR, Section 4852):

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A. Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States (Criterion 1).
B. Associated with the lives of persons important to local, California or national history (Criterion 2).
C. Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values (Criterion 3).
D. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California or the nation (Criterion 4).

Under PRC Section 21074, tribal cultural resources are:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American Tribe that are either of the following:

(a) Included or determined to be eligible for the inclusion in the CRHR, or;

(b) Included in a local register of historical resources as defined by subdivision (k) of Section 5020.1 (designated or recognized historically significant by a local government pursuant to local ordinances or resolution).

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

California Health and Safety Code, Section 7052 and 7050.5

Section 7052 of the California Health and Safety Code states that it is a felony to disturb Native American burials. Section 7050.5(c) requires that construction or excavation be stopped in the vicinity of discovered human remains until the coroner can determine whether the remains are those of a Native American. If determined to be Native American, the coroner must contact the NAHC.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act (the Act) applies to both state and private lands. The Act requires that upon discovery of human remains, construction or excavation activity cease and that the county coroner be notified. If the remains are Native American, the coroner must notify the NAHC. The NAHC will then identify and notify a most likely descendant. The Act stipulates the procedures the most likely descendant may follow for treating or disposing of the remains and associated grave goods.

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California Public Resource Code, Sections 5097 *et seq.*

California PRC Section 5097 specifies the procedures to be followed in the event of an unexpected discovery of human remains on non-federal land. The disposition of Native American remains falls within the jurisdiction of the NAHC. Section 5097.5 of the Code states:

> "No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor."

As used in this section, "public lands" means lands owned by, or under the jurisdiction of the state or any city, county, district, authority, public corporation, or any agency thereof.

Assembly Bill 52

Under CEQA, Assembly Bill (AB) 52 requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. Consultations must include discussing the type of environmental review necessary, the significance of tribal cultural resources, and the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe. That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. Section 4.18 Tribal Cultural Resources discusses the effort made to contact the tribes that may have an interest in the Project in compliance with AB 52.

Local

The Colusa County General Plan (in accordance with Government Code Section 65300 et seq.) identifies the County's vision for the future and provides a framework to guide decisions on growth, development, and conservation of open space and resources (Colusa County 2012). The County's policies regarding cultural resources are provided in the Conservation Element section are listed below:

- **Policy CON 3-1**: Require a cultural and archaeological survey prior to approval of any project which would require excavation in an area that is sensitive for cultural or archaeological resources. If significant cultural or archaeological resources, including historic and prehistoric resources, are identified, appropriate measures shall be implemented, such as documentation and conservation, to reduce adverse impacts to the resource.
- **Policy CON 3-2:** Require all development, infrastructure, and other ground-disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains:

  a. If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the County Department of Planning and Building shall be notified, the resources shall be examined by a qualified archaeologist,

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paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the County Department of Planning and Building.

b. If human remains are discovered during any ground disturbing activity, work shall stop until the County Coroner and County Department of Planning and Building have been contacted; if the human remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) and the most likely descendants have been consulted; and work may only resume when appropriate measures have been taken and approved by the County Department of Planning and Building.

- **Policy CON 3-3:** Encourage and cooperate with cities, special districts, State and Federal agencies in acknowledging and preserving the County's cultural heritage, historical and archaeological structures, sites and landmarks.
- **Policy CON 3-4:** Encourage voluntary landowner efforts to protect cultural resources consistent with applicable State law.
- **Policy CON 3-5:** Work with Native American representatives to identify and appropriately address, through avoidance or mitigation, impacts to Native American cultural resources and sacred sites during the development review process.
- **Policy CON 3-6:** Encourage Native American tribes to consult with the County prior to approval and development of new projects that may impact County resources, facilities, and the environment.
- **Policy CON 3-7:** Consistent with State local and tribal intergovernmental consultation requirements such as Senate Bill 18, the County shall consult with Native American tribes that may be interested in proposed new development and land use policy changes.
- **Policy CON 3-8**: Encourage the voluntary identification, conservation, and reuse of historical structures, properties, and sites with special and recognized historic, architectural, or aesthetic value.
- **Policy CON 3-9:** Encourage historic resources to remain in their original use whenever possible. The adaptive use of historic resources is preferred, particularly as museums, educational facilities, or visitor---serving uses, when the original use can no longer be sustained. Older residences may be converted to office/retail use in commercial areas and to tourist or business use in agricultural areas, so long as their historical authenticity is maintained or enhanced.
- **Policy CON 3-10:** Leverage the County's strong agricultural and historic heritage to support and encourage historically oriented visitor programs and heritage tourism through cooperation with local, regional, and state marketing efforts.

4.5.3 Identification of Cultural Resources within the Project Site and Surrounding Area

In accordance with CEQA, cultural (historic resources) and tribal resources were identified by conducting a California Historical Resources Information Center records search of the Project and surrounding areas via the North West Information System (NWIC), Division of Anthropology,

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California State University, Sonoma, a literature review (i.e., ethnographic and historic documents, historic aerial imagery and maps review, etc.), a NAHC Sacred Lands File (SLF) search, cultural resource pedestrian field surveys, and tribal consultation per AB 52, as discussed in the Regulatory Setting above.

Northwestern Information Center Results

The NWIC record search was conducted in August 2020 (NWIC File No.: 20-0128). As part of this records search, the NWIC database of survey reports and overviews was consulted, as well as documented cultural resources, cultural landscapes, and ethnic resources. Additionally, the search included a review of the following publications and lists: California Office of Historic Preservation Historic Properties Directory, NRHP, Office of Historic Preservation Archaeological Determinations of Eligibility, CRHR, California Points of Historical Interest, California Historical Landmarks, ethnographic information, historical literature, historical maps and plats, and local historic resource inventories. The records search focused specifically on the proposed Project site and transmission line corridor and a 1-mile buffer.

The NWIC records indicate 12 previous cultural resources studies have been conducted within the search area, of these, two studies overlap with the Project site, and 11 overlap with the transmission line corridor. These studies include survey and excavation and were conducted between 1980 and 1999 and overlap with less than one percent of the current Project site. The previous studies within the Project site and within 1 mile of the Project is listed in Table 4.5-1.

Table 4.5-1. Previous Cultural Resources Surveys Conducted within the Project site and transmission line corridor and within a 1-mile buffer.

Report No.	Year	Author(s)/ Affiliation	Title	Study Type	Within Project Area or 1-mile
S-004991	1980; 1982	Wirth & Associates, Inc.	*Western Leg - Alaska Highway Pipeline Project: Cultural Resources, Volume II, Pacific Gas Transmission Company, Pacific Gas and Electric Company, Evaluation of Previously Recorded Archaeological Sites; and Alaska Gasoline PEA*	Linear survey, site assessment	Crosses easternmost segment of Project Area (transmission line)
S-005156	1965	San Francisco State College	*Archeological Survey and Excavation Along the Tehama-Colusa Canal, Central California*	Block and linear survey and excavation	Crosses easternmost segment of Project Area (transmission line)
S-005207	1964	Pacific Gas & Electric Co.	*A Survey of Archeological Resources Along the Pacific Gas and Electric Company's Canadian Gas Line in California.*	Linear survey	Crosses easternmost segment of Project Area (transmission line)

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Report No.	Year	Author(s)/ Affiliation	Title	Study Type	Within Project Area or 1-mile
S-012300	1990	INFOTEC Research, Inc; BioSystems Analysis, Inc	*Final Cultural Resources Assessment Report, PGT-PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California, Phase 1: Survey, Inventory, and Preliminary Evaluation of Cultural Resources and Cultural Resources Inventory Atlas*	Linear survey	Crosses easternmost segment of Project Area (transmission line)
S-016206	1992	INFOTEC Research, Inc.	*Subcontract #20822-SC-41, Cultural Resource Studies, Phase-1 Surveys of Mainline and Blowdown Valve Sites (letter report)*	Small block survey (1.3 acre)	Crosses easternmost segment of Project Area (transmission line)
S-017298	1991	INFOTEC Research, Inc.; BioSystems Analysis, Inc.	*Archaeological Testing and Evaluation Report, 1990 Field Season, and Historic Properties Treatment Plan, for 1991 Field Season, PGT-PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California. Volume I: Synopsis of Testing and Evaluation and Historic Properties Treatment Plan, Volumes I, II, III, IIID*	Linear project, survey, testing	Crosses easternmost segment of Project Area (transmission line)
S-020840	1998, 1999	Science Applications International Corporation	*Cultural Resource Survey for the Proposed Integrated Waste Management Facility on the Cortina Rancheria (letter report) and Eligibility Assessment of Three Archaeological Sites on the Cortina Indian Rancheria Lease Area for a Proposed Integrated Waste Management Facility, Colusa County, California*	Linear survey along road, and block survey of Cortina Rancheria	Crosses Project Area (solar site along Spring Valley Road)
S-022736	2000	Jones & Stokes Associates, Inc.	*Final Cultural Resources Inventory Report for Williams Communications, Inc., Fiber Optic Cable System Installation Project, Point Arena to Robbins and Point Arena to Sacramento, California: Volumes I, II, and III*	Linear survey	Crosses easternmost segment of Project Area (transmission line)
S-023674	1994	INFOTEC Research Inc. and Far Western Anthropological Research Group Inc.	*Archaeological Investigations, PGT-PG&E Pipeline Expansion Project, Idaho, Washington, Oregon, and California: Volume 1 Project Overview, Research Design and Archaeological Inventory, Volumes II, III, IV, V, V 1-3, and 37.0 Site CA-CCO-368, 36.0 Site CA-SOL-348*	Linear survey, and testing	Crosses easternmost segment of Project Area (transmission line)

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Report No.	Year	Author(s)/ Affiliation	Title	Study Type	Within Project Area or 1-mile
S-028441	1999	Science Applications International Corporation	*Historic Resources Survey, Reister Ranch, Colusa County, California*	Architectural survey and evaluation of ranch	Crosses easternmost segment of Project Area (transmission line)
S-034962	2008	Coyote and Fox Enterprises	*Archaeological Reconnaissance for Proposed Annexation of Lands (326 acres) to the Westside Water District, West of Williams, Colusa County, California (LaGrande Annexation) and BUR080609A: Proposed Inclusion of 326 Acres into the Westside Water District, Colusa County, California (Project #08-NCAO-131)*	Archaeological block survey (326 acres) – pedestrian (220 acres) and 4-wheel all-terrain vehicle	Within 1-mile of Project Area (solar field and transmission line)
S-047656	1992	INFOTEC Research Inc.	*Final Cultural Resources Monitoring Plan for "A" Construction Spreads, PGT-PG&E Pipeline Expansion Project*	Linear survey	Crosses easternmost segment of Project Area (transmission line)

No previously recorded sites were identified within the Project site or transmission line corridor. Four previously recorded sites were identified within 1 mile of the Project. Three sites, P-06-000050, P-06-00205, and P-06-000304, are all prehistoric sites with cultural material such as lithics, bedrock milling features, midden, faunal material, and fire affected (cracked) rock. Site P-06-000222 is a dual component site consisting of a historic collapsed building, barn, and refuse, and a prehistoric habitation site with bedrock milling features. These sites are not evaluated for listing to the CRHR or NRHP. No previously recorded CRHR or NRHP eligible archaeological sites were identified within the Project site or transmission line corridor. The records search results for previously recorded sites are listed in Table 4.5-2.

Table 4.5-2. Previously Recorded Cultural Resources Identified within 1 mile of the Project site and transmission line corridor

Site No.	Time Period	Site Type	Date/ Recorder	CRHR/NRHP Eligibility
P-06-000050 (CA-COL-27)	Prehistoric	Lithic scatter (obsidian flakes) and habitation debris	1968, Raekeroy	Not Evaluated
P-06-00205 (CA-COL-220)	Prehistoric	Lithic scatter (obsidian), bedrock milling feature, petroglyphs	1996-1997, Mike Tyree	Not Evaluated
P-06-000222 (CA-COL-000146/H)	Prehistoric/ Historic	Historic: trash scatter, well, collapsed building and barn; Prehistoric: lithic scatter (obsidian), midden, faunal remains, bedrock milling station	1984, M.D. Donovan, R.M. Apple	Not Evaluated
P-06-000693 (CA-COL-000304)	Prehistoric	Lithic scatter (chert and obsidian), groundstone tools, fire cracked rock, and bedrock milling feature	2012, J. Eerkens, S. Cook, G. Burns	Not Evaluated

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Historic U.S. Geological Survey Map and General Land Office Plat Map and Historical Aerial Review

To better understand historic land use, a review of historic maps and aerial imagery provides information regarding potential unrecorded historic features or sites within the Project site and transmission line corridor. Based on the historic maps and aerial imagery review, the Project and surrounding area appears as rural undeveloped agricultural land from the early 1900s to present day. Most surrounding roads were established between 1919 to 1964 (i.e., Highway 20 and Interstate 5). The area has remained rural agricultural land with few residential developments established within the Project Area since at least 1944. The results of the review of available historic aerials, General Land Office (GLO) plat maps, and United States Geological Survey (USGS) quadrangle maps are presented in Table 4.5-3 below.

Table 4.5-3. Review of Historic USGS Maps and Aerial Photographs for Township 14 North, Range 4 West, Section 1, 2, 3, and Township 14 North, Range 3 West, Section 1, Township 15 North, Range 4 West Section 25, Range 3 West Section 30

Map Name	Date(s)	Author	Description of Potential Resource within Project Area of Impact
GLO Plat Map	1858, 1871, 1882	Surveyor General's Office	No features or structures are illustrated within or near the Project site (T14N, R4W, 1, 2, and 3).
GLO Plat Map	1853, 1874	Surveyor General's Office	No features or structures are illustrated in within or near the Project site (T15N, R4W, Sections 25 and 36).
GLO Plat Map	1853	Surveyor General's Office	No features or structures are illustrated in the Project site (T15N, R3W, Sections 29 and 30).
USGS 1:62,500, Colusa, California	1907	USGS Staff	T14N, R3W Section 1: The Project site appears as undeveloped foothills. An east to west trending two-track road and Spring Valley Creek are south of the Project boundary.
USGS 1:31,680, Spring Valley, California	1918	USGS Staff	T14N, R3W, Section 1: The Project site appears as undeveloped foothills. An east to west trending two-track road and Spring Valley Creek are south of the Project boundary.
USGS 1:62,500, Wilbur Springs, California	1944	USGS Staff	T14N, R4W Sections 1-3: The Project and surrounding area is labeled "Spring Valley" and an east to west trending road is to the south of the Project site, a north to south trending road (Spring Valley Road) is to the west of the Project site and adjacent to the transmission line corridor. Spring Creek is south of the southern Project boundary. T14N, R4W, S2: two buildings are illustrated within the southern Project boundary, just north of Spring Creek. T15N, R4W Sections 25/326 and 35: Area appears undeveloped except for improved Spring Valley Road and Walnut Drive, and a building illustrated to the south of Walnut Drive. The area appears the same in 1961 except two additional buildings are located south of Walnut Drive in section 36.
USGS 1:62,50 Colusa, California	1953	USGS Staff	T15N, R4W Sections 25: Walnut Drive is present, a substation is to the north. T15N, R4W, 30: Walnut Drive is present, a transmission line crosses Walnut Drive, a substation is in section 29.
USGS 1:302,179, Ukiah, California	1956	USGS staff	The scale of the map is too large to discern specific details regarding the Project site. The surrounding Project region is labeled Spring Valley with a southwest to northeast interment drainage labeled Spring Creek. Cortina Ridge is illustrated West of the Project and the Colusa Basin is illustrated to the east.

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Map Name	Date(s)	Author	Description of Potential Resource within Project Area of Impact
USGS 1:24,000, Cortina Creek	1953, 1973	USGS staff	T14N, R3W, Section 1: No buildings or features illustrated in Project site. T15N, R4W, Section 36, and T15N, R3W, Section 31, 30, 29 (transmission line corridor): a southwest to northeast trending linear transmission line is present, the line connects to a substation in section 39.
USGS 1:24,000, Wilbur Springs	1961	USGS staff	1961: T14N, R4W, Section 1-3: The Project site appears similar to 1944 map except the two buildings illustrated in Section 2 are no longer extant.
Historic Aerial	1937	EDR	T14N, R4W Section 1-3: The Project site and surrounding area appear as rural agricultural land with few buildings, roads, and plowed or tilled agricultural fields. Section 1: The Project site appears as plowed or tilled agricultural fields; Section 2: appears as plowed or tilled agricultural fields and undeveloped land (northwestern area), and one or two buildings within a square row of planted trees is present along the southern boundary of the Project site. The area surrounding the Project appears with an east to west trending road and creek (Spring Creek) to the south. A couple buildings are to the north of the Project site in Section 2, and a couple buildings are south of the Project site.
Aerial Imagery	1952	EDR	T14N, R4W, Sec 1: The Project site appears similar to pervious 1937 aerial, and as active plowed agricultural fields; Section 2: appears as undeveloped plowed or tilled agricultural fields and undeveloped land, the two buildings along the southern boundary of the Project site are no longer extent but the square row of planted trees are still present. A north to south trending road (Spring Creek Road) parallels the line of Sections 3 and 2.
Aerial Imagery	1957	EDR	T14N, R4W, Section 1-3, and T14N, R3W, Sec 1: The Project site appears as active tilled and plowed agricultural land with portions of undeveloped land. No changes compared to 1952.

GLO=General Land Office, USGS=United States Geological Survey; EDR=The Environmental Data Resources, Inc Aerial Photo Decade Package. No aerial imagery was available for T15N, R4W, Section 25 or T15N, R3W, Section 30.

Federal Land Patent Review

A search of federal land patents through the Bureau of Land Management's GLO Records website identified several early patent holders for Township 14 North, Range 4 West, Sections 1, 2, and 3, and Township 15 North, Range 4 West Section 35 and 25/36, Township 15 North, Range 3 West, Sections 31, 30, and 29. The patent holders include the State of California and several private individuals between 1860 through 1869. The patent holders include the State of California and several private individuals between 1860 through 1869. Federal land patents provide information on the initial transfer of land titles from the federal government to private (individuals or companies) or local governments by the title transfer authority. In addition to verifying title transfer, this information provides an association between an individual (Patentee, Assignee, Warrantee, Widow, or Heir) and a specific location (Legal Land Description) and time (Issue Date). The transfer authority statutes often outline requirements the patentee would be obligated to comply with in order to legally obtain and/or retain the land. Such title requirements may have resulted in construction of buildings, structures, or land improvements. See Table 4.5-4 for patent search results.

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Table 4.5-4. Historic Land Patents for Township 14 North, Range 4 West, Sections 1, 2, and 3, Township 15 North, Range 4 West Section 25, 26, and 35; Township 15 North, Range 3 West, Sections 31, 30, and 29 Mount Diablo Baseline Meridian.

Patent # or BLM Accession #	Date	Patentee	Legal Description	Transfer Authority
CACAAA 000506	1/25/1866	State of California	T14N, R4W, S2 (S½), S1 (S½)	California Enabling Act, March 3, 1853 (10 Stat. 244)
CACAAA 006565	3/15/1869	Henry P. Eakle	T14N, R4W, S1 (N½) and S2 (N½, NE¼; SE¼, NE¼) total: 463 acres); S2 (N ½ NW 1/4 [lot 3 and 4] : 86 acres; NE¼ SW¼, NW¼ SE¼, SW¼ NE¼) total 120 acres	Sale Cash Entry, April 24, 1820 (3 Stat. 566).
CA0700.421	3/15/1869	Henry P. Eakle	T15N, R3W, S31 (SE¼, 320 acres)	Sale Cash Entry, April 24, 1820
CA0700.017	8/5/1869	Henry P. Eakle	T15N, R3W, S31 (SW¼: 132 acres)	Sale Cash Entry, April 24, 1820
CACAAA 006538	4/1/1861	Fredrick Bishop, William Henry Williams	T14N, R4W, S3 (NW¼, NW and NE¼; NE¼, NW and NE¼L Lots 1-4: 168 acres)	Scrip or Nature of Scrip, March 17, 1842 (5 Stat. 607)
CACAAA 006551	5/19/1866	Alexander Miller, John Richardson	T14N, R4W, S3 (SW¼: 160 acres)	Scrip Warrant Act of 1855 (10 Stat. 701), March 3, 1855
CACAAA 006517	12/1/1860	William Henry William	T14N, R4W, S3 (NE¼, S½: 80 acres)	Sale Cash Entry, April 24, 1820 (3 Stat. 566).
CACAAA 006556	12/1/1868	Levi H. Baker	T14N, R4W, S3 (W½, SW¼: 80 acres)	Sale Cash Entry, April 24, 1820 (3 Stat. 566).
CACAAA 006552	12/1/1868	Levi H. Baker	T14N, R4W, S3 (SW¼, NW¼: 40 acres)	Homestead Entry Original, May 20, 1862 (12 Stat. 392)
CA0700.301	12/1/1868	Jesse C Stovall	T15N, R3W, S29 (N½, NE¼; NE¼, NE¼; W½, SE¼; SE¼, SE¼: 720 acres)	Sale Cash Entry, April 24, 1820 (3 Stat. 566)
CACAAA 004920	5/15/1869	Jesse C Stovall	T15N, R3W, S29 (SE¼, SE¼; NE¼, N ¼: 80 acres)	Sale Cash Entry, April 24, 1820 (3 Stat. 566)
CA0700.319	12/1/1868	Jesse C Stovall	T15N, R3W, S30 (W ½, E½: 640 acres)	Sale Cash Entry, April 24, 1820 (3 Stat. 566)
CACAAA 0000148	12/31/1853	State of California	T15NR4W, S36 (E½)	March 3, 1853: California Enabling Act (10 Stat. 244)
CACAAA 007648	12/1/1860	Lyman Crandall, Joseph Pulsifer	T15NR4W, S25 (SE¼, SE¼)	March 17, 1842: Scrip or Nature of Scrip (5 Stat. 607)
MW-0431-151	12/1/1860	Lyman Crandall, Joseph Pulsifer	T15NR4W, S25 (SW¼, SW¼)	March 3, 1855: Scrip Warrant Act of 1855 (10 Stat. 701) (Militia: Lieutenant Princes First Regiment United States Infantry)
CACAAA 007648	12/1/1860	Lyman Crandall, Joseph Pulsifer	T15NR4W, S26 (SE¼, SE¼)	March 17, 1842: Scrip or Nature of Scrip (5 Stat. 607)
CA0700.378	3/15/1866	Jesse Curl Stoval	T15NR4W, S26 (E ½)	April 24, 1820: Sale-Cash Entry (3 Stat. 566)

T=Township, R=Range, S=south, W=west, N=north, E=east

Native American Heritage Commission Sacred Lands Files Search

Tetra Tech contacted the NAHC on July 17, 2020 and requested a review of the NAHC's SLF. The NAHC replied on July 21, 2020 that results were negative for Native American tribal resources within the Project and provided a list of local Native American contacts with knowledge of the proposed Project area. Per AB 52, the County conducted tribal consultation (see Section 4.18). Mr. Leland Kinter, Tribal Historic Preservation Officer of the Yocha Dehe Wintun Nation

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responded on July 23, 2020 and requested worker cultural sensitivity training and tribal monitors to be present during Project construction (see Section 4.18 Tribal Cultural Resources). Consultation is ongoing.

Archaeological Field Survey and Results

Tetra Tech's qualified archaeological team conducted a Phase I archaeological survey of the Project site in November 2020 and July 2021, and for the entire 4.1-mile transmission line corridor in March of 2021. The archaeological team included a principal investigator, field director, and two archaeological technicians. The archaeological crew surveyed the entire Project site utilizing transects spaced 15 meters apart. The surveyed area consisted of open, disced, and tilled (row crops) agricultural fields and rolling hills. The depth of disced/tilled agricultural disturbance is estimated at approximately 1.5 feet below ground surface (plow zone). Ground surface visibility was good to excellent (50 percent or greater) throughout most of the Project area and transmission line corridor. Approximately 20 percent of the Project area exhibited annual grasses with poor to fair ground surface visibility (10 to 50 percent). On the Project site vegetation cover included non-native grasses, low growing herbaceous plants, disturbed riparian areas and drainages with sparse native and non-native trees, and artificial ponds for cattle. In areas of poor ground visibility, the field crew periodically stopped along transects to clear debris and ground cover to inspect exposed ground surface for cultural materials, changes in soil color and texture, or other evidence of previous human occupation. The Project site is also actively grazed by cattle and horses.

The transmission line corridor survey area consisted of the graded and graveled Spring Valley Road and paved Walnut Drive County road right of way. Survey transects were conducted along the road shoulder on each side of both roads. Ground visibility was overall very good with some areas of annual grasses. The soils primarily consisted of light brown silty sand and clay with some gravel, and road fill. Disturbances along the transmission line corridor include construction and continued maintenance of the graveled and paved Spring Valley Road and paved Walnut Drive road and shoulder right-of-way, an existing single pole transmission line along Spring Valley Road and Walnut Drive, the Tehama-Colusa Canal crosses Spring Valley Road underground near the intersection of Spring Valley Road and Walnut Drive, an underground utility along the southern road shoulder right-of-way of Walnut Drive, an existing fence line along Spring Valley Road and Walnut Drive road shoulder, and agricultural fields immediately adjacent to the road. No cultural resources were identified within the transmission line corridor.

The Phase I survey of the Project site resulted in the identification of eight isolated finds P-06-000809, P-06-000810, P-06-000811, P-06-000812, P-06-000813, P-06-000814, P-06-000815, and P-06-000816 (three prehistoric, five historic era). The three prehistoric isolates consist of a lithic flake, and two hand stones), the historic isolates consist of domestic and agriculture related refuse and a dilapidated windmill. All the isolates were identified within an open, tilled agricultural fields, also used for livestock grazing, and lack archaeological context, and no other cultural material or features were observed. Due to the limited amount of information isolates can provide and their lack of associated context, isolates are typically considered not eligible for listing in the CRHR, nor are they considered historical or unique archaeological resources under CEQA. The eight isolates identified during the survey do not fall under these circumstances and possess little probability for new information that would contribute substantially to the prehistoric or historic history.

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The Phase I survey also resulted in the identification of two archaeological sites P-06-000807 (historic refuse), P-06-000808 (CA-COL-363H) (historic refuse and landscaped area) within the Project site.

Site P-06-000807 consists of a diffused historic era refuse area consisting of 16 shards of glass, two fragments of ceramic, two fragments of porcelain, and miscellaneous hand forged metal fragments, a railroad tie, a belt buckle, a metal gear, and an enamelware pot hand within an ephemeral drainage. No features or other cultural material were observed. A search of available literature, historic maps and aerial imagery, and online newspapers did not identify any additional information regarding the site location. Based on the historic production dates of the glass and ceramics, the site dates to approximately 1915 to the 1920s. The assemblage suggests domestic dumping activities from the early twentieth century. It appears to be a single episode of dumping. Ground surface visibility at the time of recording was good and it is unlikely any associated artifacts are unidentified. Furthermore, the site is within an ephemeral drainage and is highly disturbed and lacks intact cultural material and integrity due to episodic water runoff resulting in soil erosion. As such, recordation of the refuse has exhausted the data potential of the site. As such, the site is not considered CRHR eligible under Criterion 1 as the site does not appear to be associated with a significant event in national or local history, or Criterion 2 as it does not appear to be associated with a person who played a significant role by in national or local history, or Criterion 3, due to its nature, the diffuse refuse scatter does not embody the distinctive characteristics of an architectural style or architect or exhibit high artistic value. The site is within a highly disturbed area. The recordation and documentation of the site has likely exhausted the data potential of the site and is not eligible under Criterion 4. Therefore, the site is not eligible for listing to the CRHR.

Site P-06-000808 (CA-COL-363H) consists of a diffused historic era refuse area consisting of three shards of glass, five shards of porcelain, a cement block, a subsurface well feature, and planted native and non-native ornamental and food producing trees (a pepper tree, a walnut tree). A search of available historic maps and aerial imagery indicate there were two buildings and an alignment of trees (formed like a square around the buildings) located within the site area in 1937. Historic aerial imagery indicates the buildings were demolished and no longer extant by 1952, but the trees are still present. Federal land office patent records indicate the property was granted to the State of California in 1866. No additional archival information regarding the property or previous owners was available. Based on historic maps and aerial imagery and the glass jar base embossed maker's mark (c. 1930s–post), the site most likely dates from the 1930s to 1952. No intact foundations or structural features were observed. The well feature is not illustrated on any historic maps and no chronological indicators were present (e.g., embossed lid). The two buildings are no longer extant and were demolished and leveled with no remaining intact historic structures, features, or debris (e.g., foundations, milled lumber, domestic debris). The refuse scatter is extremely sparse, and the material is common and an insignificant representation of historic activities at the site and in the region. Due to the lack of features and artifacts, it appears the site was used minimally and for a very short period.

As such, the site is not considered CRHR eligible under Criterion 1 as the site does not appear to be associated with a significant event in national or local history. Tetra Tech recommends the site is not eligible for listing in the NRHP CRHR under Criterion 2. The site does not appear to be associated with a person who played a significant role by in national or local history. The site is

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recommended not eligible for listing on the CRHR under Criterion 3. By its nature, the diffuse refuse scatter or landscaping does not embody the distinctive characteristics of an architectural style or architect or exhibit high artistic value. The site is within a highly disturbed area. The original two buildings demolished, leveled, and graded, and the remaining debris removed off site. The diffuse refuse scatter is minimal, disturbed due to agricultural practices, and it is unlikely that intact subsurface cultural deposits exist. The recordation and documentation of the site has likely exhausted the data potential of the site (Criterion 4). Therefore, the site is not eligible for listing to the CRHR. In addition, this site is not within the area of direct impact for the solar facility construction and will be avoided by Project ground disturbing activities.

Therefore, the eight isolates and two sites were recommended not eligible for listing to the CRHR. The Project site is comprised of Pliocene terrace deposits of the Tehama Formation within the hilly higher elevation areas and Pleistocene to Holocene alluvial fan deposits in lower elevation areas. Soils range from approximately 0 to 79 inches in depth across the site. Disturbances across the Project site include erosional washes, annually disced fields, earthen cattle ponds, and cattle grazing. The depth of disturbance across the area of potential effect most likely varies from approximately 0 to 1.5 feet (plow zone), and approximately three feet for the cattle ponds. The agricultural fields have been seasonally disturbed for many decades (i.e., seasonal plowing/tilling of soils), such activities often bring subsurface archaeological deposits to the surface. No such significant deposits were identified within the Project site during the Phase I survey.

The transmission line corridor is covered in fill soils and disturbed native soils. Native soils range from approximately 0 to 79 inches in depth within the road right-of-way. Disturbances across the transmission line right of way include subsurface excavations associated with the construction of the existing raised gravel Spring Valley Road and paved Walnut Drive, adjacent fence lines, Tehama-Colusa Canal, and the existing transmission line. The depth of disturbance across the transmission line corridor most likely varies from approximately 1 to 15 feet (deepest disturbance at Tehama-Colusa Canal crosses Spring Valley Road underground).

Based on the natural setting, landforms, NAHC SLF results, records search results (including historic maps), previous survey coverage and site density, and disturbance to native soils, the area of potential effect is assessed as having a low to low- moderate sensitivity for archaeological resources in undisturbed native subsurface soils. Specifically, areas predicted to be sensitive for archaeological resources include undisturbed subsurface soils near Salt and Spring Creek, and areas with undisturbed subsurface soil deposition of late Pleistocene to Holocene alluvium deposits. Therefore, there is a potential that buried archaeological deposits may be inadvertently discovered during Project related subsurface ground disturbing activities at depths below 1.5 to 3 feet across the Project site, and 1 to 15 feet (at the Tehama Canal underground crossing) along the transmission line corridor.

Built Environment

There are no historical architectural resources within the Project site. Located adjacent to the Project site at 1958 Spring Valley Road (Assessor Parcel Number 018-050-005) and 4872 Walnut Road (Assessor Parcel Number 016-190-021-000) are buildings and agricultural structures. A farm and agricultural buildings are located at 1830 Spring Valley Road (Assessor Parcel Number 018-050-011). And two existing transmission lines – a 60-kilovolt transmission line (constructed in the 1980s) that is within the Project site and is part of the proposed Project, and a 250-kilovolt

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transmission line (Delevan-Cortina Transmission line, constructed over 45 years ago) that is adjacent, but not within, the Project site. None of the buildings and structures adjacent to the Project site and transmission line corridor have been evaluated for historic significance to merit eligibility as a historic resource under CEQA, Tetra Tech's architectural historians, analyzed the Project activities and its potential to directly or indirectly impact the buildings and structures to determine if an evaluation was warranted. The analysis resulted in no historic architectural resources within or adjacent to the Project that will be significantly adversely impacted by the Project.

4.5.4 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. The proposed Project would have a significant impact to cultural resources if it would result in any of the following:

- *Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*
- *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*
- *Disturb any human remains, including those interred outside of formal cemeteries?*
- *Cause adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred plan, or object with cultural value to a California Native American tribe, and that is:*
  - *i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*
  - *ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, as the CEQA lead agency, has considered the significance of the resource to a California Native American tribe.*

4.5.5 Impacts Analysis

IMPACT 4.5-1: *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?* **(No Impact)**

The construction of the proposed Project is not anticipated to impact historic or unique resources. Based on the background studies and Phase I field survey, there are no known resources found in the Project area or within the transmission line corridor that meet CEQA's definition of a historical resource or unique resource. As a result of the 2020/2021 Phase I surveys of the Project site, eight isolated finds and two historic sites were identified. However, neither the isolate finds nor historic sites are eligible for listing on CRHR and do not fit CEQA's definition of a historic or unique resource. Therefore, the Project would have no significant impact to a historic or unique resource pursuant to §15064.5.

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IMPACT 4.5-2: *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?* **(Less than Significant Impact with Mitigation Incorporated).**

As discussed above, the eight isolated finds and two archaeological sites are not eligible for listing on CRHR and do not fit CEQA's definition of a significant archaeological resource pursuant to §15064.5.

Construction of the Project could potentially impact previously unidentified, buried archaeological resources. Based on the natural setting, landforms, NAHC SLF results, records search results (including historic maps), Phase I survey, known site density, and disturbance to native soils, the Project area is assessed as having a low to low-moderate sensitivity for buried archaeological resources. If construction ground disturbance depths extend to native soils (below 1.5 feet within plowed agricultural fields, and 2 feet within transmission line corridor), there would be a potential to impact previously unrecorded subsurface archaeological resources. In the event that previously unidentified archaeological resources are discovered during ground disturbing activities during construction, the Project may have significant impacts. In order to reduce the potential impacts mitigation measures **CUL-1**, which requires worker awareness training regarding tribal and cultural resources, and **CUL-2**, the inadvertent discovery of cultural resources should be implemented; and **CUL-3** monitoring of Project construction by a tribal monitor(s). Thus, the Project would have less than significant impacts to historic, tribal, and archaeological resources with the implementation of mitigation measures **CUL-1** and **CUL-2, and CUL-3**.

IMPACT 4.5-3: *Would the project disturb any human remains, including those interred outside of formal cemeteries?* **(Less than significant Impact)**

As discussed in **Impacts 4.5-1** and **4.5-2**, no human remains or cemeteries were identified within the Project Area as a result of the NWIC record search, NAHC SLF search, AB 52 notification (see Section 4.18), and pedestrian field survey. Existing regulations require that if human remains and/or cultural items defined by Health and Safety Code, Section 7050.5, are inadvertently discovered, all work in the vicinity of the find would cease within 100 feet of the find and the Colusa County Coroner (Sheriff-Coroner Unit Telephone Number: 530.458.0200) would be contacted immediately.

If the remains are found to be Native American as defined by Health and Safety Code, Section 7050.5, the Colusa County Coroner will contact the Native American Heritage Commission by telephone within 24 hours. The coroner will have two working days to examine the remains after being notified by the responsible person. If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the NAHC. When the NAHC receives notification of a discovery of Native American human remains from the county coroner pursuant to subdivision (c) of Section 7050.5 of the Health and Safety Code, it shall immediately notify those persons it believes to be most likely descended from the deceased Native American (California Public Resources Code § 5097.98 (a). The most likely descendent has 48 hours to make recommendations to the landowner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. Reburial of human remains, and/or funerary objects shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b).

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Compliance with existing regulations will ensure that any impacts to human remains would be less than significant.

4.5.6 Mitigation Measures

The following mitigation measures are recommended to reduce significant impacts to cultural and tribal resources.

CUL-1: Cultural Resource Worker Education/Training: Prior to Project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the Project proponent shall conduct a worker education awareness program for Project construction personnel. A qualified archaeologist will be retained for the Project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities. During construction, the Applicant will provide the training to all new construction personnel. The cultural resource training will include an overview of applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and procedures to follow in the event an inadvertent discovery (Inadvertent Discovery Plan discussed below) is encountered, including appropriate treatment and respectful behavior of a discovery (e.g., no posting to social media or photographs). Per Mr. Kinter's request, Laverne Bill, Cultural Resources Manager of the Yocha Dehe Wintun Nation, shall be notified to participate in the cultural sensitivity/environmental training to discuss or provide text from a tribal cultural perspective regarding tribal cultural resources within the region during the initial pre-construction environmental training.

CUL-2: Inadvertent Discovery of Archaeological Resources During Construction: A qualified archaeologist shall be retained to prepare an Inadvertent Discovery Plan for the Project and to be on-call in the event of an inadvertent discovery. The Inadvertent Discovery Plan will provide protocols and notification procedures in the event of an inadvertent discovery. During Project construction (e.g., ground disturbing activities such as vegetation removal, excavation, trenching, grading), should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find shall cease and the qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or NRHP criteria (as applicable). If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agencies and any local consulting Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Under CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, Project reroute or re-design, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local consulting Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as an historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2. In regard to an inadvertent discovery of

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human remains: existing regulations require that if human remains and/or cultural items defined by Health and Safety Code, Section 7050.5, are inadvertently discovered, all work in the vicinity of the find would cease and the Colusa County Coroner (Sheriff-Coroner Unit Telephone Number: 530.458.0200) would be contacted immediately. If the remains are found to be Native American as defined by Health and Safety Code, Section 7050.5, the coroner will contact the NAHC by telephone within 24 hours.

CUL-3: Native American Consultation and Monitoring and Monitoring Plan: The County and Applicant should continue to consult with interested tribes throughout the planning process and construction of the Project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) shall be notified to participate in monitoring visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities (e.g., grading and trenching). The retained on-call Secretary of Interior qualified archaeologist shall assist in the preparation of a cultural resource monitoring plan and inadvertent discovery plan (**CUL-2**) that will include the worker resource education, inadvertent discovery procedures, and outline the guidelines for cultural resources monitoring. The Project archaeologist will coordinate with local tribes regarding the monitoring plan and tribal cultural resource monitoring of subsurface ground disturbing Project activities. At the completion of construction, a final monitoring report shall be prepared for the Project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the Project. The report will be submitted to the County and the NWIC.

4.5.7 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint.

Through the implementation of **Mitigation Measures CUL-1, CUL-2**, and **CUL-3** these improvements would not have a substantial adverse effect on any tribal or cultural resources, and no additional mitigation measures would be required.

4.5.8 Cumulative Impacts

Cumulative impacts to historic resources consider the impact of the proposed Project in connection with past or related future projects. The CEQA Guidelines define a cumulative impact as two or more individual effects which, when considered together, are considerable, or which compound, or increase other environmental impacts. When analyzing cumulative impacts to cultural resources, an assessment is made of impacts on individual resources as well as the inventory of cultural resources within the cumulative impact analysis area. The cumulative area for cultural resources is the Project site and transmission line corridor plus a half-mile buffer. No structures or buildings of historic age or historic resources were identified within the proposed Project area or within a half-mile of the proposed Project. Thus, implementation of the proposed Project would not contribute to cumulative impacts to historic resources and would result in a less than significant impact. If construction ground disturbance depths extend to native soils

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(approximately 1.5 to 3 feet or more in depth), there would be a potential to impact previously unrecorded subsurface cultural resources or human remains. As discussed above, Mitigation Measures **CUL-1 through CUL-3**, would mitigate impacts to cultural resources to be less than significant, and compliance with existing regulations would ensure that any impacts to human remains would be less than significant. In addition, cultural resources that are potentially affected by related or future projects would be subject to the same requirements of CEQA and the laws and regulations discussed above in Section 4.5.2 Regulatory Setting. Therefore, the Project would contribute to a less than significant cumulative impact to cultural resources.

4.5.9 References

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4.6 ENERGY

This section identifies and evaluates issues related to Energy in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County did not receive any scoping comments related to Energy.

4.6.1 Existing Conditions

Total energy usage in California was 7,967 trillion British Thermal Units (Btu) in 2018 (the most recent year for which specific data are available), which equates to an average of 202 million Btu per capita. These figures place California second among the nation's 50 states in total energy use and 48th in per capita consumption (EIA 2021b).

4.6.1.1 Electricity

In 2019 (the last year for which updated information is available), total system electricity generation for California was 277,704 gigawatt-hours (GWh), down 2.7 percent from 2018's total generation of 285,488 GWh. Approximately 72 percent of the electrical power needed to meet California's demand is produced in the state; the balance, approximately 28 percent, is imported from the Pacific Northwest and the Southwest. In 2019, California's in-state electricity generation was derived from natural gas (43 percent); large hydroelectric resources (17 percent); nuclear sources (8 percent); oil and coal (less than 1 percent); and renewable resources that include geothermal, biomass, small hydroelectric resources, wind, and solar (32 percent). Of the approximately 64,336 GWh generated from renewable sources in the state, solar-generated electricity made up the highest proportion (44 percent), followed by wind (21 percent), geothermal (17 percent), biomass (9 percent), and small hydroelectric (8 percent) (CEC 2021a).

4.6.1.1.1 Pacific Gas and Electric

Pacific Gas and Electric (PG&E) is an investor-owned utility company that provides electricity supplies and services throughout a 70,000 square-mile service area that includes Colusa County and extends from Eureka in the north, to Bakersfield in the south, and from the Pacific Ocean in the west, to the Sierra Nevada mountains in the east.

PG&E provides electricity to the six million customers in its service territory, including residential, commercial, industrial, and agricultural consumers. In 2020, PG&E generated and/or procured a total of 35,838 GWh of electricity.[1] Of this total, PG&E owns approximately 7,662 MW of generating capacity, itemized below (see Table 4.6-1). The remaining electrical power is purchased from other sources in and outside of California.

[1] This amount excludes electricity provided to direct access customers and Community Choice Aggregation (CCA) entities who procure their own supplies of electricity.

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Table 4.6-1. PG&E-Owned Electricity Generating Sources (2020)

Source	Generating Capacity (MW)
Nuclear (Diablo Canyon - 2 reactors)	2,240
Hydroelectric	3,867
Fossil Fuel-Fired	1,400
Fuel Cell	3
Solar Photovoltaic (13 units;12 in Fresno County, 1 in Kings County)	152
Total	7,662

Source: PG&E 2021a

As shown in Table 4.6-2, during 2020, 35.6 percent of PG&E's energy deliveries were from renewable energy sources (PG&E 2021a).

Table 4.6-2. PG&E 2020 Renewable Energy Sources

Source	Percent of Total Energy Portfolio
Bioenergy	2.8
Geothermal	2.6
Wind	12.9
Renewable Portfolio Standard-Eligible Hydroelectric	1.2
Solar	16.1
Total	35.6

Source: PG&E 2021a

Table 4.6-3 shows electricity consumption by sector in the PG&E service area based on the latest available data from the California Energy Commission (CEC). As shown in the table, PG&E delivered approximately 78,072 million kilowatt-hours (kWh) in 2019, of which approximately 9,710 million kWh were consumed by the industrial sector.

Table 4.6-3. Electricity Consumption in PG&E Service Area (2019)

Agricultural and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Streetlight	Total Usage
All Usage Expressed in Millions of kWh							
4,490	29,560	4,349	9,710	1,642	28,014	308	78,072

Source: CEC 2021d

In Colusa County, approximately 285.5 GWh of electricity was consumed in 2019, with approximately 217.9 GWh consumed by non-residential uses (CEC 2021c).

4.6.1.1.2 Local Energy Infrastructure

There are no other utility scale solar facilities in Colusa County. Existing electrical infrastructure in the Project vicinity includes transmission lines and PG&E's Cortina Substation, which is located on Walnut Drive approximately 2 miles northeast of the Project site. The existing Cortina-

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Mendocino 115 kilovolt (kV) transmission line runs generally east-west from the Cortina Substation north of the Project site.

The proposed Project would involve construction and operation of an 80 MW photovoltaic (PV) solar facility and an up to 80 MW battery energy storage system (BESS) facility. These components would connect to PG&E's existing Cortina Substation via a new 60 kV overhead generation tie (gen-tie) line to distribute electricity to customers within the local and regional grid by PG&E. The proposed Project would operate year-round to generate electricity from the PV facilities during daylight hours, and the battery storage system would be used to dispatch additional electricity during either daylight or non-daylight hours.

4.6.1.2 Transportation Fuels

According to the CEC, the state relies on petroleum-based fuels for approximately 85 percent of its transportation needs as it is the largest consumer of motor gasoline and jet fuel (EIA 2021a). In 2020, 34.9 percent of California's crude oil was produced within the state, 17.6 percent was produced in Alaska, and the remaining 47.5 percent was produced in foreign lands (CEC 2021b).

In 2020, taxable gasoline sales (including aviation gasoline) in California accounted for approximately 14 billion gallons of gasoline (CDTFA 2021a), and taxable diesel fuel sales accounted for approximately 3 billion gallons of diesel fuel (CDTFA 2021b). Statewide, there was an overall decrease in gasoline and diesel consumption in 2020 and 2021 due to the economic shutdown associated with the COVID-19 outbreak.

The CEC estimates that 31.5 million gallons of gasoline was sold in 2019 in Colusa County (CEC 2020).

4.6.2 Regulatory Setting

4.6.2.1 Federal

4.6.2.1.1 National Energy Conservation Policy Act

The National Energy Conservation Policy Act (42 USC §8201 et seq.) provides federal energy management goals and requirements. The National Energy Conservation Policy Act establishes energy-efficiency standards for new construction.

4.6.2.1.2 National Energy Policy Act of 2005

The National Energy Policy Act of 2005 (42 USC §13201 et seq.) sets equipment energy efficiency standards and provides incentives to reduce current demand on nonrenewable energy resources. For example, the act provides for federal tax credits for purchasing fuel-efficient appliances, hybrid vehicles, and constructing energy-efficient buildings. The act includes incentives for renewable energy production, including solar power.

4.6.2.1.3 Energy and Independence Security Act of 2007

The Energy and Independence Security Act of 2007 (42 USC §17001) includes key provisions related to fleet vehicle fuel economy, renewable fuel standard goals, including ethanol and other advanced biofuels, and appliance and lighting efficiency standards.

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4.6.2.2 State

4.6.2.2.1 Warren-Alquist Act

The 1975 Warren-Alquist Act (Pub. Res. Code §25000 et seq.) established the California Energy Resources Conservation and Development Commission, now known as the CEC. The act established a state policy to reduce wasteful, uneconomical, and unnecessary uses of energy by employing a range of measures.

4.6.2.2.2 Renewables Portfolio Standard

California's Renewable Portfolio Standard (RPS) Program was enacted in 2002 and accelerated in 2006, requiring investor-owned utilities to obtain 20 percent of their electric supply from renewable energy sources, such as solar, by 2010. On April 12, 2011, Governor Brown signed Senate Bill (SB) 2X, requiring California retail electric providers, such as PG&E, to procure 33 percent of their retail energy sales from eligible renewable sources by 2020. In October 2015, Governor Brown signed into legislation SB 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030 (CPUC 2021a).

On September 10, 2018, Governor Brown signed SB 100, establishing that 100 percent of all electricity in California must be obtained from renewable and zero-carbon energy resources by December 31, 2045. SB 100 also created new standards for the RPS goals that were established by SB 350 in 2015. Specifically, the bill increases required energy from renewable sources for both investor-owned and publicly-owned utilities from 50 percent to 60 percent by 2030. Incrementally, these energy providers also are required to have a renewable energy supply of 33 percent by 2020, 44 percent by 2024, and 52 percent by 2027. The updated RPS goals are considered achievable, since many California energy providers are already meeting or exceeding the RPS goals established by SB 350. Governor Brown signed Executive Order B-55-18 with a new statewide goal to achieve carbon neutrality (zero-net greenhouse gas [GHG] emissions) by 2045 and to maintain net negative emissions thereafter.

4.6.2.2.2.1 Energy Storage

Assembly Bill (AB) 2514, passed in 2010, resulted in the California Public Utilities Commission setting a 1,325 MW storage target by 2020 for investor-owned utilities. The three major investor-owned utilities in the state, including PG&E, have exceeded the AB 2514 target of 1,325 MW. AB 2868, passed in 2016, requires California's three major investor-owned utilities to propose programs and investments for up to an aggregate 500 MW (166.6 MW each) of distributed energy storage systems, above and beyond the 1,325 MW target for energy storage (CPUC 2021b).

4.6.2.2.2.2 Energy-Efficient Building Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings specified in Title 24, Part 6 of the California Code of Regulations include requirements for non-residential building lighting, insulation, ventilation, and mechanical systems (CEC 2018). Its provisions would be relevant to the Project's proposed operation and maintenance (O&M) building.

The California Green Building Standards Code (CALGreen, Title 24 Part 11) is a statewide regulatory code for all buildings. CALGreen is intended to encourage more sustainable and environmentally friendly building practices, require use of low-pollution emitting substances that

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cause less harm to the environment, conserve natural resources, and promote the use of energy-efficient materials and equipment (CBSC 2019).

4.6.2.3 Local

4.6.2.3.1 Colusa County General Plan

The Project site is not located within the jurisdiction of a community plan, specific plan, or regional plan as identified by the Colusa County General Plan. General Plan policies that are relevant to the Project include:

> ***Policy AG 1-2:*** Lands designated for agricultural use shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:
>
> a. The lot(s) for which conversions is requested is adjacent to agriculture or agricultural support uses (e.g., receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities)
>
> b. Conversion will not be detrimental to existing agricultural operations
>
> c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of designated urban area
>
> d. The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of conservation lands from nuisances associated with typical agricultural practices
>
> e. No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists
>
> f. The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding
>
> ***Policy AG 2-5:*** Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.
>
> ***Policy LU 2-11****:* Develop accommodations for the development of large-scale commercial energy production, such as solar, on agricultural parcels. Such parcels shall require the following:
>
> - A use permit
> - An energy production overlay zone
> - Detailed and rigorous site planning and development
>
> Such projects shall only be located on agricultural parcels with marginal or poor farmland. Prime farmlands are not appropriate for this type of development

4.6.2.3.2 Zoning Ordinance

The Project site is located in Colusa County's Foothill Agriculture (F-A) and Exclusive Agriculture (E-A) zones (Colusa County 2014). The Colusa County Zoning Code addresses allowable uses in E-A and F-A zoning districts, which allow energy generation for off-site use with a Use Permit

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or a Minor Use Permit with an EP Overlay Zone. Based on consultation with the County, the Applicant is pursuing a Use Permit for the Project.

4.6.3 Thresholds of significance

A project would result in significant impacts to energy resources if it would:

a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation; or*

b) *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.*

4.6.4 Impact Analysis

IMPACT 4.6-1: Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? (**Less than Significant Impact)**

Construction and Decommissioning

Construction equipment would comply with federal, state, and regional requirements where applicable. With respect to truck fleet operators, the U.S. Environmental Protection Agency (USEPA) and National Highway Traffic Safety Administration have adopted fuel efficiency standards for medium- and heavy-duty trucks. The Phase 1 heavy-duty truck standards apply to combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles for model years 2014 through 2018 and result in a reduction in fuel consumption from 6 to 23 percent over the 2010 baseline, depending on the vehicle type. USEPA and National Highway Traffic Safety Administration also adopted the Phase 2 heavy-duty truck standards, which cover model years 2021 through 2027 and require the phase-in of a 5 to 25 percent reduction in fuel consumption over the 2017 baseline depending on the compliance year and vehicle type. These regulations would have an overall beneficial effect on reducing fuel consumption from trucks over time as older trucks are replaced with newer models that meet the standards.

In addition, construction equipment and trucks are required to comply with California Air Resources Board regulations regarding heavy-duty truck idling limits of five minutes at a location and the phase-in of off-road emission standards that result in an increase in energy savings in the form of reduced fuel consumption from more fuel-efficient engines. These regulations are intended to reduce criteria pollutant emissions; however, compliance with the anti-idling and emissions regulations would also result in the efficient use of construction-related energy.

Operations

The Project would assist the state of California in achieving or exceeding its RPS and GHG emissions reduction objectives by developing and constructing a new California RPS-qualified 80 MW solar power generating facility.

The O&M building proposed on the modified Project site would be subject to the Building Energy Efficiency Standards as required by the California Code of Regulations, Title 24, Part 6. The Building Energy Efficiency Standards are intended to save energy, increase electricity supply

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reliability, and avoid the need to construct new power plants. Pursuant to the California Building Standards Code and the Energy Efficiency Standards, the County would review the design components of the Project's energy conservation measures when the Project's building plans are submitted. These measures could include: insulation; use of energy-efficient heating, ventilation, and air conditioning equipment; solar-reflective roofing materials; energy-efficient indoor and outdoor lighting systems; reclamation of heat rejection from refrigeration equipment to generate hot water; incorporation of skylights; and other measures. The modified Project would also be subject to CALGreen, which requires 65 percent construction solid waste diversion.

The proposed modified Project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Mitigation: None required.

IMPACT 4.6-2: Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency? **(No Impact)**

The proposed modified Project would assist the state of California in achieving or exceeding its RPS and GHG emissions reduction objectives by developing and constructing a new California RPS-qualified 80 MW solar power generating facility. The Project would produce and transmit electricity at a competitive cost and provide a new source of energy storage that assists the state in achieving or exceeding its energy storage mandates. The Project would not conflict or obstruct with a state or local plan for renewable energy or energy efficiency.

Mitigation: None required.

4.6.5 PG&E Cortina Substation

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint and would improve energy usage through substation efficiency. Thus, the improvements would not be wasteful or cause unnecessary usage of energy. Additionally, the PG&E improvements would not conflict with any plans or policies for renewable energy or energy efficiency. Therefore, the improvements would have no impact on energy usage. No mitigation would be required.

4.6.6 Cumulative Impacts

There would be no impact with respect to conflicts with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the Project would not cause or contribute to any potential significant cumulative impact related to these conflicts.

The Project would use energy resources during construction, O&M, and decommissioning; therefore, it could contribute to potential cumulative impacts during any of these phases.

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The Project would provide an additional source of renewable energy and would improve grid reliability that could serve the cumulative demand, such that the Project would not contribute to or worsen an existing significant adverse condition. The Project would assist California utilities in meeting their obligations under state energy storage targets and the California Public Utilities Commission's energy storage program. No significant adverse cumulative effect would result relating to electricity use; instead, a beneficial cumulative impact on energy resources would result.

The geographic context for potential cumulative impacts related to vehicle fuel use is within the Project's construction equipment delivery and workers' average travel radius (assumed to be up to 64 miles for workers and up to 118 miles for materials), since these are the areas within which energy resources would be demanded and supplied for the Project.

There is no existing significant adverse condition of fuel use (such as a shortage) to which the Project would contribute or worsen. Past, present, and reasonably foreseeable future projects within approximately 64 to 118 miles of the Project site could require gasoline or diesel but would not combine with the fuel demands of the Project to cause a significant adverse cumulative impact relating to the wasteful, inefficient, or unnecessary consumption or use of fuel. In the event of a future shortage, higher fuel prices would reduce trips that could be termed "wasteful" and would moderate choices regarding vehicles, equipment, and fuel efficiency. The Project's less-than-significant impact relating to wasteful, inefficient, or unnecessary consumption or use of fuel would not be cumulatively considerable.

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4.7 GEOLOGY, SOILS, AND PALEONTOLOGICAL RESOURCES

This section identifies and evaluates issues related to Geology, Soils, and Paleontological Resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Geology, Soils, and Paleontological Resources.

4.7.1 Existing Conditions

4.7.1.1 Regional Geology

The Central Valley of California is classified as the Great Valley geomorphic province. This province is a long (approximately 450 miles) and comparatively narrow lowland (with a width averaging about 50 miles) that has a central drainage outlet through Suisun Bay and into San Francisco Bay. The northern half of the province (the Sacramento Valley) and the southern half (the San Joaquin Valley) meet at the Sacramento-San Joaquin Delta, which is tidally influenced and therefore essentially at sea level.

The Great Valley geomorphic province is a mostly intact (i.e., with limited deformation in the central areas), asymmetric structural trough that has been filled with two thick sequences of sediment deposits that range in age back to the Jurassic period: the Mesozoic Great Valley Sequence and the Cenozoic Great Valley fill. The Sacramento Valley portion of this geomorphic province is bounded on the west by the Coast Ranges, on the east by the Sierra Nevada Mountains, and to the north by the Klamath Mountains. The southern end is the Sacramento-San Joaquin Delta. The thickest sequence of Mesozoic age sediment (roughly between 66 and 250 million years ago) occurs in the southern end of the Sacramento Valley, and on the western side, within approximately 25 miles of the Project site (Hackel 1966; Irwin 1990). The Cenozoic deposits generally thin to the west toward the Coast Ranges whereas the Great Valley sequence becomes exposed to the west where it has been uplifted (Coast Ranges) and eroded, and alluvial fans have developed.

4.7.1.2 Local Geology

Because the Great Valley is a depositional trough, most of the local geologic formations in the Project area are sedimentary rocks, formed from alluvial deposits into either marine or non-marine environments. These sediments are deposited on a basement of Franciscan Formation rocks to the west (including igneous, sedimentary, and metamorphic rocks) and Sierran Formation rocks on the east side (mostly igneous, granitic rock). The contact between the two basement formations is concealed underneath the Great Valley deposits. Even though it is not visible, it is presumed to be a subduction zone or fault-related contact. Much of the Great Valley had active tectonism throughout the Cenozoic, creating unconformities among sedimentary units. Deposition in much of the center of the Great Valley appears to provide an unbroken record through the Cenozoic. Along the margins of the Great Valley, deposition appears to have been frequently disrupted by tectonic activity and erosion (Norris and Web 1990).

Geologic mapping of the Sacramento Valley has been documented by a number of researchers, including Irwin (1960), Jennings and Strand (1960), Helley and Harwood (1985), and Jennings, et al. (2010). The more current interpretations of the local geology of the Project area have not

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changed significantly over the past several decades, having the Project site located in an area underlain by consolidated alluvium (Tehama Formation) with an age of Pliocene to Pleistocene. East of the Project site on the floor of the Sacramento Valley the underlying materials are primarily the youngest alluvial sediments, Quaternary age, unconsolidated to semi-consolidated, and mostly non-marine (Q). The Project site sits on older materials (QPc), Pliocene to Pleistocene in age, slightly more consolidated than the younger materials, and deposited into both non-marine and marine environments. These sedimentary materials have been exposed due to uplift of the Coast Ranges to the west, and subsequent erosion of the overlying, younger materials. West of the Project includes exposures of yet older sedimentary materials (Ku, Kl, KJf, and J), with ages from Cretaceous to Jurassic, and exhibiting greater consolidation of materials. Topographically these older sedimentary formations are found at higher elevations than the Project site, which also resulted from the Coast Range orogeny. One of the primary causes of the Coast Range uplift is plate tectonic activity along the Pacific Coast, and a significant marker of this activity is the intrusion of ultramafic plutonic rock, with associated metamorphic rock, which are ultimately exposed at the surface due to erosion. Such geologic materials are found to the west of the Project, and labeled as Mesozoic in age. The elevation across the Project ranges from 240 to 328 feet above median sea level.

4.7.1.3 Soils

The Project site is comprised of Pliocene terrace deposits of the Tehama Formation within the hilly higher elevation areas and Pleistocene to Holocene alluvial fan deposits in lower elevation areas (Rich 1971). The Tehama Formation is comprised of poorly sorted fluvial sediments, interbraided, noncontiguous layers of metamorphic pale green, gray, and tan sandstone siltstone, and clay with lenses of sand or gravel (pebble and cobble) (De Novo Planning Group 2010; Helley and Harwood 1985; Rich 1971). The Tehama Formation is exposed in some areas along the Coast Range foothills within the western portion of the Sacramento Valley and extends to depths of approximately 1,700 feet near the central portion of the Sacramento Valley (De Novo Planning Group 2010). The Tehama Formation is overlain by the younger alluvium in flat areas of the valley. According to the U.S. Department of Agriculture Web Soil Survey website (2021) soils across the Project site include:

- Ayar clay (approximately 50 precent) and Capay clay (approximately 23 percent) that are both comprised of clay loam and clay, and range between 0 to 64 inches in depth.
- Corning clay loam (approximately 16 percent) comprised of clay loam, clay, gravelly clay loam, and cobbly sandy clay loam and ranges between 0 to 60 inches in depth.
- Clear Lake clay (approximately 6 percent) comprised of clay and silty clay and ranges between 0 to 79 inches in depth.
- Corval loam (approximately 5 percent) primarily comprised of clay loam and silty clay loam and ranges between 0 to 70 inches in depth.

The gen-tie corridor is comprised of both the Pliocene terrace deposits along Spring Valley Road and younger alluvial fan deposits along Walnut Drive. According to the U.S. Department of Agriculture Web Soil Survey website (2021) soils across the gen-tie corridor include (from southwest to northeast):

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- Corning consists of clay loam, clay, gravelly clay loam, and cobbly sandy clay loam, terrace slope and alluvium, and ranges between 0 to 60 inches in depth. Along southwestern most end of transmission line corridor along Spring Valley Road.
- Ayar clay comprised primarily of clay and lower levels of clay loam, formed from alluvium, and ranges between 0 to 79 inches in depth. Along majority of Spring Valley Road.
- Copay consists of clay loam and clay that formed in fine textured alluvium derived from mostly sandstone and shale and ranges between 0 to 64 inches in depth. Small segment at intersection of Spring Valley Road and Walnut Drive near Salt Creek.
- Hillgate loam consist of clay loam and clay formed in alluvium from mixed sources and ranges from 0 to 60 inches in depth. Along 90 percent of Walnut Drive.

4.7.1.4 Geologic Hazards

Seismicity

There are no known Holocene-active faults (faults that have evidence of displacement within the Holocene Epoch, or the last 11,700 years are considered active) or pre-Holocene faults (faults which have not shown evidence of displacement in the last 11,700 years) within the Project site (CGS 2010). However, there are multiple fault systems in the region, outside of the Project site (CGS 2010). The most significant of these fault systems, considering the proximity to the Project site, is the Resort fault zone.

Surface Fault Rupture
The Project site is not within nor does it intersect an established Alquist-Priolo Earthquake Fault Zone, as mapped by the State Geologist (CGS 2010). The nearest fault that has been designated an Earthquake Fault Zone (i.e., there is evidence of surface rupture sometime in the last 11,700 years), is the Resort Fault Zone (approximately 10 miles west of the Project site).

Seismic Ground Shaking
Ground shaking occurs due to a seismic event and can cause extensive damage to life and property and may affect areas hundreds of miles away from the earthquake's epicenter. The extent of the damage varies by event and is determined by several factors, including (but not limited to) magnitude and depth of the earthquake, distance from epicenter, duration and intensity of the shaking, underlying soil and rock types, and integrity of structures. The western Sacramento Valley region of California is seismically active and moderate to severe ground shaking in the vicinity of the Project site is expected.

In 2014, the United States Geological Survey and the California Geological Survey released the time-dependent version of the Uniform California Earthquake Rupture Forecast (UCERF III) model. The UCERF III results indicate that Colusa County has a low to moderate risk of earthquake occurrence (Colusa County 2018).

Liquefaction
Liquefaction is a phenomenon in which unconsolidated, water saturated sediments become unstable due to the effects of strong seismic shaking. During an earthquake, these sediments can behave like a liquid, potentially causing severe damage to overlying structures. Lateral spreading is a variety of minor landslides that occur when unconsolidated liquefiable material breaks and

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spreads due to the effects of gravity, usually down gentle slopes. Liquefaction-induced lateral spreading is defined as the finite, lateral displacement of gently sloping ground as a result of pore-pressure buildup or liquefaction in a shallow underlying deposit during an earthquake. The occurrence of this phenomenon is dependent on many complex factors, including the intensity and duration of ground shaking, particle-size distribution, and density of the soil. Fine-grained, cohesive soils are anticipated at the Project site; therefore, the potential for liquefaction is expected to be low.

Landslides

Landslides occur when rock, soil, and other debris are displaced due to the effects of gravity. The potential for material to detach and move down slope depends on multiple factors including the soils, moisture content, and steepness of terrain. The Project site has flat topography with rolling hills. There are no mapped landslides on or around the site (DOC 2021). For these reasons, the potential for landslide hazards at the site is very low.

Subsidence

Land subsidence is the gradual settling or sudden sinking of the earth's surface due to subsurface movement of earth materials (USGS 1999). Compaction of subsurface water-containing geologic layers is the primary cause of land subsidence (USGS 1999). Regional ground subsidence typically is caused by compaction of sub-surface water as a result of mining or groundwater withdrawal. Subsidence has been documented in some areas of the Sacramento Valley. In the Sacramento/San Joaquin Delta, subsidence has been associated with the drainage of organic soils and sediment compaction, which has been exacerbated by biological oxidation and extreme desiccation. Minimal subsidence locations in the County have been reported with risk primarily coinciding with groundwater pumping areas in the southwest portion of the County (Colusa County 2018).

4.7.1.5 Paleontological Resources

Paleontological resources are the fossilized remains of plants and animals, including vertebrates (animals with backbones), invertebrates (animals without backbones), and microscopic plants and animals (microfossils), and can include mineralized body parts, body impressions, or footprints and burrows. They are valuable, non-renewable, scientific resources used to document the existence of extinct life forms and to reconstruct the environments in which they lived. Fossils can be used to determine the relative ages of the depositional layers in which they occur and of the geologic events that created those deposits. The age, abundance, and distribution of fossils depend on the geologic formation in which they occur and the topography of the area in which they are exposed. The geologic environments within which plants or animals became fossilized usually were quite different from the present environments in which the geologic formations exist.

Tetra Tech prepared a Technical Memorandum that evaluates the potential for paleontological resources to occur at the Project site and along the gen-tie corridor and provides recommendations for management options based on the sensitivity of such resources (Appendix F). The Technical Memorandum also examines the known geologic formations that are mapped within the Project site and surrounding area, both at the surface and in the subsurface, and determines the likelihood for encountering paleontological resources. The Technical Memorandum includes a review of published geologic maps, literature, aerial imagery relevant to the Project area, and a summary of a records search performed by the University of California Museum of Paleontology (UCMP 2021) fossil locality database.

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Tetra Tech applied the Bureau of Land Management's Potential Fossil Yield Classification (PFYC) System to the geologic units at the Project site to provide a paleontological potential rating to these units. The Plio-Pleistocene alluvium (QPc) within the Project site has been assessed as PFYC-3a, which indicates a moderate paleontological potential. The local geologic unit that stratigraphically underlies the QPc surface unit is Cretaceous sedimentary rock (Ku), which also is considered to have moderate (though little known) paleontological sensitivity (PFYC-3b) (Appendix F).

The majority of the gen-tie corridor also occurs on the QPc unit with moderate paleontological potential; however, portions of the gen-tie corridor occur on Quaternary alluvium (Q) or Older alluvium (Qoa), as shown in Figure 4.7-1, and these units present a smaller probability of encountering fossils. The Pleistocene- to Holocene-aged sediments of Quaternary alluvium (Q) are too young to contain scientifically significant paleontological resources and therefore are considered to have low paleontological sensitivity (PFYC-2).

A fossil locality database record search was performed by the University of California Museum of Paleontology (UCMP 2021) to determine whether there are any fossil localities present at the Project site. No fossil localities were identified during the search. However, two were within 5 miles of the Project; one is an invertebrate fossil and the other a vertebrate fossil. The invertebrate locality is about 3 miles to the northwest of the Project area and was found in Cretaceous rock (Ku) along Freshwater Creek Road. The latter locality is approximately 4 miles southeast of the Project area along Cortina Creek. This vertebrate fossil identified in the Pliocene-Pleistocene age Tehama Formation (QPc), the same materials underlying the Project site.

4.7.2 Regulatory Setting

4.7.2.1 Federal

Earthquake Hazards Reduction Act

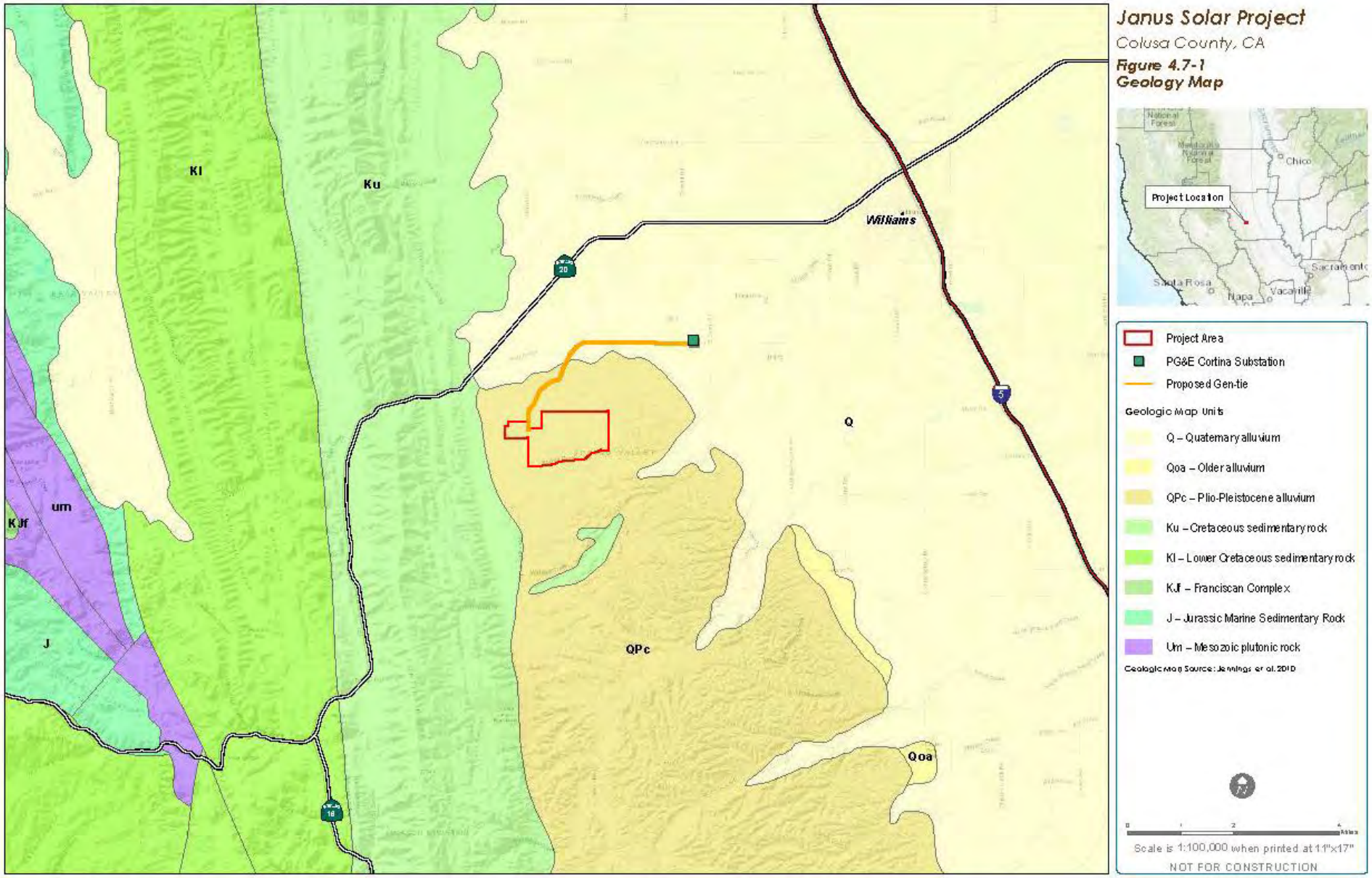
The United States Congress passed the Earthquake Hazards Reduction Act in 1977 to reduce the risks to life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards reduction program. To accomplish this goal, the act established the National Earthquake Hazards Reduction Program. This program was substantially amended in November 1990 by the National Earthquake Hazards Reduction Program Act, which refined the description of agency responsibilities, program goals, and objectives.

4.7.2.2 State

California Building Code

The California Building Code (CBC), which is codified in Title 24 of the California Code of Regulations, Part 2, establishes minimum standards related to structural strength, means of egress to facilities (entering and exiting), and general stability of buildings. The purpose of the CBC is to regulate and control the design, construction, quality of materials, use/occupancy, location, and maintenance of all buildings and structures within its jurisdiction. The provisions of the CBC apply to the construction, alteration, movement, replacement, repair, location, maintenance, and demolition of every building or structure, or any appurtenances connected or attached to such buildings or structures throughout California and would apply to structures proposed on the Project site.

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Relevant to the Project, Chapter 18 of the CBC covers the requirements of geotechnical investigations, including expansive soils (§1803); excavation, grading, and fills (§1804); load-bearing of soils (§1806); as well as foundations (§1808), shallow foundations (§1809), and deep foundations (§1810). Chapter 18 requires analysis of slope instability, liquefaction, and surface rupture attributable to faulting or lateral spreading, plus an evaluation of lateral pressures on basement and retaining walls, liquefaction and soil strength loss, and lateral movement or reduction in foundation soil-bearing capacity. It also addresses mitigation measures to be considered in structural design, which may include ground stabilization, selecting appropriate foundation type and depths, selecting appropriate structural systems to accommodate anticipated displacements, or any combination of these measures. The potential for liquefaction and soil strength loss must be evaluated for site-specific peak ground acceleration magnitudes and source characteristics consistent with the design earthquake ground motions.

If a project is approved, then the project proponent would prepare a site-specific, design-level geotechnical report with recommendations for final project design. The design-level geotechnical report would include the results and recommendations of the preliminary geotechnical report and add further detail if needed to address the final project design and relevant mitigation measures identified in the California Environmental Quality Act (CEQA) document, conditions of approval or other agency requirements.

National Pollutant Discharge Elimination System (NPDES) Construction General Permit
Project construction would disturb 1 acre or more of land surface and could affect the quality of stormwater discharges into waters of the U.S.; therefore, it would be subject to the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ, NPDES No. CAS000002; as amended by Orders 2010-0014-DWQ and 2012-006-DWQ). See Section 4.10, *Hydrology and Water Quality*, for additional details.

California Public Utilities Commission General Order 95
California Public Utilities Commission General Order 95 applies to construction and reconstruction of overhead and underground electric lines in California, including those proposed as part of the Project. Design of transmission lines must adhere to the National Electric Safety Code. Guidance documents are published by the Institute of Electrical and Electronics Engineers and American Society of Civil Engineers, including ASCE 74, Guidelines for Electrical Transmission Line Structural Loading, which states, “Transmission structures are not typically designed for vibration caused by earthquakes because these loads are less than that of wind/ice combinations.” The exception to this general rule occurs if the tower is built in liquefiable materials, in which case the materials may not support the weight of the tower and tower foundation during a seismic event.

4.7.2.2.1 Local

The Colusa County General Plan (in accordance with Government Code §65300 et seq.) identifies the County’s vision for the future and provides a framework to guide decisions on growth, development, and conservation of open space and resources (Colusa County 2012). The County’s policies regarding geology, soils, and paleontological resources are provided in the Safety and Conservation Elements are listed below:

> ***Policy SA 1-9:*** Except as otherwise allowed by Federal or State law, require new buildings intended for human use to be designed in compliance with the latest edition of the

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California Building Standards Code, California Fire Code, and other adopted standards based on potential risks.

Policy SA 1-13: Require site investigations in areas planned for new development to determine susceptibility to landslides, subsidence/settlement, contamination, fire, and/or flooding.

Policy SA 1-14: Require new land development proposals to avoid unreasonable exposure to geologic hazards, including earthquake damage, subsidence, liquefaction and expansive soils.

Policy SA 1-15: All development and construction proposals shall be reviewed by the County to ensure conformance with applicable building standards.

Policy SA 1-21: All projects subject to CEQA review shall address seismic safety issues and provide adequate mitigation for existing and potential hazards identified.

Policy CON-3: If construction or grading activities result in the discovery of significant historic or prehistoric archaeological artifacts or unique paleontological resources, all work within 100 feet of the discovery shall cease, the County Department of Planning and Building shall be notified, the resources shall be examined by a qualified archaeologist, paleontologist, or historian for appropriate protection and preservation measures; and work may only resume when appropriate protections are in place and have been approved by the County Department of Planning and Building.

4.7.3 Thresholds of Significance

A project would result in significant impacts to geology, soils, and paleontological resources if it would:

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
   i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (Refer to Division of Mines and Geology Special Publication 42),*
   ii. *Strong seismic ground shaking,*
   iii. *Seismic-related ground failure, including liquefaction,*
   iv. *Landslides;*

b) *Result in substantial soil erosion or loss of topsoil;*

c) *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse;*

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

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

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

4.7.4 Impacts Analysis

IMPACT 4.4-1: *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area or based on other substantial evidence of a known fault or strong seismic ground shaking? Seismic-related ground failure, including liquefaction? Landslides?* **(Less than Significant Impact)**

Known Faults and Strong Seismic Ground-Shaking

The Project site does not lie within any mapped earthquake fault zones according to the available data. Although the area could be affected by earthquakes or seismic ground shaking, there are no current data available indicating the presence of Holocene-active faults within the Project site. The nearest earthquake fault zones to the Project site are the Resort and Willows fault zones. The Project does not include any habitable structures and would not expose people or structures to potential substantial adverse effects associated with rupture of a known earthquake fault. There would be no impact related to surface fault rupture during Project construction, operation and maintenance, or decommissioning.

The Project site potentially is subject to moderate to severe seismic ground shaking due to the proximity to the Resort and Willows fault zones. Should strong seismic ground shaking occur at the Project site, damage to the PV solar arrays, the O&M building, or other ancillary facilities could result in potential damage and/or injury to on-site staff.

The Project would be subject to the seismic design criteria of the CBC, which requires that all improvements be constructed to withstand any anticipated ground shaking from regional fault sources and require that the Project owner retain a licensed geotechnical engineer to design the Project components to withstand probable seismically-induced ground shaking. All construction on-site would adhere to the specifications, procedures, and site conditions contained in the final design plans, which would comply with the seismic recommendations of a California-registered, professional geotechnical engineer in accordance with the CBC. The final structural design would be subject to approval and follow-up inspection by the Colusa County Building Division. Final design requirements would be provided to the on-site construction supervisor and the Colusa County Building Inspector to ensure compliance. Adherence to the applicable CBC requirements and local agency enforcement would ensure that the Project would not directly or indirectly cause substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking. Therefore, impacts related to ground shaking during Project construction, O&M, or decommissioning would be less than significant.

Seismic-Related Ground Failure and Liquefaction

The Project site may be subject to moderate-to-strong seismic ground shaking in the event of an earthquake in the area; however, the risk of liquefaction is low to moderate because fine-grained, cohesive soils are present at the Project site.

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The Project owner is required to design proposed improvements in accordance with applicable CBC seismic design standards and as recommended by a California-registered professional geotechnical engineer in the site-specific geotechnical review. As part of the geotechnical report, consistent with building code seismic design standards, the licensed geotechnical engineer would be required to consider potential liquefaction in the design plans.

Compliance with CBC requirements, including implementation of recommendations provided in the geotechnical report, and local agency enforcement would reduce or avoid impacts related to ground failure, including liquefaction. Project construction, O&M, and decommissioning would not directly or indirectly cause adverse effects related to ground failure, including liquefaction, and the impact would be less than significant.

Landslides

The Project site has flat topography with rolling hills. There are no mapped landslides on or around the site (DOC 2021). For these reasons, the potential for landslide hazards at the site is very low, and there would be no impact from landslides to Project construction, O&M, or decommissioning.

IMPACT 4.4-2: *Would the project result in substantial soil erosion or loss of topsoil?* **(Less than Significant Impact)**

The Project is proposed on relatively flat topography and would not involve grading steep slopes; however, construction activities could result in erosion and sediment transport during excavation, grading, trenching, and soil stockpiling if these activities are not managed to reduce soil erosion and loss of topsoil. Because the Project's ground-disturbing activities would exceed 1 acre during construction, the Project would be required to comply with the Construction General Permit described above in Section 4.7.2, *Regulatory Setting*, and discussed further in Section 4.10, *Hydrology and Water Quality*.

The Construction General Permit was developed to ensure that stormwater is managed to protect water quality and includes erosion control measures for construction sites as well as post-construction requirements. The Construction General Permit requires preparation and implementation of a stormwater pollution prevention plan (SWPPP) that identifies best management practices (BMPs) to control stormwater from construction work sites and to prevent off-site transport of disturbed soils. The BMPs may include, but are not limited to, physical barriers to prevent erosion and sedimentation; limitations on work periods during storm events; protection of stockpiled materials; and other measures identified by a qualified SWPPP preparer that would substantially reduce or prevent erosion from occurring during construction. Given the relatively flat topography of the Project site, and through compliance with these independently enforceable existing requirements, the potential impacts of the Project associated with soil erosion and loss of topsoil during construction would be less than significant.

Large-scale ground-disturbing activities are not anticipated to occur during operations. The amount of soil disturbance during decommissioning would be similar to that created during Project construction, and similarly could increase the risk of erosion or sediment transport. Without appropriate stormwater control measures, the potential impact could be significant. However, as decommissioning would also disturb more than 1 acre, it would be covered under the Construction General Permit, and the Project owner would be required to prepare and implement a SWPPP with BMPs, similar to the SWPPP that would be implemented during construction. The

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implementation of the SWPPP during decommissioning would reduce the impacts of soil erosion during decommissioning to less than significant.

IMPACT 4.4-3*: Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?* **(Less than Significant Impact)**

Refer also to Impact 4.4-1, above. As previously discussed, there would be a less than significant impact related to liquefaction, landslide, or other seismic-related ground failure. The area is gently sloping with no evidence of landslides, and the consolidated sediments underlying the Project site would be unlikely to destabilize during Project construction, O&M, or decommissioning. Proper placement and compaction of backfill and adherence to CBC guidelines would minimize the risk of unstable soil conditions at the site.

IMPACT 4.4-4: *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?* **(Less than Significant Impact)**

According to the Natural Resources Conservation Service Web Soil Survey data, the soil underlying the Project site has a moderate to very high expansion potential (USDA 2021). The Project design and construction activities would be required to comply with CBC requirements and would employ standard engineering and building practices common to construction projects throughout California (e.g., soil removal and replacement with engineered soil or treatment of expansive soils). The potential impacts to life or property associated with expansive soils would be less than significant when addressed appropriately according to these requirements.

The required design-level geotechnical investigation would identify any expansive soils within the Project site and specific requirements to ensure that all foundations and other below-ground infrastructure would not be adversely affected by expansive soils. Adherence to design requirements consistent with the most updated version of the CBC and site-specific geotechnical report would ensure a less than significant impact related to expansive soils.

IMPACT 4.4-5: *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?* **(Less than Significant Impact)**

The Project would use portable toilets on-site during construction, and operation and maintenance. Sanitary waste is expected to average up to 30 gallons per day. Waste disposal would occur at a permitted off-site facility equipped to handle sanitary waste. Thus, a septic tank system would not be required on the Project site.

The Project would not introduce an environmental or public health hazard by building septic tanks or other wastewater disposal systems in soils that are incapable of adequately supporting such systems. There would be a less than significant impact related to inadequate soils supporting an on-site septic system.

IMPACT 4.4-6: *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?* **(Less than Significant Impact with Mitigation Incorporated)**

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The surface geologic unit mapped within the Project site is Plio-Pleistocene alluvium (QPc). This unit is assessed as having moderate paleontological sensitivity and therefore, a moderate probability of containing fossils. The local geologic unit that stratigraphically underlies the QPc surface unit is Cretaceous sedimentary rock (Ku), which also is considered to have moderate (though little known) paleontological sensitivity. This unit has contained fossils at other locations, including one that is only 3 miles from the Project.

Project-related excavation to install the steel supports for the solar panels may occur at depths of up to 10 feet below ground surface. Soils up to this depth also may be disturbed during Project decommissioning. Only the upper of these two units (QPc) is likely to be impacted by Project activities, because excavations and other surface penetrating actions are not expected to be deep enough to reach the older unit. However, since both the QPc and Ku units have similar sensitivity classifications, the potential for encountering fossils with ground-disturbing activities is assumed to be moderate, and a potentially significant impact could result if paleontological resources are encountered and inadvertently destroyed during ground-disturbing activities. With the implementation of Mitigation Measure **GEO-1** requiring worker training and implementation of a contingency protocol in the case of an inadvertent find, the impact would be less than significant.

4.7.5 Mitigation Measures

The following mitigation measures are recommended to reduce significant impacts to biological resources.

GEO-1: Paleontological Worker Education and Awareness Program (WEAP): Before starting construction activities, on-site personnel should be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities (an unanticipated find).

GEO-2: Unanticipated Find Contingency: A qualified paleontological specialist, meeting the Secretary of the Interior's Professional Qualification Standards for the Society of Vertebrate Paleontology shall be retained by the Project Owner on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources (an unanticipated find) and determine if additional study is warranted. If the significance of the find under CEQA or California Public Resources Code, Section 21082 does not warrant such study, the qualified paleontologist may decide to record the find and allow work to continue. If the discovery proves significant under CEQA, preparation of a paleontological treatment plan, testing, or data recovery may be required at the discretion of the paleontological specialist.

4.7.6 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint.

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The construction activities associated with the PG&E infrastructure would be required to comply with, and adhere to, the same design criteria included in the CBC as the rest of the Project components. Construction would be required to comply with requirements of the construction general permit, similar to the Project components evaluated above, including implementation of BMPs during construction activities. Subsurface excavation required for the PG&E infrastructure is not anticipated to occur at depths below 10 feet below ground surface. Nonetheless, because fossils could be discovered up to 10 feet, the implementation of mitigation for unanticipated fossil discovery would reduce the potential significance of any unanticipated fossil discoveries to a less-than-significant level.

Through the implementation of **Mitigation Measures GEO-1** and **GEO-2** these improvements would not have a substantial adverse effect on any geology, soils, or paleontological resources, and no additional mitigation measures would be required.

4.7.7 Cumulative Impacts

Impacts related to geology, soils, and seismicity tend to be site-specific and depend on the local geology and soil conditions. For these reasons, the geographic scope for potential cumulative impacts consists of the Project site and adjacent areas. No cumulative projects, as identified in Table 2-1 are adjacent to the Project. Additionally, the Project would be designed and constructed in accordance with the most current building code requirements, and the potential for the Project to exacerbate seismic hazards would be less than significant. State and local building regulations and standards have been established to address and reduce the potential for projects to cause or exacerbate seismic hazard impacts. All projects would be required to comply with applicable provisions of these laws and regulations. Compliance with these requirements would limit the potential for impacts to a less than significant level. The purpose of the CBC (and related local ordinances) is to regulate and control the design, construction, quality of materials, use/occupancy, location, and maintenance of all buildings and structures within its jurisdiction. Based on compliance with these requirements, the incremental impacts of the Project combined with impacts of other projects in the area would not combine to cause a significant cumulative impact related to seismic hazards.

Individual projects, including the Project, are required to comply with existing codes, standards, and permitting requirements (e.g., preparation of a SWPPP under the state construction general permit) to reduce erosion impacts. Potential Project-related impacts to soil erosion and loss of topsoil would be reduced through the implementation of the BMPs identified in the SWPPP. Requirements in the state construction general permit are designed to reduce adverse cumulative effects of construction-phase erosion. Individual projects' compliance with stormwater control requirements would reduce the overall cumulative impact to a less than significant level.

The geographic scope of cumulative impacts to paleontological resources includes the Project site and adjacent areas where Pleistocene-age deposits could be disturbed. If there were paleontological resources that extended across areas of ground disturbance of the proposed Project and cumulative projects, the projects could result in the loss of paleontological resources, a potentially significant impact. However, with implementation of Mitigation Measures **GEO-1** and **GEO-2**, the proposed Project would have a less than significant impact relating to the potential loss of paleontological resources in the event of inadvertent discovery during construction. This

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less than significant impact would not be cumulatively considerable because work would be halted immediately in the event of a find, thereby minimizing the potential impact.

4.7.8 References

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4.8 GREENHOUSE GAS EMISSIONS

This section identifies and evaluates issues related to Greenhouse Gas Emissions in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County did not receive any scoping comments related to Greenhouse Gas Emissions.

4.8.1 Existing Conditions

The Greenhouse Effect

Certain gases in the Earth's atmosphere, classified as GHGs, play a critical role in determining the earth's surface temperature. A GHG is any gas in the atmosphere that absorbs infrared radiation. As solar radiation enters the earth's atmosphere, a portion of the radiation is absorbed by the earth's surface, and a portion is reflected back through the atmosphere into space. The absorbed radiation is eventually emitted from the earth into the atmosphere, not as solar radiation, but as infrared radiation. Most solar radiation passes through GHGs; infrared radiation is selectively absorbed or "trapped" by GHGs as heat and then reradiated back toward the earth's surface, warming the lower atmosphere and the earth's surface. This phenomenon, known as the "greenhouse effect," is beneficial for maintaining a habitable climate on the earth. As the atmospheric concentrations of GHGs rise, however, the average temperature of the lower atmosphere gradually increases, thereby increasing the potential for indirect effects such as a decrease in precipitation as snow, a rise in sea level, and changes to plant and animal species and habitat.

Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one year to several thousand years). GHGs persist in the atmosphere long enough to be dispersed globally. Although the exact lifetime of any particular GHG molecule depends on multiple variables and cannot be pinpointed, scientific evidence reveals that more carbon dioxide (CO_2) is emitted into the atmosphere then is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO_2 emissions, approximately 54 percent is sequestered through ocean uptake, uptake by northern hemisphere forest regrowth, and other terrestrial sinks within a year, whereas the remaining 46 percent of human-caused CO_2 emissions remains stored in the atmosphere. The quantity of GHGs that it takes to ultimately result in climate change is not known precisely, although scientific evidence strongly indicates no single project would be expected to contribute measurably to a noticeable incremental change in the global average temperature.

Greenhouse Gases and Global Warming Potential

GHGs are emitted by natural processes and human activities. Natural GHG sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Human activities known to emit GHGs include industrial manufacturing, utilities, transportation, residential, and agricultural activities. The GHGs that enter the atmosphere because of human activities are CO_2, methane (CH_4), nitrous oxide (N_2O), fluorinated carbons (hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF_6]).

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CO_2 is an odorless, colorless gas with both natural and anthropogenic sources. Examples of natural sources are respiration of bacteria, plants, and animals, evaporation from oceans, and decomposition of organic matter. Human activities that emit CO_2 include burning coal, oil, natural gas, and wood.

CH_4 is a flammable gas that is the main component of natural gas. When burned in the presence of oxygen, CO_2 and water are released. There are no direct health effects from exposure to CH_4. Sources of CH_4 include decay or organic material, natural gas fields, cattle, and landfills.

N_2O is a colorless gas that can cause euphoria, dizziness, and slight hallucinations when exposed to higher concentrations. Sources include agricultural sources (e.g., microbial processes in soil and water, fertilizer) and industrial processes (e.g., fossil fuel-fired power plants, vehicle emissions, nylon production).

Fluorinated Gases are synthetic and emitted from a variety of industrial processes.

> **HFCs** are man-made chemicals used as a substitute for CFCs (chlorofluorocarbons) for automobile air conditioners and refrigerants.
>
> **PFCs** are very stable and do not break down through the chemical processes in the lower atmosphere and have long lifetimes (between 10,000 and 50,000 years). The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.
>
> **SF_6** is an inorganic, colorless, odorless, nontoxic, nonflammable gas used for insulation in electric power transmission and distribution equipment, semiconductor manufacturing, the magnesium industry, and as a tracer gas for leak detection.

Global Warming Potential

The Intergovernmental Panel on Climate Change developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of one kilogram of a trace substance relative to that of one kilogram of a reference gas. The reference gas used is CO_2. Therefore, GWP-weighted emissions are measured in metric tons (MT) of CO_2 equivalent ($CO2_e$). It was assumed that the GWP for CH_4 is 25 (which means that emissions of 1 MT of CH_4 are equivalent to emissions of 25 MT of CO_2), the GWP for N_2O is 298, and the GWP for SF_6 is 22,800 based on the Intergovernmental Panel on Climate Change Fourth Assessment Report (IPCC 2007). These GWPs have been adopted by the EPA into 40 CFR 98 *Mandatory Greenhouse Gas Reporting*.

4.8.2 Regulatory Setting

Federal

The U.S. Supreme Court ruled on April 2, 2007, that CO_2 is an air pollutant as defined under the Clean Air Act (CAA), and that the EPA has the authority to regulate emissions of GHGs. Responding to the mounting issue of climate change, the EPA has taken actions to regulate, monitor, and potentially reduce GHG emissions.

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Mandatory Greenhouse Gas Reporting Rule

On September 22, 2009, the EPA issued a final rule for mandatory reporting of GHGs from large GHG emissions sources in the United States. In general, this national reporting requirement will provide the EPA with accurate and timely GHG emissions data from facilities that emit 25,000 MT or more of CO_2 per year. This publicly available data allows the reporters to track their own emissions, compare them to similar facilities, and help identify cost effective opportunities to reduce emissions in the future. Reporting is at the facility level, except that certain suppliers of fossil fuels and industrial GHGs along with vehicle and engine manufacturers report at the corporate level. An estimated 85 percent of the total United States GHG emissions, from approximately 10,000 facilities, are covered by this final rule.

Endangerment and Cause or Contribute Findings for Greenhouse Gases under the Clean Air Act

On December 7, 2009, the EPA adopted its Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases under the CAA (Endangerment Finding). The Endangerment Finding is based on Section 202(a) of the CAA, which states that the Administrator (of EPA) should regulate and develop standards for "emission[s] of air pollution from any class of classes of new motor vehicles or new motor vehicle engines, which in [its] judgment cause, or contribute to, air pollution which may reasonably be anticipated to endanger public health or welfare." The rule addresses Section 202(a) in two distinct findings. The first addresses whether the concentrations of the six key GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) in the atmosphere threaten the health and welfare of current and future generations. The second addresses whether the combined emissions of GHGs from new motor vehicles and motor vehicle engines contribute to atmospheric concentrations of GHGs and therefore the threat of climate change.

The Administrator found that atmospheric concentrations of GHGs endanger the public health and welfare within the meaning of Section 202(a) of the CAA. The evidence supporting this finding consists of human activity resulting in "high atmospheric levels" of GHG emissions, which are most likely responsible for increases in average temperatures and other climatic changes. Furthermore, the observed and projected results of climate change (e.g., higher likelihood of heat waves, wildfires, droughts, sea level rise, and higher intensity storms) are a threat to the public health and welfare. Therefore, GHGs were found to endanger the public health and welfare of current and future generations.

The Administrator also found that GHG emissions from new motor vehicles and motor vehicle engines are contributing to air pollution, which is endangering public health and welfare. EPA's final findings respond to the 2007 U.S. Supreme Court decision that GHGs fit within the CAA definition of air pollutants. The findings do not in and of themselves impose any emission reduction requirements but rather allow the EPA to define the GHG standards proposed earlier in 2009 for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation.

Various subsequent federal rulemakings limit GHG emissions from fossil fuel-fired power plants through EPA's major stationary source permitting program and through EPA's New Source Performance Standards. These rulemakings have been subject to court challenges and political manipulation, such that applicants for air permits are required to evaluate the current status of the regulatory requirements. These GHG rules do not apply to the activities associated with the Project.

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State

While climate change has been a concern since at least 1988, the efforts devoted to GHG emissions reduction and climate change policy have increased dramatically in recent years. In 2002, California passed AB 1493, which requires California Air Resources Board to develop and implement regulations to reduce automobile and light truck GHG emissions beginning with the 2009 model year. In June 2005, Executive Order S-3-05 was signed to reduce California's GHG emissions to: (1) 2000 levels by 2010; (2) 1990 levels by the 2020; and (3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of AB 32, the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that California Air Resources Board create a plan (Scoping Plan), which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." SB 32 codifies the emissions reduction goal of 40 percent below 1990 levels by 2030.

In 2002, SB 1078 established Renewable Portfolio Standard (RPS), which required an annual increase in renewable generation by the utilities with a goal of 20 percent by 2010. SB X1-2 expanded the RPS by establishing a renewable energy target of 20 percent of the total electricity sold to retail customers in California per year by 2013, and 33 percent by 2020 and subsequent years. SB 350 further expanded the RPS by establishing a goal of 50 percent of the total electricity sold to retail customers in California per year by 2030.

SB 97 acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. CEQA requires that lead agencies consider the reasonably foreseeable adverse environmental effects of projects they are considering for approval. GHG emissions can affect the environment adversely because they contribute, cumulatively, to global climate change. Thus, GHG emissions require consideration in CEQA documents.

Local

Colusa County does not have any plans or regulations specific to GHGs. The Colusa County General Plan (Colusa County 2012) does encourage renewable energy development in their conservation element:

> ***Policy CON 2-2:*** Encourage the development of large-scale commercial energy projects that utilize renewable sources such as solar, wind, biomass, and agricultural byproducts.
>
> ***Policy CON 2-3:*** Allow commercial alternative energy facilities, including solar, wind and biomass in the Agriculture General, Agriculture Upland, Industrial, Forest, and Resource Conservation land use designations with a Conditional Use Permit.

4.8.3 Methodology

A GHG analysis is required to be included in CEQA documents for all non-exempt projects. Colusa County Air Pollution Control District and Butte County Air Quality Management District have not adopted GHG thresholds of significance. The Butte County Air Quality Management District CEQA guidance suggests compliance with Qualified Greenhouse Gas Reduction Strategy, Lead Agency's threshold, or consistency with goals of AB 32 for projects subject to CEQA.

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For this Project, the major source of GHG is the combustion of fuel in construction equipment, in vehicles used to haul equipment and materials, and in vehicles used by workers commuting to and from the site.

There are three types of GHG from fuel combustion, including CO_2, CH_4 and N_2O. GHG emissions are presented as $CO2_e$, which is computed based on global warming equivalence. The CH_4 global warming equivalence is 25 times that of CO_2, and the N_2O global warming equivalence is 298 times that of CO_2. Mathematically, $CO2_e$ can be represented by the following equation:

$$CO2_e \text{ Emissions} = CO_2 \text{ Emissions} + 25 \times CH_4 \text{ Emissions} + 298 \times N_2O \text{ Emissions}$$

The California Emissions Estimator Model was used to estimate the GHG emissions during the construction phase of the proposed Project. Based on the construction schedule, and the types and quantities of construction equipment and haul trucks, the maximum $CO2_e$ emissions were estimated. For typical diesel-fueled combustion equipment used in construction activities, the emissions factors adjusted with global warming equivalence are the following:

1. CO_2 emission factors are 22.4 pounds of $CO2_e$ per gallon consumed;
2. CH_4 emission factors are 0.065 pounds of $CO2_e$ per gallon consumed; and
3. N_2O emission factors are 0.068 pounds of $CO2_e$ per gallon consumed.

Additionally, GHG emissions are associated with fugitive emissions of SF_6 from gas-insulated switchgear equipment, such as the high voltage circuit breakers at the on-site substation. The SF_6 global warming equivalence is 22,800 times that of CO_2. The project will have no more than two high-voltage circuit breakers, each with up to 160 pounds of SF_6 for a total of up to 320 pounds, and a maximum leak rate of 0.5 percent per year. $CO2_e$ resulting from SF_6 gas leakage can be represented by the following equation:

$$CO2_e \text{ Emissions} = SF_6 \text{ gas contained in equipment (lbs)} \times 0.5 \text{ percent leak rate} \times 0.0004536 \text{ MT/lb} \times 22{,}800$$

4.8.4 Thresholds of Significance

A project would have a significant impact to GHG emissions if it would:

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

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

4.8.5 Impacts Analysis

IMPACT 4.8-1: *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?* **(Less Than Significant Impact)**

Construction Emissions

Construction of the Project would increase GHG generation, which can contribute to global climate change. The Project will also decrease GHG emissions by providing renewable power.

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This analysis is provided in response to recent heightened interest in the subject of global climate change and, specifically, in the California legislature's passage and the Governor's signing of AB 32, which is intended to control and reduce the emission of global warming gases in California; and SB 97, which directs the Office of Planning and Research and the California Resources Agency to develop CEQA Guidelines on how local agencies should analyze and, if necessary, mitigate for GHG emissions.

Construction emissions would be associated with vehicle engine exhaust from construction equipment and vehicles, equipment and material deliveries, and construction worker commuting trips. Construction-related GHG emissions are considered temporary and short term. Annual Construction Emissions are provided in Table 4.8-1.

Table 4.8-1. Estimated Annual Construction Greenhouse Gas Emissions

Construction Year	CO_2	CH_4	N_2O	CO_2e
	Metric Tons per Year			
2022	2,163.64	0.37	0.07	2,192.64
2023	3,386.44	0.55	0.09	3,428.03
Total Project Construction GHG Emissions	5,550.08	0.92	0.16	5,620.67

Operational Emissions

Operation of the Project would generate GHG emissions through motor vehicle trips to and from the Project site, energy use, special maintenance activities such as panel washing, waste and wastewater generation, potential use of the emergency generator, and potential leakage from gas-insulated circuit breakers. The California Emissions Estimator Model was used to calculate the annual GHG emissions based on the operational assumptions described previously. The estimated operational GHG emissions are shown in Table 4.8-2. GHG emissions from operational activities will be minimal and will not have significant impact on the environment.

Table 4.8-2. Estimated Annual Operational Greenhouse Gas Emissions

Annual Operation	CO_2	CH_4	N_2O	SF_6	$CO2_e$
	Metric Tons per Year				
Total Project Operational GHG Emissions	629.44	0.18	0.008	0.000726	653.0

IMPACT 4.8-2: *Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?* **(No Impact)**

The Project will support State legislation climate goals including emissions reductions required by AB 32 and SB 32 and will help the state reach renewable portfolio standards required by SB 1078, SB XI-2, and SB 350. While GHG would be generated from construction and occasional operation and maintenance activities, the Project would result in a net reduction in GHG from the production of solar energy that would potentially replace energy generated by fossil fuels. The Project would assist in the attainment of the state's goals by using a renewable source of energy that could displace electricity generated by fossil-fuel-fired power plants, and therefore would comply with

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the goals and objectives of the state. The solar energy project will meet Colusa County's Policies CON 2-2 and 2-3.

4.8.6 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements would be made within the existing Cortina Substation footprint. These improvements would not generate GHG that would be significant to the environment. Nor would the improvements affect any plan, policy, or regulation regarding the reduction of GHG emissions. Therefore, the improvements would have no impact on GHG. Thus, no mitigation would be required.

4.8.7 Cumulative Impacts

GHG emissions are inherently cumulative that is significant and adverse. Accordingly, the significance of GHG emissions in this analysis is determined based on whether such emissions would have a cumulatively considerable impact on global climate change. Although the geographic scope of cumulative impacts related to GHG emissions is global, this analysis focuses on the Project's direct and/or indirect generation or offset of GHG emissions on the region and the state. The California Air Pollution Control Officers Association considers GHG impacts to be exclusively cumulative impacts, in that no single project could, by itself, result in a substantial change in climate (CAPCOA 2008). Therefore, the evaluation of cumulative GHG impacts presented above evaluated whether the Project would make a considerable contribution to cumulative climate change effects. The Project would result in a net reduction in GHG emissions over the duration of the use permit period and would not conflict with the state's GHG reduction goals. Therefore, the Project-specific incremental impact on GHG emissions would not be cumulatively considerable.

4.8.8 References

California Air Pollution Control Officers Association (CAPCOA). 2008. CEQA & Climate - Change Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act, January 2008. Available: http:// www.capcoa.org/wp-content/uploads/2012/03/CAPCOA-White-Paper.pdf.

Colusa County. 2012. *General Plan.* July 2012 https://www.countyofcolusa.org/137/General-Plan.

Intergovernmental Panel on Climate Change (IPCC). 2007. IPCC Fourth Assessment Synthesis of Scientific-Technical Information Relevant to Interpreting Article 2 of the UN Framework Convention on Climate Change. https://www.ipcc.ch/pdf/assessment-report/ar4/syr/ar4_syr.pdf.

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4.9 HAZARDS AND HAZARDOUS MATERIALS

This section identifies and evaluates issues related to Hazards and Hazardous Materials in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Hazards and Hazardous Materials.

The County reviewed and considered the Phase I Environmental Site Assessment prepared for the Project by Tetra Tech (Appendix G).

4.9.1 Existing Conditions

A hazardous material is defined as any material that, because of quantity, concentration, or physical or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment (Health and Safety Code §25501(o)). The term “hazardous materials” refers to both hazardous substances and hazardous wastes. Under federal and state laws, any material, including wastes, may be considered hazardous if it is specifically listed by statute as such or if it has one or more of the following characteristics:

- Toxicity (causes adverse human health effects);
- Ignitability (has the ability to burn);
- Corrosivity (causes severe burns or damage to materials); or
- Reactivity (causes explosions or generates toxic gases).

In some cases, past industrial or commercial activities on a site have resulted in spills or leaks of hazardous materials or wastes to the subsurface, resulting in soil and/or groundwater contamination. Depending on the type and concentrations of contamination, potential exposure can threaten public health if released from the soil, groundwater, or into the air. The four primary exposure pathways through which an individual can be exposed to a hazardous material or waste are inhalation, ingestion, bodily contact, and injection. Exposure can result from an accidental release of hazardous materials during transport, storage, or handling. Disturbance of contaminated subsurface soil during construction can also cause exposure to workers, the public, or the environment through excavating, stockpiling, handling, or transport of such soils.

The Project site is located in a rural, agricultural area of Colusa County in the northwestern Sacramento Valley. Hazardous waste handlers and generators in Colusa County include industries, businesses, public and private institutions, and residences. Agricultural land use can also involve the storage and handling of hazardous materials and wastes (e.g., application of pesticides and the storage and use of fuels). Gasoline stations and other facilities that utilize or store fuels, solvents, chemicals, or other hazardous materials represent other potential sources of hazardous materials in rural areas. The presence of these potential sources of hazardous materials, if encountered, can cause exposures that may result in adverse environmental and health effects depending on the extent of exposure.

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4.9.1.1 Soil and Groundwater Contamination

In California, regulatory databases listing hazardous materials sites provided by numerous federal, state, and local agencies are consolidated in the "Cortese List" pursuant to Government Code Section 65962.5, effective in 1992. However, subsequent changes in web-based information availability since that time have made a consolidation of this list no longer necessary and the databases are maintained on an individual basis by the following responsible agencies:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database;
- List of Leaking Underground Storage Tank Sites by County and Fiscal Year from the State Water Resources Control Board (SWRCB) GeoTracker database;
- List of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit;
- List of "active" Cease and Desist Order and Cleanup and Abatement Order from the SWRCB; and
- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code, identified by DTSC and listed on their EnviroStor database.

The five databases cited above identify sites with suspected and confirmed releases of hazardous materials to the subsurface soil and/or groundwater. The SWRCB GeoTracker database includes leaking underground storage tanks (LUSTs), permitted underground storage tanks (USTs), Department of Defense sites, and Cleanup Program sites. The DTSC EnviroStor database includes federal and state response sites; voluntary, school, and military cleanups and corrective actions; and permitted sites. The reporting and statuses of these sites change as identification, monitoring, and clean-up of hazardous materials sites progress. Typically, a listed site is considered no longer to be of concern once it has been demonstrated that existing site uses combined with the levels of identified contamination present no significant risk to human health or the environment and the case is closed by the overseeing agency.

According to a review of the GeoTracker database, the Project site is not included as an active LUST site or a Cleanup Program site, nor are there any open cases within 1 mile of the Project site (SWRCB 2021). The nearest LUST or Cleanup Program site is located approximately 7 miles to the northeast of the Project, and it is an open, inactive Cleanup Program site associated with a private airplane hangar. The Project site is not expected to have been adversely affected by migration of hazardous materials through groundwater from this site.

4.9.1.2 Phase I Investigation

A Phase I Environmental Site Assessment was prepared for the Project site in February 2020 (Appendix G). The purpose of the investigation was to identify any known or suspected areas of hazardous materials or wastes that may be present beneath, on, or within proximity to the Project site. The Phase I Environmental Site Assessment did not find any evidence of any recognized environmental conditions (RECs), controlled recognized environmental conditions (CREC), or historical recognized environmental conditions (HREC) within the Project site. These terms are defined as follows:

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- A REC is defined as the presence or likely presence of any hazardous substances or petroleum products in, on, or at a property: 1) due to release to the environment; 2) under conditions indicative of a release to the environment; or 3) under conditions that pose a material threat of a future release to the environment. De minimis conditions are not RECs.
- A CREC is defined as a REC resulting from a past release of hazardous substances or petroleum products that has been addressed to the satisfaction of the applicable regulatory authority and that subjects the property to activity and/or use limitations.
- A HREC is defined as a past release of any hazardous substances or petroleum products that has occurred in connection with the property and has been addressed in a manner accepted by the applicable regulatory authority (for example, as evidenced by the issuance of a no further action letter or equivalent), without subjecting the property to any activity and use limitations.

The Project site is comprised of three parcels and is surrounded by rural residential, agricultural fields, and undeveloped land. The Project site includes approximately 56 acres of land west of Spring Valley Road which is improved with six buildings and one large open-air garage as well as corral areas used for cattle. The six buildings include a warehouse, a maintenance shop, a small shed and three residential-like buildings. Though no construction or other Project-related activities would occur within this 56-acre area, it was included in the Phase I Environmental Site Assessment for completeness (Appendix G). No other buildings are listed or found on the Project site. Based on a review of historical documentation, the Project site appears as partially developed land as far back as 1937 with at least a couple of man-made structures located in a planted tree patch along the southern border and evidence of tilling and agriculture activities throughout the Project site. Documentation of surrounding areas show some land improvements of a road and some buildings to the north and east as far back as 1907. Land improvements to the Project site are minimal and consist mostly of dirt roads and cattle fencing.

4.9.1.3 Photovoltaic Solar Panels

The specific type of photovoltaic (PV) solar panels that would be installed on the Project site have yet to be determined; however, it is anticipated that the proposed PV solar panels would be made from a polycrystalline silicon or thin-film technology. Polycrystalline silicon PV panels may include cadmium telluride (CdTe) technology. Elemental cadmium (Cd), which forms CdTe when reacted with tellurium, is a lung carcinogen, and long-term exposure can cause detrimental effects on kidney and bone (Fthenakis 2003a). However, CdTe is in the environmentally stable form of a compound rather than the leachable form of a metal. Occupational Safety and Health Administration (OSHA) treats CdTe similarly to Cd and thus all facilities working with CdTe should use the same precautions that apply to Cd. Because such materials are in a solid and non-leachable state, broken polycrystalline silicon PV panels would not be a source of pollution to surface water, stormwater, or groundwater (Fthenakis 2003a).

The CdTe compound is encapsulated in the PV module with the PV module containing a very small amount of Cd. The amount of Cd within a CdTe module is proportional to the area of the module and thickness of the layers. Most CdTe layers are 1 to 3 microns thick which could contain anywhere from 3 to 9 g/m^2 of Cd. For comparison a 1-kW CdTe PV system contains as little cadmium as seven C-sized nickel cadmium batteries. In addition, as technology advances it is anticipated layer thickness would decrease therefore decreasing the amount of Cd in the modules (Fthenakis 2003a).

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It has been demonstrated that standard operation of CdTe PV systems do not result in cadmium emissions to air, water, or soil (Fthenakis 2003b). During the PV module manufacturing process, CdTe is bound under high temperature to a sheet of glass by vapor transport deposition, coated with an industrial laminate material, insulated with solar edge tape, and covered with a second sheet of glass. The module design results in the encapsulation of the semiconductor material between two sheets of glass thereby preventing the exposure of CdTe to the environment (Fthenakis 2003a).

Several peer-reviewed studies have evaluated the environmental, health, and safety aspects of CdTe PV modules (Fthenakis et. al. 2003b). These studies have consistently concluded that during normal operations and foreseeable accident (e.g., fires, breakage), CdTe PV modules do not present an environmental risk. No emissions from CdTe PV would be released during fires because Cd would dissolve into the molten glass. Disposal risks of end-of-life CdTe PV modules are minimized because of the low solubility of CdTe and because the modules can be effectively recycled. CdTe PV modules have proven to pass the federal toxicity characteristic leaching procedure criteria for non-hazardous waste allowing the modules to be disposed of in landfills (Fthenakis 2003b).

Crystalline and amorphous silicon is a semiconductor used in solar cells to convert solar energy into electricity. Crystalline silicon PV panels may include small amounts of solid materials considered to be hazardous. Because such materials are in a solid and non-leachable state, broken crystalline silicon PV panels would not be a source of pollution to surface water, stormwater, or groundwater. Crystalline silicon panels removed from the Project site would be recycled or otherwise disposed of at an appropriate waste disposal facility. There are several possible disposal and recycling locations including Recycle PV and First Solar. Recycle PV of Grass Valley California opened a facility in 2018 for complete recycling of PV panels and internal materials in Arizona with plans to open several more facilities. First Solar has a state-of-the-art facility in Ohio for recycling all the components of solar arrays and claim they have a 90 percent recoverable rate of materials processed (First Solar 2021).

4.9.2 Regulatory Setting

4.9.2.1 Federal

This section describes the regulatory oversight of hazardous materials storage and handling, emergency response, site investigation and cleanup, and worker safety. In addition, regulations regarding fire hazards and local plans and policies are discussed.

4.9.2.1.1 Hazardous Materials Management

The primary federal agencies with responsibility for hazardous materials management include the U.S. Environmental Protection Agency (USEPA), OSHA, and the U.S. Department of Transportation (USDOT). State and local agencies often have either parallel or more stringent regulations than these federal agencies. In most cases, state law mirrors or overlaps federal law and enforcement of these laws is the responsibility of the state or of a local agency to which enforcement powers are delegated.

4.9.2.1.1.1 Hazardous Materials Transportation

The USDOT regulates hazardous materials transportation on all interstate roads pursuant to its authority under the Hazardous Materials Transportation Uniform Safety Act (49 U.S.C. §5101 et

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seq.). The purpose of the Act is to "protect against the risks to life, property, and the environment that are inherent in the transportation of hazardous material in intrastate, interstate, and foreign commerce" (49 U.S.C. §5101). Within California, the state agencies with primary responsibility for enforcing federal and state regulations and for responding to transportation emergencies are the California Highway Patrol and California Department of Transportation. Together, federal and state agencies determine driver-training requirements, load labeling procedures, and container specifications. Although special requirements apply to transporting hazardous materials, requirements for transporting hazardous waste are more stringent, and hazardous waste haulers must be licensed to transport hazardous waste on public roads.

4.9.2.1.1.2 Clean Air Act

Regulations under the Clean Air Act are designed to prevent accidental releases of hazardous materials. The regulations require facilities that store minimum quantities (called threshold quantities) or greater of listed regulated substances to develop a Risk Management Plan, including hazard assessments and response programs to prevent accidental releases of listed chemicals.

4.9.2.1.1.3 Comprehensive Environmental Response and Liability Act and Superfund Amendments and Reauthorization Act

The Superfund Amendments and Reauthorization Act (SARA) amends the Comprehensive Environmental Response and Liability Act (CERCLA) and governs hazardous substances. The applicable part of SARA for the Project is Title III, otherwise known as the Emergency Planning and Community Right-To-Know Act of 1986 (EPCRA). EPCRA establishes requirements for federal, state, and local governments, as well as Indian Tribes and industry members regarding emergency planning and reporting on hazardous and toxic chemicals. Key sections of the law include:

> ***§304:*** *Requires immediate notification to the local emergency planning committee (LEPC) and the state emergency response commission (SERC) when a hazardous material is released in excess of its reportable quantity (RQ). If a CERCLA-listed hazardous substance RQ is released, notification must also be given to the National Response Center in Washington, D.C. (RQs are listed in 40 CFR Part 302, Table 302.4). These notifications are in addition to notifications given to the local emergency response team or fire personnel.*
>
> ***§311:*** *Requires that either material safety data sheets (MSDSs) for all hazardous materials or a list of all hazardous materials be submitted to the SERC, LEPC, and local fire department.*

4.9.2.1.1.4 Toxic Substances Control Act, Resource Conservation and Recovery Act

The Federal Toxic Substances Control Act of 1976 and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by the USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Amendments, which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

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4.9.2.1.1.5 Occupational Safety

The federal OSHA is the agency responsible for assuring worker safety in the handling and use of chemicals in the workplace. The federal regulations pertaining to worker safety are contained in Title 29 of the Code of Federal Regulations, as authorized in the Occupational Safety and Health Act of 1970. They provide standards for safe workplaces and work practices, including standards relating to hazardous materials handling. At sites known or suspected to have soil or groundwater contamination, construction workers must receive training in hazardous materials operations and a site health and safety plan must be prepared. The health and safety plan establishes policies and procedures to protect workers and the public from exposure to potential hazards at the contaminated site.

4.9.2.1.1.6 North American Electric Reliability Corporation Standards

The North American Electric Reliability Corporation Standards (NERC) is a nonprofit corporation comprising 10 regional reliability councils. The overarching goal of NERC is to ensure the reliability of the bulk power system in North America. To achieve its goal, the NERC develops and enforces reliability standards, monitors the bulk power systems, and educates, trains, and certifies industry personnel (NERC 2021). In order to improve the reliability of regional electric transmission systems and in response to the massive widespread power outage that occurred on the Eastern Seaboard, NERC developed a transmission vegetation management program that is applicable to all transmission lines operated at 200 kV and above to lower voltage lines designated by the Regional Reliability Organization as critical to the reliability of the electric system in the region.

The program, which became effective on April 7, 2006, establishes requirements of the formal transmission vegetation management program, which include identifying and documenting clearances between vegetation and any overhead, ungrounded supply conductors, while taking into consideration transmission line voltage, the effects of ambient temperature on conductor sag under maximum design loading, fire risk, line terrain and elevation, and the effects of wind velocities on conductor sway. The clearances identified must be no less than those set forth in the IEEE Standard 516-2003 (*Guide for Maintenance Methods on Energized Power Lines*) (IEEE 2003), which establishes minimum vegetation-to-conductor clearances in order to maintain electrical integrity of the electrical system.

4.9.2.2 State

In January 1996, the California Environmental Protection Agency (Cal EPA) adopted regulations implementing a Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program, Health & Safety Code §25404 et seq.) The program has six elements: hazardous waste generators and hazardous waste on-site treatment; underground storage tanks; aboveground storage tanks; hazardous materials release response plans and inventories; risk management and prevention programs; and Unified Fire Code hazardous materials management plans and inventories. The program is implemented at the local level. The Certified Unified Program Agency (CUPA) is the local agency that is responsible for the implementation of the Unified Program. In Colusa County, the Colusa County Environmental Health Division is the designated CUPA for all businesses (Colusa County 2021).

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4.9.2.2.1 Hazardous Materials Management

The California Hazardous Materials Release Response Plans and Inventory Law (Business Plan Act, Health and Safety Code §25500 et seq.) requires any business that handles hazardous materials at or above specified thresholds to prepare a hazardous materials business plan (HMBP). The thresholds include any site that stores hazardous materials in the excess of 55 gallons (liquids), 500 pounds (solids), or 200 cubic feet for a compressed gas. The HMBP much include the following:

- Details, including floor plans, of the facility and business conducted at the site.
- An inventory of hazardous materials that are handled or stored on-site.
- An emergency response plan.
- A safety and emergency response training program for new employees with annual refresher courses.

The primary purpose of HMBP requirement is to provide basic information needed by first responders to prevent or mitigate damage to the public health and safety and to the environment from a release or threatened release of a hazardous material (Cal OES 2017). HMBP requirement could apply, for example, to the handling of mineral oil, which is a highly refined hydrocarbon-based oil used as an insulation medium and coolant in transformers and other electrical equipment.

4.9.2.2.1.1 Hazardous Waste Handling

The DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. State and federal laws require detailed planning to ensure that hazardous materials are properly handled, used, stored, and disposed of, and, in the event that such materials are accidentally released, to prevent or to mitigate injury to health or the environment. Laws and regulations require hazardous materials users to store these materials appropriately and to train employees to manage them safely.

Individual states may implement their own hazardous waste programs in lieu of RCRA, as long as the state program is at least as stringent as federal RCRA requirements. In California, the DTSC regulates the generation, transportation, treatment, storage, and disposal of hazardous waste. The hazardous waste regulations establish criteria for identifying, packaging, and labeling hazardous wastes; prescribe management of hazardous waste; establish permit requirements for hazardous waste treatment, storage, disposal, and transportation; and identify hazardous wastes that cannot be disposed of in landfills. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. The California Hazardous Waste Control Law is codified at Health and Safety Code §25100 et seq.

4.9.2.2.1.2 Occupational Safety

The California Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) assumes primary responsibility for developing and enforcing workplace safety regulations in California. Because California has a federally approved OSHA program, it is required to adopt regulations that are at least as stringent as those found in Title 29 of the Code of Federal Regulations.

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Cal/OSHA regulations concerning the use of hazardous materials in the workplace require employee safety training, safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and emergency action and fire prevention plan preparation. Cal/OSHA enforces hazard communication program regulations, which contain training and information requirements, including procedures for identifying and labeling hazardous substances, and communicating hazard information relating to hazardous substances and their handling. The hazard communication program also requires that safety data sheets (SDSs) be available to employees, and that employee information and training programs be documented. These regulations also require preparation of emergency action plans (escape and evacuation procedures, rescue and medical duties, alarm systems, and training in emergency evacuation).

4.9.2.2.1.3 Other State Regulations

The California Code of Regulations (CCR) contains additional requirements that would apply to the Project, including:

1. 8 CCR §2700 et seq., High Voltage Electrical Safety Orders, which establish essential requirements and minimum standards for installation, operation, and maintenance of electrical equipment to provide practical safety and freedom from danger.
2. 14 CCR §§1250-1258, Fire Prevention Standards for Electric Utilities, which provide specific exemptions from electric pole and tower firebreak and electric conductor clearance standards, and specifies when and where standards apply. It establishes minimum clearance requirements for flammable vegetation and materials surrounding structures.
3. 22 CCR §66273 Standards for Universal Waste Management, which regulate the management of universal wastes. These wastes are not fully regulated as hazardous waste in order to encourage their recycling. Batteries, electronic devices, mercury-containing equipment, lamps, cathode ray tubes and tube glass, and aerosol cans are considered universal wastes in California. A person or business who generates universal waste is required to follow the Management Requirements for Universal Waste Handlers (22 CCR §§66273.30-66273.39), which include storage, spill protection, and disposal rules designed to minimize risk of harm to public health and the environment.

4.9.2.2.2 National Pollutant Discharge Elimination System Construction General Permit

The Regional Water Quality Control Board administers the stormwater permitting program in the Central Valley Region pursuant to authority delegated under the federal Clean Water Act's National Pollutant Discharge Elimination System (NPDES) program. Construction activities disturbing 1 acre or more of land are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (Construction General Permit) and must apply for Construction General Permit coverage. Additional details of the Construction General Permit are provided in Section 4.10, *Hydrology and Water Quality*.

4.9.2.2.3 California Fire Code

The California Fire Code is contained within Title 24, Chapter 9 of the CCR. Based on the International Fire Code, the California Fire Code is created by the California Buildings Standards Commission and regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. Similar to the International Fire Code, the California Fire Code and the California Building Code use a hazards classification system to determine the appropriate measures to

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incorporate to protect life and property. Section 608 of the International Fire Code (IFC) has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, further reduces potential fire risk.

4.9.2.2.4 California Public Resources Code

The Public Resources Code includes fire safety regulations that apply to State Responsibility Areas (SRAs) during the time of year designated as having hazardous fire conditions, i.e., "fire season." In CAL FIRE's Tehama-Glenn unit, which includes the Project site, fire season has been identified as beginning on May 25 (CAL FIRE 2021). During the fire hazard season, these regulations restrict the use of spark arrestors on equipment that has an internal combustion engine; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire-suppression equipment that must be provided on-site for various types of work in fire-prone areas.

Public Resources Code Section 4291 provides that a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining brush- or grass-covered lands or land that is covered with flammable material shall at all times maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line.

Public Resources Code Sections 4292 and 4293 require that any person who owns, controls, operates, or maintains any electrical transmission or distribution line shall maintain a firebreak clearing around and adjacent to any pole, tower, and conductor that carries electric current as specified in the section.

4.9.2.2.4.1 California Strategic Fire Plan

The 2019 Strategic Fire Plan for California (Fire Plan) is the most recent statewide plan for the adaptive management of wildfire (CAL FIRE 2019). The central goals that are critical to reducing and preventing the impacts of fire revolve around both suppression efforts, natural resource management, and fire prevention efforts. The key goals of the Fire Plan include the following:

1. Improve our core capabilities.
2. Enhance internal operations.
3. Ensure health and safety.
4. Build an engaged, motivated, innovative workforce.

The Fire Plan does not contain any specific requirements or regulations. Rather, the plan details the goals and objectives, sets the course for the Department, and will guide Budget Change Proposals (BCPs) and management direction (CAL FIRE 2019).

4.9.2.2.4.2 Health and Safety Code §41700

This statute states, "no person shall discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause injury or damage to business or property."

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4.9.2.2.4.3 Emergency Response

The California Governor's Office of Emergency Services (Cal OES) developed the State of California Emergency Plan (Cal OES 2017) to coordinate federal, state, local, and private agency emergency service providers' response to natural or human-caused emergencies. Responding to hazardous materials incidents is one part of this plan. The plan is administered by the State Office of Emergency Services, which coordinates the responses of other agencies.

4.9.2.2.4.4 State Responsibility Area

In designated State Responsibility Areas, the State is financially responsible for the suppression and prevention of wildfires (Public Resources Code §4102). Its designated State Responsibility Areas consist of more than 31 million acres. The Colusa County Local Hazard Mitigation Plan (LHMP) Fire Responsibility Area Map identifies the Project site and the surrounding area as a State Responsibility Area (Colusa County 2018).

4.9.2.3 Local

The Safety Element of the Colusa County General Plan outlines Colusa County's planning strategies regarding emergency management and response, fire hazards, flood hazards, seismic and geological hazards, airport hazards, hazardous materials, and noise. The following list consists of the policies of the Health and Safety Element relevant to Hazards and Hazardous Materials:

> ***Policy SA 1-9:*** Except as otherwise by Federal or State law, require new buildings intended for human use to be designed in compliance with latest edition of the California Building Standards Code, California Fire Code, and other adopted standards based on potential risks.
>
> ***Policy SA 1-14:*** Require new land development proposals to avoid unreasonable exposure to geologic hazards, including earthquake damage, subsidence, liquefaction and expansive soils.
>
> ***Policy SA 1-15:*** All development and construction proposals shall be reviewed by the County to ensure conformance with applicable building standards.
>
> ***Policy SA 1-21:*** All projects subject to CEQA review shall address seismic safety issues and provide adequate mitigation for existing and potential hazards identified.
>
> ***Policy SA 1-45:*** Require identification of an adequate water sources and supply system, including fire flows, prior to development in very high, high, or moderate Fire Hazard Severity Zones. Major industrial and other large-scale developments may be required to provide and maintain water storage facilities to ensure adequate water supply.
>
> ***Policy SA 1-48:*** Required businesses and agricultural operations to comply with all applicable local, state and federal regulations regarding the use, transport, storage and disposal of hazardous waste and hazardous materials.
>
> ***Policy SA 1-50:*** Require proponents of projects that would involve the use, storage, transport or disposal of hazardous materials or hazardous waste to demonstrate full compliance with all applicable local, state and federal regulations related to hazardous materials and waste. Any significant adverse environmental impacts associated with exposure to hazardous materials should be mitigated to a less than significant impact prior to approval of the project.

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4.9.2.3.1 Colusa County Office of Emergency Services Local Hazard Mitigation Plan

In 2018, Colusa County and four participating jurisdictions (cities of Colusa and Williams, United States Bureau of Reclamation District 108, and the Sacramento River West Side Levee District) updated the 2004 Federal Emergency Management Agency (FEMA) approved Colusa County LHMP. The LHMP includes a risk assessment that identifies and profiles hazards that pose a risk to the County and participating jurisdictions, assesses the vulnerability of the Planning Area to these hazards, and examines the existing capabilities to mitigate them (Colusa County 2018). Based on the results of the risk assessment, the participating jurisdictions developed a mitigation strategy for reducing the County's and all participating jurisdictions' risk and vulnerability to hazards. The resulting Mitigation Strategy for the Colusa County Planning Area is comprised of LHMP goals and objectives and a mitigation action plan which includes a series of mitigation action projects and implementation measures (Colusa County 2018).

4.9.3 Thresholds of Significance

A project would result in significant impacts to hazards and hazardous materials if it would:

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

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

c) Emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school;

d) Be located on a site which is included on a list of hazardous materials site complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment;

e) Result in a safety hazard or excessive noise for people residing or working in the project area, for a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport;

f) Impair implementation of or physically interfere with an adopted emergency plan; or

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.9.4 Impacts Analysis

IMPACT 4.9-1: *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?* **(Less than Significant Impact)**

Construction

Project construction would last approximately 11 months, with activities including grading, site preparation, installation of panels and other solar facility equipment and infrastructure, and construction of the gen-tie line that would be needed to connect the project to the grid. The Project would not involve the routine transport, use, or disposal of hazardous materials, as defined by the Hazardous Materials Transport Uniform Safety Act. The majority of the waste generated during construction would be non-hazardous, and consist primarily of cardboard, wood pallets, wire,

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scrap metal, common trash, and wood wire spools. Most construction waste would be disposed of at a non-hazardous landfill or at a recycling facility whenever feasible. Construction would generate an average of approximately 20 cubic yards of non-hazardous solid waste per week over the period of construction. Sanitary waste would be managed using portable toilets and hauled for off-site disposal.

During construction of the Project, diesel and gasoline fuels and other hazardous materials such as oils, solvents, hydraulic fluids, and paints commonly associated with construction equipment may be stored on-site. These materials would be stored and handled in a manner to prevent accidental release, i.e., consistent with the hazardous materials handling Best Management Practices (BMP) and other measures contained within the required Stormwater Pollutions Prevention Plan (SWPPP), which would require them to be stored within locked aboveground containers with secondary containment. Further discussion of BMP requirements is provided in Section 4.10 *Hydrology and Water Quality*, of this EIR. Safety data sheets for all applicable materials present at the site would be made readily available to on-site personnel.

With these protections in place, Project construction would result in a less than significant impact relating to the creation of a potential significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

Operation

Project operation and maintenance (O&M) activities may involve the transportation, use, or temporary storage of a variety of hazardous materials, such as batteries, hydraulic fluid, diesel fuel, insulation oil for the transformers, grease, lubricants, paints, solvents, and adhesives. The Project substation would include transformers, breakers, switches, meters, and related equipment.

O&M activities associated with a PV solar facility is relatively limited when compared to other industrial land uses. Any hazardous materials that would be stored on-site would be contained in designated areas in accordance with a HMBP. Adherence to the HMBP as required by the California Hazardous Materials Release Response Plans and Inventory law (Health and Safety Code §25500 et seq.) would ensure that all handling, storage, and disposal of hazardous materials would be conducted in accordance with proven practices to minimize exposure to workers or the public. PV panel cleaning would be infrequent and use of demineralized water or a dry-cleaning method would be used to remove dust. The site would be fenced to prevent public access to hazardous materials.

O&M activities otherwise generally would be limited to performing visual inspections, monitoring plant performance, executing minor repairs, and responding to plant adjustment. On intermittent occasions, repairs or replacement of equipment, and other specialized maintenance may occur. Repair and maintenance activities may involve the transportation, use, or temporary storage of a variety of hazardous materials such as batteries, hydraulic fluid, diesel fuel, insulation oil for the transformers, grease, lubricants, paints, solvents, and adhesives. However, due to the largely self-operating nature of the facility, such actions would likely occur infrequently.

O&M vehicles would include light duty trucks (e.g., pickup, flatbed) and other light equipment for maintenance and module washing. Heavy equipment is not expected to be utilized during normal

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operation. Large or heavy equipment may be brought to the facility infrequently for equipment repair or replacement or vegetation control. Long-term maintenance and equipment replacement would be scheduled in accordance with manufacturer recommendations to ensure equipment integrity is maintained. The solar modules would consist of durably constructed units designed to withstand exposure to the elements for a period of 35 years or more. An estimated 49 kW (or less) sized emergency generator would be located at the substation for use in the event that the regional transmission system fails. The generator would be powered by either propane or diesel and an approximately 220-gallon aboveground storage fuel tank would be located immediately adjacent to the generator that would include secondary containment safety measures in accordance with regulatory requirements. Moving parts, such as motors and tracking module drive equipment, motorized circuit breakers and disconnects, and inverter equipment would be serviced on a regular basis, and unscheduled maintenance would be conducted as necessary.

During O&M activities, the Project would generate a small amount of waste, such as broken or rusted metal, defective or malfunctioning equipment, electrical materials, empty containers, other miscellaneous solid waste, and typical refuse from the O&M staff. Approximately one cubic yard of waste per week would be accumulated in an on-site, covered dumpster that would be collected weekly by a commercial waste management service.

The PV modules that would be installed on the Project site could include CdTe thin film technology. CdTe is generally bound to a glass sheet by a vapor transport deposition during the manufacturing process, followed by sealing the CdTe layer with a laminate material and then encapsulating it in a second glass sheet. The modules meet rigorous performance testing standards demonstrating durability in a variety of environmental conditions. The PV modules conform to the International Electrotechnical Commission (IEC) test standards IEC 61646 and IEC 61730 PV as tested by a third-party testing laboratory certified by the IEC (Solar ABCs 2020). In addition, the PV modules also conform to Underwriters Laboratory (UL) 1703, a standard established by the independent product safety certification organization. In accordance with UL 1703, the PV modules undergo rigorous accelerated life testing under a variety of conditions to demonstrate safe construction and to monitor their performance (Solar ABCs 2020). Studies indicate that standard operation of CdTe PV systems does not result in cadmium emissions to air, water, or soil (Fthenakis 2003b). These studies have consistently concluded that during accidents such as fires, no emissions from CdTe PV modules would be released because cadmium would dissolve into molten glass. The Project includes operational and maintenance protocols that would be used to identify and remove damaged or defective PV modules during annual inspections. CdTe PV modules have proven to pass the federal TCLP leaching criteria for non-hazardous waste allowing the modules to be disposed of in landfills or recycled as practical in compliance with applicable laws and regulations (Fthenakis 2003b).

Lithium batteries would be used at the site and would either be contained within steel enclosures within the energy storage facility or distributed throughout the solar facility within metal housing units. Transformers would contain dielectric insulating fluid in the form of vegetable or mineral oil and would be not routinely be handled by O&M staff. Dust palliatives and herbicides may be transported to the Project site if they are used during operations to control vegetation. These materials would be stored in appropriate containers to prevent accidental release. Equipment containing hazardous materials would be equipped with spill containment areas and battery storage would be in accordance with OSHA requirements such as inclusion of heating, ventilation,

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air conditioning, fire protection systems, and spill response supplies. All components would have a comprehensive Spill Prevention, Control, and Countermeasure (SPCC) plan, in accordance with all applicable federal, state, and local regulations. Therefore, the preparation and implementation of a SPCC plan that would describe proper handling, storage, transport, and disposal techniques and methods to be used to avoid spills and minimize impacts in the event of a spill, would further reduce impacts related to hazards to a less-than-significant level.

Closure, Decommissioning, and Site Restoration

During the Project decommissioning and site restoration process, it is anticipated that Project structures would be removed to a depth of up to 3 feet below ground surface. Aboveground equipment that would be removed would include steel poles and foundations, electrical wiring, equipment on the inverter pads, transformer pads, fuel tank, emergency generator, telecommunications equipment, and other associated equipment. Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off-site. Removal of the solar modules would include removal of the racks on which the solar panels are attached, and their placement in secure transport crates and a trailer for storage, for ultimate transportation to another facility. All remaining oil and lubricants removed from equipment and any remaining fuel in the emergency generator fuel tank would be transferred to an appropriate container and disposed of in accordance with the manufacturers' specifications and consistent with applicable regulatory requirements.

Once the solar modules have been removed, the racks would be disassembled, and the structures supporting the racks would be removed. All other associated site infrastructure would be removed, including fences, concrete pads that may support the inverters, transformers and related equipment, and underground conduit/electrical wiring. All materials would be recycled to the extent feasible. The area would be thoroughly cleaned, and all debris removed. As discussed above, the PV module manufacturer would likely provide CdTe module collection and recycling services. In any case, current CdTe PV modules pass federal leaching criteria for non-hazardous waste, due in part to the low solubility of CdTe, which means they would not pose a significant risk for cadmium leaching if they reached a landfill. Therefore, decommissioning and disposal of Project components, including the solar panels, would have a less than significant impact related to the routine transport, storage, and disposal of hazardous materials.

Mitigation: None required.

IMPACT 4.9-2: *Would the project create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?* **(Less than Significant Impact)**

Construction

Potential impacts that may result from upset or accidents during construction of the Project include the accidental release of materials, such as hydraulic fluid, fuel, insulation oil, grease, lubricants, paints, solvents, and adhesives. Generally, the quantities of these hazardous materials would be relatively limited and handled in accordance with manufacturer's guidelines. In addition, implementation of the BMPs required by the NPDES Construction General Permit, would include

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containment and spill response measures which would reduce the potential impact from upset and accident conditions to a less-than-significant level.

The Phase I Environmental Site Assessment did not identify any RECs on-site (Appendix G), and there are no LUSTS or Cleanup Program sites documented within 7 miles of the Project (SWRCB 2021), such that encountering aboveground and/or sub-surface contamination is not anticipated during construction. Therefore, risk of upset and accident conditions would be unlikely, and the impacts would be less than significant.

Operation and Maintenance

O&M of the solar facility would generate little hazardous waste. Electrical equipment used by the Project, such as inverters and each enclosed transformer at the substation would include an insulating fluid such as vegetable or mineral oil, but upsets or accidents would be controlled via the secondary containment provided in accordance with applicable federal, state, and local laws and regulations. The insulating oil contained in each transformer does not normally require replacement, minimizing the potential for upsets or accidents involving its use. Further, Health and Safety Code Section 25500 et seq. requires the preparation of hazardous materials release response plans such as a HMBP under specified circumstances.

Hazardous materials are unlikely to be released during any accidental breakage of the PV panels because they have been found to be sufficiently encapsulated within sheets of glass (Fthenakis 2003a). Similarly, fire damage would not result in the release of hazardous materials because at typical flame temperatures, the CdTe compounds were not found to vaporize but instead Cd would dissolve into the molten glass (Fthenakis 2003a). CdTe is a highly stable semiconductor compound due to strong chemical bonding that translates to extremely low solubility in water, low vapor pressure, and a melting point greater than 1,800°F. Potential impacts to soil, air, and groundwater quality from broken CdTe PV modules are highly unlikely to pose a potential health risk as they are below human health screening levels (Sinha et al. 2012).

Hazardous materials that would be present in the energy storage facility, such as the battery storage system, would be contained within specifications that follow applicable federal state and local requirements including the inclusion of appropriate ventilation, acid resistant materials, and presence of spill protection supplies.

Combustible vegetation or agricultural products on and around the Project boundary would not be routinely handled by O&M staff but managed by the Project owner or its affiliates during operation. Removal and/or maintenance of vegetation may require herbicide and if not handled properly, use of these products could create a hazard to the public (construction workers, maintenance employees, and nearby residences). However, application would be limited, application would be in accordance with federal, state, and County regulations, and any herbicides would be applied by a state-licensed pesticide applicator. This applicant-proposed activity and adherence to regulatory requirements would reduce impacts related to use of herbicides to a less than significant level.

The Project would not involve the routine transport, use, or disposal of hazardous materials, as defined by the Hazardous Materials Transportation Uniform Safety Act. The closest designated route for the transport of hazardous materials is State Route 20 to the north of the Project site

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and Interstate 5 to the east of the Project site. Adherence to regulations and applicant-proposed protocols during the storage, transportation, and usage of any hazardous materials would minimize and avoid the potential for significant upset and accident condition impacts.

Closure, Decommissioning, and Site Restoration

The closure, decommissioning, and site restoration process is summarized under Impact 4.9-1, above. Many components of the solar facility and energy storage system are recyclable. Most panel materials would be recycled to the extent feasible, with minimal disposal to occur in landfills in compliance with all applicable laws. See Section 4.18, *Utilities and Service Systems*, for information about landfill capacity. The disposal of batteries may be considered hazardous waste and will be disposed of in accordance with the applicable hazardous waste requirements. Solar PV module manufacturers generally provide CdTe module collection and recycling services. Nonetheless, current CdTe PV modules pass federal leaching criteria for non-hazardous waste, due in part to the low solubility of CdTe, presenting a low risk for cadmium leaching if they reached a landfill.

Mitigation: None required.

IMPACT 4.9-3: *Would the project emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?* **(No Impact)**

The nearest school, Williams Elementary School, is located approximately 6 miles to the northeast of the proposed Project site. The Project is not located within 0.25-mile of an existing or proposed school, as such there would be no impact.

Mitigation: None required.

IMPACT 4.9-4: *Would the project be located on a site which is included on a list of hazardous materials site complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?* **(No Impact)**

The Project is not located on a site included on a list of hazardous materials sites pursuant to Government Code Section 65962.5. According to the Phase I Environmental Site Assessment prepared for the Project site (Appendix G) and a recent review of publicly available environmental databases, the Project site is not listed as a hazardous materials site (SWRCB 2021). As a result, there would be no impact.

Mitigation: None required.

IMPACT 4.9-5: *For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?* **(No Impact)**

The Project would not be located within an airport land use plan and is located approximately 8 miles from the nearest private airport (the Williams Soaring Center). Therefore, the Project is not part of any airport land use plan and would not interfere with airport operations or result in a safety hazard for people residing or working in the area.

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Mitigation: None required.

IMPACT 4.9-6: *Would the project impair implementation of or physically interfere with an adopted emergency plan?* **(No Impact)**

The Project would not impair implementation of or physically interfere with the Colusa County LHMP coordinated by the Colusa County Office of Emergency Services. The Project site is located in a sparsely populated rural area. The Project would not alter or impair any of the existing road networks and would require relatively low staffing or operation and maintenance activities. As a result, the Project would not impair implementation of or physically interfere with any adopted emergency response plan or emergency evacuation plan.

IMPACT 4.9-7: *Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?* **(Less than Significant Impact)**

The Project is located in a Moderately Hazardous State Responsibility Area (SRA) and is approximately 2.2 miles from the nearest Very High SRA. The primary fire protection services in the vicinity of the Project site are provided by the Williams Fire Protection Authority (WFPA).

The Project would be designed in compliance with federal, State, and local worker safety and protection codes and regulations which would minimize the potential for the occurrence of fire. Project maintenance and operation may introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and PV arrays may also be identified as a potential ignition source. However, the potential fire risk is low for these Project components. All battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

4.9.5 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's property at the Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements would be made within the existing Cortina Substation footprint. As a result of these improvements, it is anticipated that there would be minimal impacts to hazardous materials. The improvements are not likely to emit any hazardous emissions that could impact any existing or proposed schools and there are no schools within a 0.25-mile radius of the Project site or the Cortina Substation. Nor would these improvements interfere with any airports, as there are no airports within a 2-mile radius of the Project site or the Cortina Substation. The improvements would not use any hazardous materials or generate hazardous waste beyond what was described in the impact of the analysis of the Project. Therefore, there would be no significant impacts and no mitigation is required.

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4.9.6 Cumulative Impacts

Construction, operation, maintenance, and decommissioning of the Project, in combination with the incremental impacts of other projects would not cause or contribute to any significant cumulative impacts relating to Hazards and Hazardous Materials. As discussed above, the Project would result in less than significant impacts related to the potential to encounter hazardous materials, accident or upset conditions during the routine use of hazardous materials or release hazardous materials into the environment that could cause harmful exposures.

Releases of hazardous materials or wastes are site specific, and PV solar projects generally do not cumulatively contribute with the impacts of other projects because of the relatively low quantities used and stored at PV solar projects and the nature and characteristics of the emissions. An accident involving a hazardous material release during project construction or operation are location specific and limited in geographic scope. Therefore, the Project would not cause or contribute to any significant cumulative impacts from accidental releases or discovery of hazardous materials and/or wastes.

Hazardous materials to be used during decommissioning and removal activities are of low toxicity and would consist of fuels, oils, and lubricants. Because these materials are required for operation of construction vehicles and equipment, BMPs would be implemented to reduce the potential for or exposure to accidental spills or fires involving the use of hazardous materials similar to what would be required of other cumulative projects. Impacts from minor spills or drips would be avoided by thoroughly cleaning up minor spills as soon as they occur in accordance with construction requirements that all cumulative projects adhere to. While foreseeable projects have the potential to cause similar impacts, these projects would comply with applicable regulatory requirements and it is assumed these projects would also implement similar BMPs.

In addition, conformance with existing state and County regulations and implementation of appropriate safety measures during construction of the Project, as well as other cumulative projects, would further reduce the impact to a level that would not cause or contribute to any significant cumulative effects.

4.9.7 References

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4.10 HYDROLOGY/WATER QUALITY

This section identifies and evaluates issues related to Hydrology and Water Quality Resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Hydrology and Water Quality Resources.

4.10.1 Existing Conditions

4.10.1.1 Regional Setting and Climate

The Project lies within the northwestern Sacramento Valley, the northern part of the greater Central Valley (Beck and Haase 1974). The Central Valley watershed includes the Sacramento Valley in the north, the San Joaquin Valley in the south, and the Tulare Basin at the far south. The Sacramento Valley drains into the Sacramento River as does the San Joaquin Valley. Together the drainage systems meet to form the Sacramento-San Joaquin River Delta.

The Sacramento Valley is underlain by the Sacramento Valley Groundwater Basin, which is comprised of 18 subbasins, including the Colusa Subbasin and the Butte Subbasin. The Colusa Subbasin spans portions of Colusa and Glenn Counties; and the Butte Subbasin, spans portions of Butte, Colusa, and Glenn Counties (Colusa 2021). The Project site is located in the western portion of the Colusa Subbasin.

The Colusa Subbasin is located in an area of the Sacramento Valley that is bounded to the east by the Sacramento River, to the west by the Coast Range and foothills, to the south by Cache Creek, and to the north by Stony Creek (DWR 2006). The average annual precipitation of the subbasin ranges from 17 to 27 inches, higher precipitation may occur in the western portion of the subbasin (DWR 2006).

4.10.1.2 Surface Water Hydrology

Most of the streams that make up the tributaries to the Sacramento River and are included within the Colusa Subbasin drain from the Sierra Nevada in the east and the Coast Ranges from the west. Five smaller watersheds make up the tributaries that drain into the Colusa Subbasin, which include the Big Chino Creek watershed, Upper Stony Creek watershed, Butte Creek watershed, Honcut Headwater-Lower Feather River watershed, and the Sacramento Stone Corral watershed (CGA 2021). All of these feed into the Sacramento River.

Spring Creek is adjacent to the Project site to the south and Salt Creek occurs approximately 1 mile north of the Project site. Both creeks converge and drain into the Colusa Basin Drain, 10 miles northeast of the Project site.

4.10.1.3 Groundwater

The Project site is within the Colusa Subbasin in the Sacramento Valley. The Subbasin spans both Colusa and Glenn Counties. The Project site overlays the southwestern area of the Subbasin. The Colusa Subbasin is bounded by Stony Creek to the north, the Coast Ranges to the west, the Sacramento River to the east, and the Yolo Subbasin to the south. The Colusa Subbasin covers approximately 1,131 square miles and contains 73 public supply wells, 3,500

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domestic wells, and 2,600 agriculture wells. The current groundwater storage in the Colusa Subbasin is estimated to be 26-million-acre feet (AF) (CGA 2021).

The climate in Colusa County can be described as cool, wet winters and hot, dry summers. There is a wide variation in annual precipitation, as there are periodic multiple-year dry periods. Climate data from the Colusa County weather station is representative of the regional climate. Between 2010 and 2020, the average maximum temperature was 75.7 degrees Fahrenheit, average minimum temperature was 47.4 degrees Fahrenheit, and the average temperature was 61.1 degrees Fahrenheit. The average annual rainfall in the same period was approximately 14.1 inches, with the highest rainfall of 21.45 inches in 2010 and the lowest rainfall of 6.73 inches in 2015. The annual rainfall fluctuated significantly because of the 2007 to 2015 dry period (NCEI 2021).

4.10.1.4 Flooding

The Federal Emergency Management Agency (FEMA) is responsible for mapping areas subject to flooding during a 100-year flood event (i.e., 1 percent chance of occurring in a given year). According to the FEMA Flood Insurance Rate Map, the Project site does not lie within a 100-year flood zone or any other special flood hazard zone and is in an area where flood risk is minimal (FEMA 2021).

4.10.1.5 Dam Inundation Zones

According to the Colusa County Local Hazard Mitigation Plan, the Project site is not located within a dam inundation zone (Colusa County 2018).

4.10.2 Regulatory Setting

Federal Clean Water Act

Basin Plan – Beneficial Use and Water Quality Objectives (Clean Water Act §303)

The Project site is located within the jurisdiction of the Central Valley Regional Water Quality Control Board (Region 5). Region 5 is tasked with implementing the adopted Water Quality Control Plan (Basin Plan) for the Sacramento and San Joaquin River Basins through planning, permitting, and enforcement of established water quality objectives (see Table 4.10-1). In accordance with state policy for water quality control, Region 5 employs a range of beneficial use definitions for surface waters, groundwater basins, marshes, and mudflats that serve as the basis for establishing water quality objectives and discharge conditions and prohibitions. The Basin Plan has identified existing and potential beneficial uses supported by the key surface water drainages throughout its jurisdiction. According to the Basin Plan, the Project site is within the Sacramento River Basin, and the existing beneficial uses for surface and groundwater in the study area include: agricultural uses, municipal water supply, warm water habitat, recreation, and warm water fish, spawning, and wildlife habitat, as shown in Table 4.10-1.

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Table 4.10-1. Beneficial Uses of Water Bodies Near the Project Site

Surface Water Body	Existing Beneficial Uses
Colusa Basin Drain	AGR, MIGR, REC1, SPWN, WARM, WILD
Clear Lake	AGR, MUN, REC1, REC2, WARM, SPWN, WILD
Clear Lake to Yolo Pass	AGR, IND, MUN, REC1, REC2, WARM, SPWN, WILD
Beneficial Uses Key: AGR (Agricultural Supply); COLD (Coldwater Habitat); IND (Industrial Service Supply); MIGR (Migration of Fish or Aquatic Organisms); MUN (Municipal and Domestic Supply); REC-1 (Body Contact Recreation); REC-2 (Non-contact Recreation); SPWN (Spawning, Reproduction and/or Early Development); WARM (Warm Freshwater Habitat); WILD (Wildlife Habitat). Source: RWQCB 2018	

National Pollutant Discharge Elimination System Program Clean Water Act §402

Under Clean Water Act Section 402, the NPDES stormwater permitting program controls water pollution by regulating point sources of pollution to waters of the United States. The Central Valley Regional Water Quality Control Board (RWQCB) administers the NPDES program in Colusa County, as discussed below.

Because the Project would result in the disturbance of 1.0 acre or more of soil with the potential to discharge to waters of the United States, it would be subject to the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Order 2009-0009-DWQ, NPDES No. CAS000002; as amended by Orders 2010-0014-DWQ and 2012-006-DWQ), commonly referred to as the Construction General Permit. The permit regulates stormwater discharges associated with construction or demolition activities, such as clearing and excavation; construction of buildings; and linear underground projects, including installation of water pipelines and other utility lines.

The Construction General Permit requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that includes specific Best Management Practices (BMPs) designed to prevent sediment and other pollutants from contacting stormwater and from moving off-site into receiving waters. The BMPs fall into several categories, including erosion control, sediment control, waste management and good housekeeping, and are intended to protect surface water quality by preventing the off-site migration of eroded soil and construction-related pollutants from the construction area. Routine inspection of all BMPs is required under the provisions of the Construction General Permit. In addition, the SWPPP is required to contain a visual monitoring program and a chemical monitoring program for non-visible pollutants. Post-construction requirements necessitate that construction sites be restored to pre-project hydrological conditions to ensure that the physical and biological integrity of aquatic ecosystems are sustained in their existing condition.

In addition to stormwater discharges, the Construction General Permit also covers other non-stormwater discharges including irrigation of vegetative erosion control measures, water to control dust, uncontaminated groundwater from dewatering, and other discharges not subject to a separate general NPDES permit adopted by the RWQCB. The discharge of non-stormwater is authorized under the following conditions:

- The discharge does not cause or contribute to a violation of any water quality standard;
- The discharge does not violate any other provision of the General Permit;

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- The discharge is not prohibited by the applicable Basin Plan;
- The discharger has included and implemented specific BMPs required by the General Permit to prevent or reduce the contact of the non-stormwater discharge with construction materials or equipment;
- The discharge does not contain toxic constituents in toxic amounts or (other) significant quantities of pollutants;
- The discharge is monitored and meets the applicable numeric action levels; and
- The discharger reports the sampling information in the SWPPP Annual Report.

Federal Emergency Management Agency

Federal Emergency Management Agency (FEMA) determines flood elevations and floodplain boundaries and distributes the flood insurance rate maps used in the National Flood Insurance Program. These maps identify the locations of special flood hazard areas, including 100-year floodplains (i.e., areas that would have a 1 percent annual chance of flooding).

Federal regulations governing development in a floodplain are set forth in Title 44, Part 60 of the Code of Federal Regulations. Those regulations enable FEMA to require municipalities participating in the National Flood Insurance Program to adopt certain flood hazard reduction standards for construction and development in 100-year floodplains.

California Fish and Game Code Section 1602

Section 1602 of the Fish and Game Code protects the natural flow, bed, channel, and bank of any river, stream, or lake under the jurisdiction of the California Department of Fish and Wildlife (CDFW). CDFW jurisdiction over lakes and streams is to the top of bank, or edge of riparian vegetation as determined by edge of dripline, whichever is further (CDFW 1994). For projects affecting the bed, bank, or flow of water under CDFW jurisdiction, applicants must submit a notification of lake or streambed alteration to CDFW. CDFW may issue a Lake and Streambed Alteration Agreement if it determines that the activity may substantially adversely affect fish and wildlife resources.

Porter-Cologne Water Quality Control Act

Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board has authority over waters of the State and water quality. The RWQCBs have local and regional authority. The Project is proposed in an area under the jurisdiction of the Central Valley RWQCB. The Central Valley RWQCB prepares and periodically updates the Basin Plan, described above. Pursuant to the Clean Water Act NPDES program, the Porter-Cologne Act also delegates the authority to the RWQCBs to issue NPDES permits. If a proposed project or portion of a proposed project does not require a federal permit but does involve dredge or fill activities that may result in a discharge to waters of the State, the RWQCB has the option to regulate the dredge and fill activity under its state authority in the form of Waste Discharge Requirements.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act of 2014 (Water Code §10723) provides a framework for sustainable management of groundwater resources. In groundwater basins

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designated by the Department of Water Resources as medium and high priority, local public agencies and locally-controlled groundwater sustainability agencies are required to develop and implement groundwater sustainability plans (GSPs) or alternatives to GSPs. The Colusa Groundwater Authority and Glenn Groundwater Authority are working together to develop the GSP for the Colusa Subbasin. The development of the GSP began in September 2020 and a draft of the first four chapters of the GSP was distributed for public review in May 2021. The final draft with all eight chapters is expected to be completed by January 2022.

Local

The Colusa County General Plan (in accordance with Government Code Section 65300 et seq.) identifies the County's vision for the future and provides a framework to guide decisions on growth, development, and conservation of open space and resources (Colusa County 2012). The County's policies regarding hydrology and water quality resources are provided in the Safety and Conservation Elements listed below:

Policy SA 1-27: Maintain adequate lands than can be used for groundwater recharge and stormwater management. These lands may include parcels designated as Agriculture General (AG), Designated Floodway (DF), and Resource Conservation (RC).

Policy SA 1-29: Require new development projects to demonstrate how stormwater runoff will be detained or retained on-site and/or conveyed to the nearest drainage facility as part of the development review process. Project applicants shall demonstrate that project implementation would not result in increases in the peak flow runoff to adjacent lands or drainage facilities.

Policy SA 1-31: Require project proponents to pay their fair share for construction of off-site drainage or flood control infrastructure improvements necessitated by their projects.

Policy SA 1-34: Require new structures to be located outside of the 100-year floodplain to the greatest extent feasible. Exceptions may be made for agricultural structures that would not significantly impede flood waters or result in significant water quality impacts during a storm.

Policy CON 1-27: Encourage agricultural landowners to improve on-site stormwater retention features and implement feasible Best Management Practices (BMPs) to reduce site runoff and provide for natural removal of water pollutants.

Policy CON 1-33: Require new development and expansion of existing uses to incorporate best management practices for water use and include water conservation measures.

Policy CON 1-35: Encourage the use of water conservation measures, including low flow plumbing; reclaimed wastewater for non-potable uses; dual plumbing that allows grey water from showers, sinks, and washers to be reused for landscape irrigation in new developments; and native and drought-tolerant landscaping.

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4.10.3 Thresholds of Significance

A project would result in significant impacts to hydrology and water quality resources if it would:

a) *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?*

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

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

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

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

   iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?*

   iv) *Impede or redirect flood flows?*

d) *Occur in a flood hazard, tsunami, or seiche zones, risk release of pollutants due to the project inundation?*

e) *Conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?*

4.10.4 Impact Analysis

IMPACT 4.10-1: *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?* **(Less than Significant)**

Construction

The portions of the Project site that would be disturbed for construction are relatively flat, with little potential for any concentrated runoff to occur. Construction would involve the use of bulldozers, graders, semi-trucks, and various other types of heavy equipment for vegetation removal, grubbing, grading, and installation of roads and other facilities. These construction activities would involve minor changes to on-site topography; however, these activities would potentially loosen existing surface soils and sediments, increasing the potential for erosion during storm events. Water used for dust suppression also has the potential to generate runoff that could transport sediments and dissolved solids. The use of construction equipment on-site may involve the accidental release of fuel, oils, brake dust, lubricants, antifreeze, and other potentially hazardous substances at the Project construction site. These water quality pollutants could be delivered to surface water bodies during storm events, and/or be infiltrated into groundwater and the underlying aquifer, resulting in the degradation of water quality.

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The Project would be subject to compliance with the NPDES General Permit for Stormwater Discharge Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit would include development and implementation of a SWPPP. The objectives of a SWPPP are to identify pollutant sources that may be delivered off-site (in the form of runoff) and affect the quality of stormwater discharge; to implement site controls and practices to reduce stormwater pollution; and to protect water quality of receiving waters. The SWPPP would include site-specific BMPs to minimize erosion on-site and reduce or otherwise prevent conditions of erosion and stormwater runoff.

As described in Section 4.9, *Hazards and Hazardous Materials*, diesel and gasoline fuels and other hazardous materials such as oils, solvents, hydraulic fluids, and paints commonly associated with construction equipment would be stored and handled in a manner to prevent accidental release, i.e., consistent with the hazardous materials handling BMPs, Spill Prevention, Control, and Countermeasure Plan, and other measures contained within the required SWPPP.

With implementation of the General Construction Permit conditions, including the preparation and implementation of a SWPPP, Spill Prevention, Control, and Countermeasure Plan , and associated BMPs, the impact on water quality during construction would be temporary and less than significant.

Operation and Maintenance

The average non-potable water use during operation and maintenance would be for PV solar panel washing and general maintenance and is estimated to be approximately 1 AFY. The need for panel washing would be infrequent and determined based on operating considerations. Demineralized water would be sprayed on the PV panels to remove dust or a dry cleaning method may be used. The relatively low amount of water used during this phase would be insufficient to generate significant runoff.

As described in Section 4.9, *Hazards and Hazardous Materials*, The California Hazardous Materials Release Response Plans and Inventory Law requires any business that handles hazardous materials at or above specified thresholds to prepare a hazardous materials business plan. The thresholds include any site that stores hazardous materials in excess of 55 gallons (liquids), 500 pounds (solids), or 200 cubic feet for compressed gas. Any hazardous materials exceeding the established thresholds that would be stored on-site would be contained in designated areas in accordance with a Hazardous Materials Business Plan, which would ensure that all handling, storage, and disposal of hazardous materials would be conducted in accordance with proven practices to prevent accidental release.

For these reasons, the impacts on water quality during operation and maintenance would be temporary and less than significant.

Decommissioning

Decommissioning of the Project site would result in similar potential impacts as those described for construction, including the potential for erosion, sedimentation, and the release of water quality pollutants. Decommissioning activities would be required to comply with the same applicable federal, state, and local water quality regulations. Ground disturbing activities during decommissioning would require coverage under the Construction General Permit, including the

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preparation and implementation of a SWPPP. Stormwater management measures would be required to be identified and implemented that would effectively control erosion and sedimentation and other construction related pollutants during decommissioning. Therefore, the potential impact of Project decommissioning activities on water quality would be temporary and less than significant.

Overall, the Project's impacts on water quality standards or waste discharge requirements would be temporary, and less than significant.

IMPACT 4.10-2: *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?* **(Less than Significant)**

The existing land use of the Project site is cattle grazing and the disturbed Project area is approximately 768 acres. There are no public water services within the Project boundaries, but the natural vegetation on-site consumes water through evapotranspiration. As described in the Water Supply Assessment prepared for the Project and included as Appendix H, the natural vegetation covers approximately 15 percent of the existing land surface, such that the annual, existing water demand is estimated to be 440 AF.

The PV solar facility requires a minimal amount of water for construction and operational use. Most of the water demand will occur during construction because very little water is required for annual operational uses. During construction, the water is used to keep the dust down and condition the soil for compaction. The soil must maintain adequate moisture levels to be properly compacted, as the soil will act as a subbase for concrete foundation. For the construction phase, it is estimated the Project will require 46 AF of potable water over a period of 11 months. Additionally, some of the natural vegetation will be cleared for the PV solar facility, which may result in a higher percent of return water for construction than the return of water from evapotranspiration.

To operate the PV solar facility, a small amount of water will be used for panel washing, as panel washing is not required regularly and will be conducted only as needed. Rainfall is anticipated to provide occasional cleaning and additional water is only required for cleaning when the performance of the solar panels degrades significantly between precipitation events. Any rainfall or additional water used to clean the panels is expected to return to the basin. The annual operational water demand is estimated to be approximately one AF.

As described in the Water Supply Assessment provided as Appendix H, the water required for construction is significantly lower than the estimated water currently required for the natural vegetation, which will result in a reduction of water consumption of approximately 394 AF during the construction period of 11 months. After construction, Project water consumption would be reduced even further, as the operational water use is dramatically lower than the construction water use. The operational use of the solar facility is estimated to reduce the typical water consumption by 439 AFY.

The overall reduction in water consumption at the Project site will provide a benefit to the Subbasin. The Colusa Subbasin will not be negatively impacted with the construction and operation of the PV solar facility.

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IMPACT 4.10-3: *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would:*

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

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

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

iv) Impede or redirect flood flows?

(Less than Significant)

The Project is not within a flood zone and would include minimal new impervious surfaces. Solar panel posts, fences, gen-tie poles, the BESS, the O&M building, and the substation would not prevent stormwater flow, and the Project's design would follow the natural drainage of the site.

The portions of the Project site that would be disturbed for construction are relatively flat, with little potential for any concentrated runoff to occur. Construction would involve the use of bulldozers, graders, semi-trucks, and various other types of heavy equipment for vegetation removal, grubbing, grading, and installation of roads and other facilities. These construction activities would involve minor changes to on-site topography and would potentially loosen existing surface soils and sediments, increasing the potential for erosion during storm events. Water used for dust suppression also has the potential to generate runoff that could transport sediments and dissolved solids.

The Project would be subject to compliance with the NPDES Construction General Permit. The Construction General Permit would include development and implementation of a SWPPP. The objectives of a SWPPP are to identify pollutant sources that may be delivered off-site (in the form of runoff) and affect the quality of stormwater discharge; to implement site controls and practices to reduce stormwater pollution; and to protect water quality of receiving waters. The SWPPP would include site-specific BMPs to minimize erosion on-site and reduce or otherwise prevent conditions of erosion and stormwater runoff.

Because the Project would introduce minimal new impervious surfaces and would be designed to follow natural drainage on-site, Project construction would not substantially alter the existing drainage patterns of the Project site. Construction of the Project could increase the potential for erosion or siltation and runoff at the Project site, which could introduce contaminants and other pollution into surrounding waterways. Compliance with the NPDES Construction General Permit, and associated SWPPP and BMPs, would reduce the potential for these impacts to occur.

The Project site is not in a mapped flood zone, which would further reduce the potential impacts of flooding, or impeding or redirecting flood flows, at the Project site. Adherence to the discussed federal and state laws would ensure the impacts are temporary and less than significant.

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Operation and maintenance of the Project would not include activities that would alter the existing drainage patterns at the Project site. Decommissioning would include ground disturbing activities similar to those performed during construction, which may alter the drainage patterns at the Project site. The same requirements of the Construction General Permit and other applicable construction mitigation measures would apply to activities during decommissioning, and adherence to those requirements would reduce any potential impacts. Impacts during operations and maintenance and decommissioning would be temporary and less than significant.

IMPACT 4.10-4: *Is the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to the project inundation?* **(No Impact)**

The Project site is not within a 100-year flood zone or dam inundation zone, according to the FEMA Flood Insurance Rate Map and the Colusa County Local Hazard Mitigation Plan. Additionally, the Project site is approximately 77 miles east of the Pacific Ocean and the closest large body of water nearby (Clear Lake) is approximately 21 miles west of the Project site. Based on these conditions, the Project site is not at risk of being inundated by a tsunami or seiche. There would be no impact regarding the release of pollutants due to Project inundation.

IMPACT 4.10-5: *Would the project conflict with or obstruct implementation of water quality control plan or sustainable groundwater management plan?* **(Less than Significant)**

As discussed above, the Project would be regulated under the Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin. With adherence to the conditions stipulated by the SWPPP and the NPDES permits for the Project, water quality impacts would not result in violations or conflict with the Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin. There would be no impact related to conflict with, or obstructing, a water quality control plan.

The Colusa Groundwater Authority and Glenn Groundwater Authority began development of the GSP for the Colusa Subbasin in September 2020. The GSP has not been adopted; however, because the water required for construction, decommissioning and operations is significantly lower than the estimated water currently required for the natural vegetation, it is not anticipated to conflict or obstruct with implementation of the GSP that is ultimately adopted. The Project would not substantially increase impervious surface area; thus, groundwater recharge would be maintained with the Project.

4.10.5 Pacific Gas and Electric Cortina Substation

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. These improvements would not affect any water quality standards or interfere with groundwater recharge. Nor would the improvements increase the risk of pollutant discharge as a result of project inundation. Additionally, the PG&E improvements would not obstruct the implementation

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of water quality control or sustainable groundwater management plan. Thus, the improvement would have no impact and no mitigation would be required.

4.10.6 Cumulative Impacts

The geographic scope of analysis of cumulative effects includes the Project site, affected waterways, and surrounding watersheds and aquifers potentially impacted by site clearing, construction, operation and maintenance, and decommissioning of the Project. The cumulative development for water quality includes all development within the Water Quality Control Plan for the Sacramento River Basin and the San Joaquin River Basin; the cumulative context for groundwater is the Colusa Subbasin. This analysis considers the incremental effects of the Project to determine whether, when added to the effects of other projects in the cumulative scenario, they would cause or contribute to significant cumulative effects.

There would be no impact with respect to being located in a flood hazard, tsunami, or seiche zone, such that the Project would not cause or contribute to any potential significant cumulative impact regarding these resource areas.

The Project has the potential to contribute runoff and discharges that, in combination with other past, present, and future development in the Basin Plan watersheds, would potentially impact water quality. Likewise, these development activities would have the potential to infiltrate and affect groundwater quality in the Basin, such that the Project would contribute to a potentially significant cumulative impact. However, the Project would be required to comply with the current and future Basin Plan, applicable NPDES Permit requirements and ordinances, and other water quality regulations. These regulatory requirements and the design of the Project would reduce the Project's incremental contribution to the cumulative impact to a less-than-cumulatively considerable level.

The Project, in combination with other past, present, and future development in the Basin Plan area would require the use of groundwater for construction, operation, and decommissioning activities. Construction of the Project would be temporary and short term; operation and maintenance activities would span the life of the Project, and decommissioning activities would occur after the Project's life expectancy (i.e., 35 years) and also would be temporary and short-term. Groundwater pumping would be regulated by the Basin Plan and the future GSP which is currently being drafted. The GSP has not been adopted; however, because the water required for construction, decommissioning and operations of the Project is significantly lower than the estimated water currently required for the natural vegetation and because runoff will be controlled such that it will be available for local recharge, it is not anticipated to conflict with or obstruct implementation of the GSP that is ultimately adopted. The Project would not substantially increase impervious surface area; thus, groundwater recharge would be maintained with the Project and it would not contribute to cumulatively considerable impacts to groundwater.

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4.10.7 References

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4.11 LAND USE/PLANNING

This section identifies and evaluates issues related to Land Use and Planning in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Land Use and Planning.

4.11.1 Existing Conditions

The Project site is on three parcels of private land that total approximately 1,024 acres and is currently operated as a cattle ranch. To avoid environmental constraints, approximately 768 acres of the 1,024-acre site would be used for the Project. The Project site is surrounded by rural residential, agricultural fields, and undeveloped land. Spring Valley Road runs through the Project site from north to south. The gen-tie line follows Spring Valley Road north to Walnut Drive at which point it follows Walnut Drive to PG&E's Cortina substation. The nearest community to the Project site is the city of Williams, which is located approximately 6.5 miles northeast. The Project site lies within Colusa County's jurisdiction and land uses on the Project site are governed by the Colusa County General Plan and Zoning Ordinance.

4.11.2 Regulatory Setting

4.11.2.1 Federal

4.11.2.1.1 National Environmental Policy Act

The National Environmental Policy Act (NEPA), implemented by Title 40 of the Code of Federal Regulations Parts 1500-1508, requires the evaluation of relevant environmental effects of a federal action. A federal action includes the use of federal lands, use of federal monies, or the issuance of federal permits and/or approvals for a proposed action. NEPA requires preparation of an Environmental Impact Statement for "major federal actions significantly affecting the quality of the human environment." Actions involving lesser levels of environmental impact are categorically excluded from comprehensive review or are addressed through an Environmental Assessment.

Portions of the Project's gen-tie line at the Tehama-Colusa Canal are on land administered by the United States Bureau of Reclamation (USBR). The Project would require USBR's granting of right-of-way at the locations where the gen-tie line intersects federal lands, and this granting of right-of-way would be a federal action subject to NEPA. USBR is currently conducting the NEPA review of the federal action, and it is anticipated that it will be determined to be Categorically Excluded from NEPA.

4.11.2.2 State

4.11.2.2.1 California Land Conservation Act of 1965

The California Land Conservation Act of 1965 (Williamson Act, Government Code §51200 et seq.) prevents farmland from conversion to other uses by offering owners of agricultural land a property tax incentive to maintain their land in agricultural use. The Williamson Act is a state program implemented at the county level that allows agricultural landowners to voluntarily and contractually

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agree to retain land included in an agricultural preserve[1] in agricultural or open space uses for a period of at least 10 years and, in return, to pay reduced property taxes. The term of the contract automatically renews each year, such that unless it is specifically nonrenewed or cancelled, the contract always has a 10-year period horizon.

The most common method for withdrawing from a Williamson Act Contract is filing a notice of nonrenewal, which can be initiated by either the land use agency or the landowner. Under this process, the contract is ended after a 9-year nonrenewal period, during which taxes gradually increase every year. A Williamson Act Contract cancellation is an option under limited circumstances and conditions set forth in Government Code §51280 et seq. In such cases, landowners may petition the board or council of their county or city for cancellation of the Williamson Act Contract. The board or council may grant tentative cancellation only if it makes required statutory findings (Government Code §51282(a)). The board or council must consider comments from the director of the California Department of Conservation (DOC) before acting on a proposed cancellation if comments are provided. A cancellation becomes final, and a Certificate of Cancellation is issued by the board or council upon the completion of all Conditions of Approval. The entirety of the Project site is included in three separate agricultural preserves. A Williamson Act Cancellation Petition is being filed for approval by the Colusa County Board of Supervisors and demonstrating consistency with Government Code §51280 et seq.

4.11.2.3 Local

4.11.2.3.1 Colusa County General Plan

The Colusa County General Plan consists of 12 elements: Agriculture; Circulation; Housing; Community Character; Conservation; Economic Development; Land Use; Noise; Open Space and Recreation; Public Services and Facilities; Safety; and Housing. The Agriculture, Community Character, and Land Use Elements include goals, policies, and actions for use of lands in the County (Colusa County 2012).

The Project site is designated in the Colusa County General Plan as “General Agriculture” and “Upland Agriculture,” in which cultivated agriculture, industrial and commercial agriculture, agricultural tourism, timber, mining, energy production (including solar), single family housing, and farmworker housing are allowed and appropriate uses (see Colusa County General Plan Land Use Element Table LU-1). No overlay designations, regional plans, community plans, or specific plans described in the Colusa County General Plan apply to the Project site, and the entirety of the Project site is included in three agricultural preserves under Williamson Act Contracts. The Applicant has prepared and submitted a Williamson Act Contract Cancellation Petition for consideration by the Board of Supervisors. Section 4.1, *Agriculture and Forestry Resources*, contains specific information pertaining to agricultural resources within and near the Project site.

The Project site is not located within the jurisdiction of a community plan, specific plan, or regional plan as identified by the Colusa County General Plan. Colusa County General Plan policies that are relevant to the Project include:

[1] An agricultural preserve defines the boundary of an area within which a city or county would be willing to enter into Williamson Act contracts with landowners: The boundary is designated by resolution of the city council or board of supervisors with jurisdiction over the property. Agricultural preserves generally must be at least 100 acres in size.

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Policy AG 1-2: Lands designated for agricultural use shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:

a. The lot(s) for which conversions is requested is adjacent to agriculture or agricultural support uses (e.g., receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities).

b. Conversion will not be detrimental to existing agricultural operations.

c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of designated urban area.

d. The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of conservation lands from nuisances associated with typical agricultural practices.

e. No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.

f. The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding.

Policy AG 2-5: Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.

Policy LU 2-11: Develop accommodations for the development of large-scale commercial energy production, such as solar, on agricultural parcels. Such parcels shall require the following:

- A use permit.
- An energy production overlay zone.
- Detailed and rigorous site planning and development.

Such projects shall only be located on agricultural parcels with marginal or poor farmland. Prime farmlands are not appropriate for this type of development.

4.11.2.4 Zoning Ordinance

The Project site is located in Colusa County's Foothill Agriculture (F-A) and Exclusive Agriculture (E-A) zones (Colusa County 2014). The Colusa County Zoning Code addresses allowable uses in E-A and F-A zoning districts, which allow energy generation for off-site use with a Use Permit or a Minor Use Permit with an Energy Production (EP) Overlay Zone. Based on consultation with the County, the Applicant is pursuing a Use Permit for the Project.

4.11.3 Thresholds of Significance

A project would result in significant impacts to land use and planning if it would:

a) Physically divide an established community; or

b) Cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

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4.11.4 Impact Analysis

IMPACT 4.11-1: *Would the project physically divide an established community?* **(No Impact)**

The division of an established community could result from the construction of a physical barrier to neighborhood access or the removal of a means of access. The Project site is located in a rural area in an unincorporated area of Colusa County, approximately 6.5 miles from the city of Williams. There are no other established communities in the general area. Residences in this area are few and far between. The Project would not physically divide an established community as the construction, operation, and decommissioning phases of the Project do not propose any features that would create a physical barrier that would hinder existing community access. Additionally, the Project would not involve the removal of any existing publicly used means of access. Therefore, the Project would not physically divide an established community.

Mitigation: None required.

IMPACT 4.11-2: *Would the project cause significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?* **(No Impact)**

Colusa County is processing the Use Permit application for the Project in accordance with the Use Permit described in §44-1.080.030 of the Zoning Ordinance. The Applicant has filed a Use Permit application to construct, operate, maintain, and decommission the PV electricity generating facility (including ancillary facilities) within the Project boundary. Compliance with conditions of approval for the Use Permit would ensure that the Project would not conflict with applicable Colusa County General Plan, Zoning, or other County land use plans, policies, or regulations that have been adopted for the purpose of avoiding or mitigating environmental effects.

For example, the Project would be consistent with **Policy AG 1-2** because the Project site would remain designated for agriculture and not be rezoned or redesignated to an urban use. The Project would be consistent with **Policy AG 2-5** because it would feature alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms while maintaining livestock grazing on adjacent portions of the assessor's parcels outside of the Project site and under the same landowner. The Project would be consistent with **Policy LU 2-11** because it would allow for development of large-scale commercial solar energy production with a Use Permit on non-prime agricultural land.

The Project site is zoned F-A and E-A. Colusa County allows commercial scale solar facility projects through the Use Permit process, as described in Zoning Code §44-2.20.30. Compliance with conditions of approval for the Use Permit would ensure the Project would not conflict with the underlying F-A and E-A zones.

Mitigation: None required.

4.11.5 PG&E Cortina Substation Improvement

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's property at the Cortina Substation to the available PG&E

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Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. These improvements would not divide an established community, nor would they interfere with any land use plan, policy, or regulation. Therefore, the PG&E Cortina substation improvements would have no impact per significance criteria described for Impacts 4.11-1 or 4.11-2. No mitigation would be required.

4.11.6 Cumulative Impacts

Because the Project would not have any impact on land use and planning, it would not cause or contribute to any cumulative impact.

4.11.7 References

Colusa County. 2012. Colusa County General Plan. Adopted July 31, 2012.

Colusa County. 2014. Zoning Ordinance. Adopted August 26, 2014.

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4.12 MINERAL RESOURCES

This section identifies and evaluates issues related to Mineral Resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County did not receive scoping comments related to Mineral Resources.

4.12.1 Existing Conditions

The existing conditions for the Project site are described below.

4.12.1.1 Geologic Environment

As described more fully in Section 4.7*, Geology, Soils, and Paleontological Resources*, the Project site is located in an area of alluvial rocks. East of the Project site on the floor of the Sacramento Valley the underlying materials are primarily the youngest alluvial sediments, Quaternary age, unconsolidated to semi-consolidated, and mostly non-marine (Q). The Project site sits on older materials (QPc), Pliocene to Pleistocene in age, slightly more consolidated than the younger materials, and deposited into both non-marine and marine environments.

4.12.1.2 Mineral Resources Potential

The Mineral Resources Data System, administered by the U.S. Geological Survey, provides data to describe metallic and nonmetallic mineral resources, including deposit name, location, commodity, deposit description, production status and references. To confirm the presence/absence of existing surface mines, closed mines, occurrences/prospects, and unknown/undefined mineral resources within the study area, the Mineral Resources Data System online database was reviewed (USGS 2021). No mineral resources or operations are located within the Project site boundary.

Based on the geologic setting, the only mineral resources with the potential to occur near the Project site are aggregate resources. Alluvial geologic units in the region are potential sources of sand and gravel that could have value as a mineral resource commodity. Because sand and gravel are low-value, high-volume resources, the economic value and feasibility of developing them is predicated on the existence of high local demand from the construction industry. The closest gravel mine is Lovelady Ranch, which has been closed for a number of years, approximately 20 miles northwest of the Project site.

There are no active mining claims within the Project site, nor is there any locatable mineral activity within the Project site boundary (USGS 2021). Based on the geological environment and historical trends, the potential for occurrence of locatable minerals is low within the surrounding area. However, none of these resources occurs within 30 miles of the Project site and they are unlikely to be found within the geologic units that underlie the site or surrounding area.

Sand and gravel deposits are ubiquitous throughout the Quaternary geologic deposits near the Project site and throughout the region (USGS 2021; DOC 2000). None of the past or current locations of sand and gravel production intersects the Project site.

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4.12.1.3 Mineral Land Classification under the Surface Mining and Reclamation Act

The state Surface Mining and Reclamation Act of 1975 (SMARA), as amended, mandated the development of mineral land classifications to help identify and protect mineral resources in areas within the state that are subject to urban expansion or other irreversible land uses that would preclude mineral extraction. After classification of mineral resource areas, SMARA provided for the designation of lands containing mineral deposits of regional or statewide significance. In addition, SMARA was designed to provide guidelines for the proper reclamation of mineral lands. In compliance with SMARA, the State Mining and Geology Board established Mineral Resource Zones to classify lands that contain mineral deposits. According to California Geological Survey maps, the Project site is not located within a Mineral Resource Zone (CGS 2021).

4.12.2 Regulatory Setting

4.12.2.1 Federal

No federal statutes, regulations, plans, or policies govern mineral resources on or near the Project site.

4.12.2.2 State

4.12.2.2.1 State Surface Mining and Reclamation Act of 1975

The SMARA (Pub. Res. Code §2710 et seq.) mandated the initiation by the State Geologist of mineral land classification in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board to designate lands containing mineral deposits of regional or statewide significance. Mineral lands are mapped according to jurisdictional boundaries (i.e., counties), mapping all mineral commodities at one time in the area, using the California Mineral Land Classification System (DOC 2000). The objective of classification and designation processes is to ensure, through appropriate lead agency policies and procedures, that mineral deposits of statewide or regional significance are available when needed. The Project site is not classified by the State Mining and Geology Board as being located within a known mineral resource area (DOC 2000).

4.12.2.3 Local

The Colusa County General Plan Conservation Element includes goals and policies intended to preserve the future availability of mineral resources in the County and to promote the orderly extraction of mineral resources in the County while minimizing the impact of these activities on surrounding land uses and the natural environment. Relevant policies from this planning document include:

> ***Policy CON 2-24:*** Conserve mineral resources identified by the state to be of regional or statewide significance for mineral resource extraction.

4.12.3 Thresholds of Significance

A project would result in significant impacts to mineral resources if it would:

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state; or*

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b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

4.12.4 Impact Analysis

IMPACT 4.12-1: *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (***No impact)**

Most mining activities occur in the northwestern area of Colusa County. The Project site is not located at or near the two mines; there are no active mining claims within the Project site, nor is there any locatable mineral activity within the Project site boundary; therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

IMPACT 4.12-2: *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?* **(No impact)**

The Project site is not delineated as a locally important mineral resource (DOC 2000). The implementation of the Project would not result in a loss of locally important mineral resource.

4.12.5 PG&E Cortina Substation Improvement

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. These improvements would result in the availability of a known mineral resource, nor would they result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the PG&E Cortina Substation improvements would have no impact on significance criteria described for Impacts 4.12-1 or 4.12-2. No mitigation would be required.

4.12.6 Cumulative Impacts

As described above, the Project would result in no impact to mineral resources. Therefore, the Project would not cause or contribute to a significant cumulative impact to mineral resources.

4.12.7 Refences

California Department of Conservation (DOC). 2000. California Surface Mining and Reclamation Policies and Procedures, Guidelines for Classification and Designation of Mineral Lands. Accessed February 2021.

California Geological Survey (CGS). 2021. CGS Information Warehouse. Mineral Land Classification Map. https://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc. Accessed July 2021.

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U.S. Geological Survey (USGS). 2021. Mineral Resources Data System. https://mrdata.usgs.gov/mrds/. Accessed February 2021.

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4.13 NOISE

This section identifies and evaluates issues related to Noise in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Noise.

4.13.1 Existing Conditions

The Project site is on three parcels of private land that total approximately 1,024 acres and is currently operated as a cattle ranch. To avoid environmental constraints, approximately 768 acres of the 1,024-acre site would be used for the Project. The Project site is surrounded by rural residential, agricultural fields, and undeveloped land. The nearest residential property lines are located directly adjacent to the southern Project boundary and the northwestern Project boundary, while a mixed residential/agricultural property line is located directly adjacent to the northern Project boundary.

Spring Valley Road runs through the Project site from north to south. The gen-tie line follows Spring Valley Road north to Walnut Drive at which point it follows Walnut Drive to PG&E's Cortina substation. The nearest community to the Project site is the city of Williams, which is located approximately 6.5 miles northeast.

4.13.1.1 Acoustic Metrics and Terminology

All sounds originate with a source, whether it is a human voice, motor vehicles on a roadway, or a combustion turbine. Energy is required to produce sound and this sound energy is transmitted through the air in the form of sound waves – tiny, quick oscillations of pressure just above and just below atmospheric pressure. These oscillations, or sound pressures, impinge on the ear, creating the sound we hear. A sound source is defined by a sound power level (abbreviated "LW"), which is independent of any external factors. By definition, sound power is the rate at which acoustical energy is radiated outward and is expressed in units of watts.

A source sound power level cannot be measured directly. It is calculated from measurements of sound intensity or sound pressure at a given distance from the source outside the acoustic and geometric near-field. A sound pressure level (abbreviated "L_P") is a measure of the sound wave fluctuation at a given receiver location and can be obtained through the use of a microphone or calculated from information about the source sound power level and the surrounding environment. The sound pressure level in decibels (dB) is the logarithm of the ratio of the sound pressure of the source to the reference sound pressure of 20 microPascals (µPa), multiplied by 20. The range of sound pressure that can be detected by a person with normal hearing is very wide, ranging from about 20 µPa for very faint sounds at the threshold of hearing, to nearly 10 million µPa for extremely loud sounds such as a jet during take-off at a distance of 300 feet.

Broadband sound includes sound energy summed across the entire audible frequency spectrum. In addition to broadband sound pressure levels, analysis of the various frequency components of the sound spectrum can be completed to determine tonal characteristics. The unit of frequency is hertz (Hz), measuring the cycles per second of the sound pressure waves. Typically, the frequency analysis examines 11 octave bands ranging from 16 Hz (low) to 16,000 Hz (high).

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Since the human ear does not perceive every frequency with equal loudness, spectrally-varying sounds are often adjusted with a weighting filter. The A-weighted filter is applied to compensate for the frequency response of the human auditory system and is represented in A-weighted decibel (dBA).

Sound can be measured, modeled, and presented in various formats, with the most common metric being the equivalent sound level (L_{eq}). The L_{eq} has been shown to provide both an effective and uniform method for comparing time-varying sound levels and is widely used in acoustic assessments in the State of California. Estimates of noise sources and outdoor acoustic environments, and the comparison of relative loudness are presented in Table 4.13-1. Table 4.13-2 presents additional reference information on terminology used in the report.

Table 4.13-1. Sound Pressure Levels (L_P) and Relative Loudness of Typical Noise Sources and Acoustic Environments

Noise Source or Activity	Sound Level (dBA)	Subjective Impression
Vacuum cleaner (10 feet)	70	Moderate
Passenger car at 65 miles per hour (25 feet)	65	
Large store air-conditioning unit (20 feet)	60	
Light auto traffic (100 feet)	50	Quiet
Quiet rural residential area with no activity	45	
Bedroom or quiet living room; Bird calls	40	Faint
Typical wilderness area	35	
Quiet library, soft whisper (15 feet)	30	Very quiet
Wilderness with no wind or animal activity	25	Extremely quiet
High-quality recording studio	20	
Acoustic test chamber	10	Just audible
	0	Threshold of hearing

Adapted from: Kurze and Beranek (1988) and USEPA (1971).

Table 4.13-2. Acoustic Terms and Definitions

Term	Definition
Noise	Typically defined as unwanted sound. This word adds the subjective response of humans to the physical phenomenon of sound. It is commonly used when negative effects on people are known to occur.
Sound Pressure Level (L_P)	Pressure fluctuations in a medium. Sound pressure is measured in dB. referenced to 20 µPa, the approximate threshold of human perception to sound at 1,000 Hz.
Sound Power Level (L_W)	The total acoustic power of a noise source measured in dB referenced to picowatts (one trillionth of a watt). Noise specifications are provided by equipment manufacturers as sound power as it is independent of the environment in which it is located. A sound level meter does not directly measure sound power.

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Term	Definition
Equivalent Sound Level (L_{eq})	The L_{eq} is the continuous equivalent sound level, defined as the single sound pressure level that, if constant over the stated measurement period, would contain the same sound energy as the actual monitored sound that is fluctuating in level over the measurement period.
A-Weighted Decibel (dBA)	Environmental sound is typically composed of acoustic energy across all frequencies. To compensate for the auditory frequency response of the human ear, an A-weighting filter is commonly used for describing environmental sound levels. Sound levels that are A-weighted are presented as dBA in this report.
Unweighted Decibels (dBL)	Unweighted sound levels are referred to as linear. Linear decibels are used to determine a sound's tonality and to engineer solutions to reduce or control noise as techniques are different for low and high frequency noise. Sound levels that are linear are presented as dBL in this report.
Propagation and Attenuation	Propagation is the decrease in amplitude of an acoustic signal due to geometric spreading losses with increased distance from the source. Additional sound attenuation factors include air absorption, terrain effects, sound interaction with the ground, diffraction of sound around objects and topographical features, foliage, and meteorological conditions including wind velocity, temperature, humidity, and atmospheric conditions.

4.13.1.2 Vibration Metrics and Terminology

Vibration is an oscillatory motion that is described in terms of displacement, velocity, or acceleration. Velocity is the most common descriptor used when evaluating human perception or structural damage. Velocity represents the instantaneous speed of movement and more accurately describes the response of humans, buildings, and equipment to vibrations.

Peak-Particle-Velocity (PPV) and root mean square velocity are typical metrics used to describe vibration levels in units of inches per second in the United States. However, to evaluate annoyance to humans, the vibration dB (VdB) notation is commonly used. The decibel notation acts to compress the range of numbers required to describe vibration. In the United States, the accepted velocity reference for converting to dB is $1x10^{-6}$ inches per second. The abbreviation "VdB" is used for vibration dB to reduce the potential for confusion with sound decibels.

In contrast to airborne noise, groundborne vibration is not an everyday occurrence for humans. The background vibration velocity levels within residential areas are usually 50 VdB or lower, which is well below the human perception threshold of approximately 65 VdB. However, human response to vibration is not usually significant unless the vibration exceeds 70 VdB. For a significant impact to occur, vibration levels must exceed 72 VdB during frequent events, 75 VdB for occasional events, and 80 VdB during infrequent events (FTA 2006). Outdoor sources that generate perceptible groundborne vibrations are typically construction equipment, steel-wheeled trains, and traffic on rough roadways. Table 4.13-3 provides common vibration sources as well as human and structural response to groundborne vibrations.

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Table 4.13-3. Typical Levels of Groundborne Vibration

Human/Structural Response	PPV (in/sec)	Velocity Level (VdB)*	Typical sources (50 feet from source)
Threshold, Minor Cosmetic Damage, Fragile Buildings	0.4	100	Blasting from Construction Projects
	0.17-0.2	92-94	Heavy Tracked Construction Equipment
Difficulty with Tasks, Such as Reading a Computer Screen	0.125	90	
	0.074	85	Commuter Rail, Upper Range
Residential Annoyance, Infrequent Events	0.04	80	Rapid Transit, Upper Range
	0.013	75	Commuter Rail, Typical
	0.023	72	Bus or Truck Bump Over
Residential Annoyance, Frequent Events	0.013	70	Rapid Transit, Typical
Approximate Threshold of Human Perception	0.007	65	
	0.005	62	Bus or Truck, Typical
	0.0013	50	Typical Background Vibration Levels

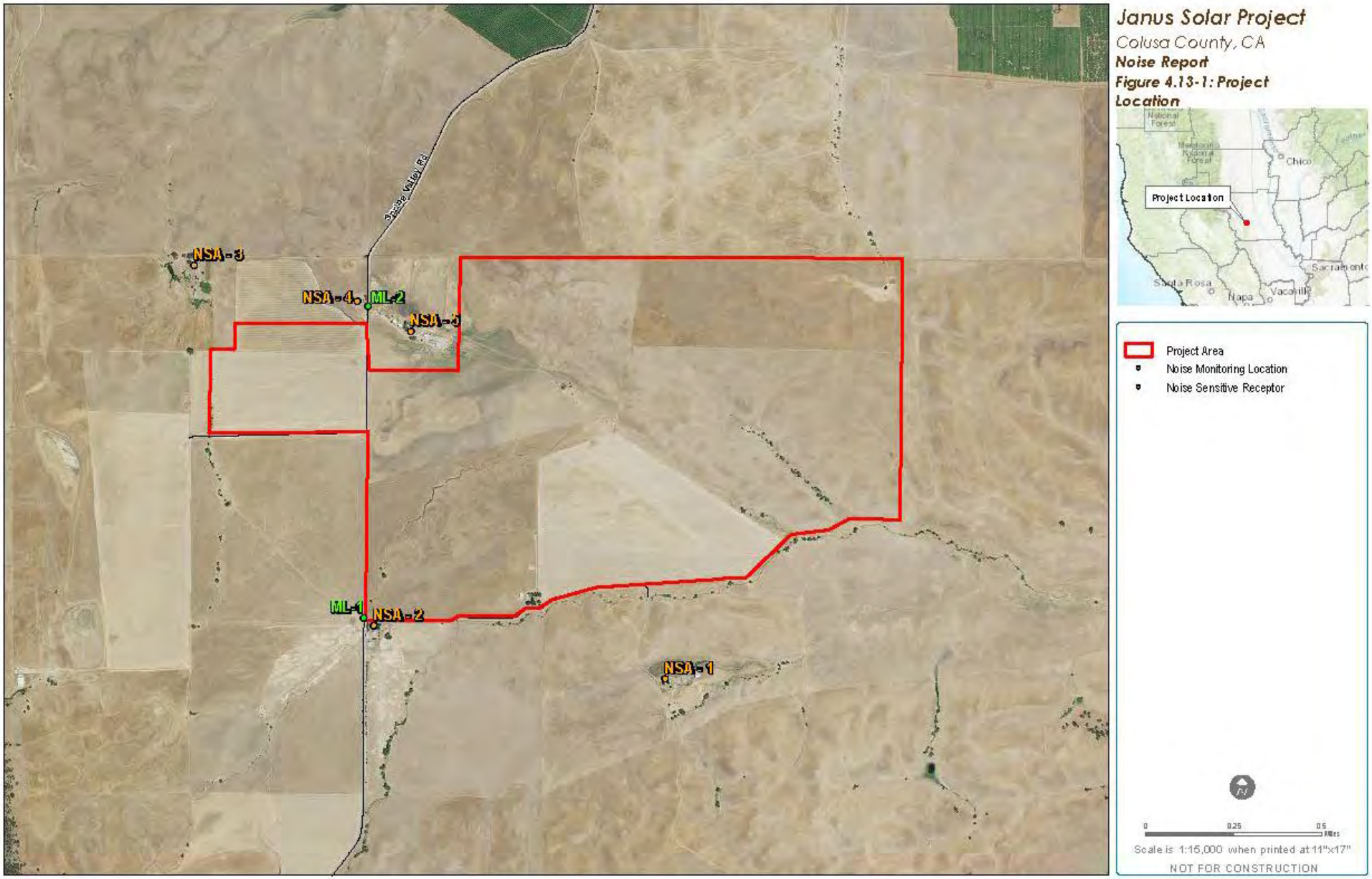
*RMS Vibration Velocity in VdB reference to 10-6 inches/second
Source: FTA (2006)

The degree of annoyance cannot always be explained by the magnitude of the vibrations alone. Phenomena, such as groundborne noise and rattling, visual effects (e.g., movement of hanging objects), and time of day, all influence the response of individuals. The American National Standards Institute (ANSI) and the International Organization for Standardization (ISO) has developed criteria for evaluation of human exposure to vibrations. The recommendations of these standards and other studies evaluating human response to vibrations have been incorporated into the Federal Transit Administration's (FTA) Transit Noise and Vibration Impact Assessment Manual (May 2006). The criteria within this manual are used to assess noise and vibration impacts from transit operations.

Sensitive Receptors

Human response to noise varies considerably from one individual to another. Effects of noise at various levels can include interference with sleep, concentration, and communication, and can cause physiological and psychological stress and hearing loss. Given these effects, some land uses are considered more sensitive to ambient noise levels than others. In general, residences, schools, hotels, hospitals, and nursing homes are considered to be the most sensitive to noise. These locations are referred to as noise sensitive areas (NSAs). Places such as churches, libraries, and cemeteries, where people tend to pray, study, and/or contemplate also are NSAs. Commercial and industrial uses are considered the least noise sensitive. As shown in Figure 4.13-1, there are multiple residences near the Project site (NSA-1 through NSA-5). NSA-5 is the residence of the landowner participating in the Project, such that NSA-5 is not considered a sensitive receptor.

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4.13.1.3 Field Methodology

To document the existing conditions, baseline sound level measurements were performed on March 17, 2020, as described in the Sound Survey and Analysis Report provided as Appendix I. The measurement locations were selected to be representative of the surroundings of potential receptors nearest to the proposed Project site. The ambient sound survey included short-term measurements in the presence of an acoustics expert for a minimum duration of 30 minutes. The short-term measurements were made during both daytime (10:00 a.m. to 4:00 p.m.) and nighttime (10:00 p.m. to 2:00 a.m.) periods at NSAs.

4.13.1.4 Field Measurements

Two short-term, attended sound measurements were performed at public locations near residential properties proximate to the Project site. The monitoring locations (ML), ML-1 and ML-2 were selected to represent ambient conditions at land uses in the vicinity of the Project site, as shown in Figure 4.13-1 and the Sound Survey and Analysis Report provided as Appendix I.

Location ML-1 was located on Spring Valley Road approximately 2.3 miles south of Walnut Drive, and 50 feet from the southwestern Project boundary line. This location represents the closest residence to the south. During the daytime measurement period, the most prominent noise at ML-1 was generated from distant farm equipment and songbirds. During the nighttime measurement period, the most prominent noise came from distant coyotes howling and the occasion buzz from a transmission line.

Location ML-2 was located on Spring Valley Road approximately 1.3 miles south of Walnut Drive, and 250 feet from the northern Project boundary line. This location represents the closest residence to the north. During the daytime measurement period, the most prominent noise at ML-2 was generated by distant farm equipment, cattle, and occasional vehicles along Spring Valley Road. During the nighttime measurement period, the most prominent noise came from distant coyotes howling.

Table 4.13-4 provides a summary of the measured ambient sound levels observed at each of the monitoring locations for both the daytime and nighttime L_{eq}.

Table 4.13-4. Sound Measurement Results – L_{eq} Sound Levels

Monitoring Location	Time Period	L_{eq} (dBA)
ML-1	Day	32
	Night	24
ML-2	Day	34
	Night	28

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4.13.2 Regulatory Setting

Federal

Federal Transit Administration and Federal Railroad Administration Standards

Although the FTA standards are intended for federally funded mass transit projects, the impact assessment procedures and criteria included in the FTA Transit Noise and Vibration Impact Assessment Manual (FTA 2006) routinely are used for projects under review by local jurisdictions that have not adopted their own vibration impact standards. The FTA and Federal Railroad Administration have published guidelines for assessing the impacts of groundborne vibration associated with rail projects, which have been applied by other jurisdictions to other types of projects. The FTA's threshold of architectural damage for conventional sensitive structures from groundborne vibration is measured as 0.2 inches/second PPV or 94 VdB (decibel units of 1 micro-inch/second). The FTA measure of human annoyance at residential uses is 80 VdB for "Frequent Events," or fewer than 70 vibration events of the same kind per day.

Occupational Safety and Health Act

Under the Occupational Safety and Health Act of 1970 (29 U.S.C. §651 et seq.), the U.S. Department of Labor, OSHA adopted regulations (29 CFR §910.95) designed to protect workers against the effects of occupational noise exposure. These regulations list limits on noise exposure levels as a function of the amount of time during which the worker is exposed. The regulations further specify requirements for a hearing conservation program (§1910.95(c)), a monitoring program (§1910.95(d)), an audiometric testing program (§1910.95(g)), and hearing protection (§1910.95(i)). There are no federal laws governing community noise.

Although no federal noise regulations exist, the USEPA has published noise guidelines (USEPA 1974). The USEPA guideline recommends a Day/Night Noise Level of 55 dBA to protect the public from the effect of broadband environmental noise outdoors in residential areas and farms, and other outdoor areas where people spend widely varying amounts of time, and other places in which quiet is a basis for use (USEPA 1974).

State

Government Code Section 65302 encourages counties and cities to implement a noise element as part of the general plan. In addition, the California Governor's Office of Planning and Research has developed guidelines for preparing noise elements, which include recommendations for evaluating the compatibility of various land uses as a function of community noise exposure.

The California Occupational Safety and Health Administration has published Occupational Noise Exposure Regulations (9 CCR §§5095-5099) that set employee noise exposure limits. These standards are equivalent to the federal OSHA standards described above.

In December of 2010, the CEC issued a decision for the Calico Solar Project which presented the Commission's rationale for determining to approve a license for the solar project (CEC 2010). As part of this decision, the rationale for demonstrating less than significant noise impacts include demonstration that daytime noise levels would increase by no more than 10 dBA and nighttime noise level would increase by no more than 5 dBA over ambient conditions.

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Local

The Colusa County General Plan (in accordance with Government Code Section 65300 et seq.) identifies the County's vision for the future and provides a framework to guide decisions on growth, development, and conservation of open space and resources (Colusa County 2012). The County's policies regarding noise are provided in the Noise Element and are listed below:

***Policy N 1-1*:** New proposed stationary noise sources shall not result in noise levels that exceed the standards of Table N-1, as measured immediately within the property line of lands designated for noise sensitive uses.

Policy N 1-2: Ensure that noise sources do not interfere with sleep by applying an interior maximum noise level criterion (Lmax) of 45 dBA in sleeping areas, for sensitive receptors.

Policy N 1-6: Require new land use development proposals to address potential stationary and mobile noise impacts and land use incompatibilities from aircraft noise, train travel, and truck travel.

Policy N 1-12: Where noise mitigation measures are required to achieve the standards of Tables N-1 or N-2, the emphasis of such measures shall be placed upon site planning and project design. The use of noise barriers shall be considered a means of achieving the noise standards only after all other practical design-related noise mitigation measures have been considered and integrated into the project. Landscaped berms shall be considered as a preferred mitigation option over sound walls.

Policy N 1-13: An acoustical analysis shall be prepared and submitted to the County according to the requirements of Table N-3 when:

- Noise sensitive land uses are proposed in areas exposed to existing or projected noise levels exceeding the Table N-1 (stationary) or Table N-2 (mobile) noise level standards.
- A proposed project has the potential to create new noise levels exceeding the noise level standards of Table N-1 or Table N-2.

Policy N 1-15: As part of the review of new development projects, consider vibration impacts and require mitigation to reduce any significant adverse impacts to the maximum extent feasible and practical.

Policy N 1-16: In making a determination of impact under the California Environmental Quality Act (CEQA), a significant impact will occur if the project results in an exceedance of the noise level standards contained in the Noise Element, or the project will result in an increase in ambient noise levels by more than 3 dB.

Policy N 1-17: Require use of site design measures, such as the use of building design and orientation, buffer space, use of berms, and noise attenuation measures applied to the noise source, to reduce impacts to the maximum extent feasible and practical before mitigating noise impacts through use of sound walls. The use of sound walls or noise barriers to attenuate noise from existing noise sources is discouraged, but may be allowed if the wall is architecturally incorporated into the project design, blends into the natural landscape, and does not adversely affect significant public view corridors.

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The tables in the Noise Element referred to as Table N-1 is shown below as Table 4.13-5.

Table 4.13-5. Exterior and Interior Noise Level Performance Standards for Projects Affected by or Including Non-transportation Noise Sources

Type of Use	Interior Noise Level Standard	Exterior Noise Level, Leq[1]	
		Day Time (7 a.m. to 10 p.m..)	Nighttime (10 p.m. to 7 a.m.)
All sensitive land uses	45 dB L_{max}	55 dB	45 dB
New residential affected by existing seasonal agricultural noise	40 dB L_{dn}	N/A	N/A

[1] Exterior noise level standard to be applied at the property line of the receiving land use or at a designated outdoor activity area (at the discretion of the Planning Director) of the new development. For mixed--use type projects, the exterior noise level standard may be waived (at the discretion of the Planning Director) if the project does not include a designated activity area and mitigation of property line noise is not practical. In this case, the interior standard would still apply. Each of the exterior noise levels specified above shall be lowered by 5 dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises (e.g., humming sounds, outdoor speaker systems). These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).

The County can impose noise level standards that are more restrictive than those specified above based upon determination of existing low ambient noise levels.

Notes:

Fixed noise sources which are typically of concern include, but are not limited to the following:

Air Compressors
Blowers
Boilers
Cooling Towers/Evaporative Condensers
Conveyor Systems
Cutting Equipment
Drill Rigs
Emergency Generators
HVAC Systems
Fans
Gas or Diesel Motors
Gas Wells
Generators
Grinders
Heavy Equipment
Lift Stations
Outdoor Speakers
Pile Drivers
Pump Stations
Rice Dryers
Steam Turbines
Steam Valves
Transformers
Welders

The types of uses which may typically produce the noise sources described above include but are not limited to: various industrial and agricultural facilities, trucking operations, tire shops, auto maintenance shops, metal fabricating shops, shopping centers, drive--up windows, car washes, loading docks, public works projects, batch plants, bottling and canning plants, recycling centers, electric generating stations, race tracks, landfills, sand and gravel operations, and athletic fields

Source: Colusa County General Plan 2012

4.13.3 Thresholds of Significance

The following thresholds of significance are based on Appendix G of the CEQA Guidelines. The proposed Project would have a significant impact to noise if it would:

a) *Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;*
b) *Result in generation of excessive groundborne vibration or groundborne noise levels;*
c) *For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.*

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4.13.4 Impacts Analysis

IMPACT 4.13-1: *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?* **(Less than Significant Impact with Mitigation Incorporated)**

Construction and Decommissioning

The construction processes are anticipated to occur during a period of approximately 11 months and begin in late 2022. Project construction would consist of five major stages. The first stage would include mobilization, site preparation, fencing, and laydown. The second stage would involve excavation, trenching and trench backfill. The third stage includes installation of cables and utilities. The fourth stage includes construction of the inverters, PV modules, and BESS units, and also includes commissioning and testing.

Table 4.13-6 summarizes the projected noise levels at the NSAs, shown on Figure 4.13-2, due to Project construction.

Table 4.13-6. Projected Construction Noise Levels by Stage (dBA L_{eq})

Construction Stage	Equipment				Construction Noise Level, dBA					
	Equipment Type	Quantity	Usage Factor (%)	USEPA Construction Noise Level (50 feet), dBA	Project Boundary (50 feet)	NSA-1 (1,430 feet)[1]	NSA-2 (100 feet)[1]	NSA-3 (1080 feet)[1]	NSA-4 (300 feet)[1]	NSA-5 (250 feet)[1]
Preparation	Backhoes	4	40	80	93	64	87	66	76	79
	Plate Compactors	2	20	80						
	Crawler Tractors	2	40	84						
	Dump Trucks	5	40	84						
	Forklifts	2	20	85						
	Generator Sets	4	50	82						
	Graders	2	40	85						
	Scrapers	2	40	85						
	Skid Steer Loaders	4	40	80						

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Construction Stage	Equipment				Construction Noise Level, dBA					
	Equipment Type	Quantity	Usage Factor (%)	USEPA Construction Noise Level (50 feet), dBA	Project Boundary (50 feet)	NSA-1 (1,430 feet)[1]	NSA-2 (100 feet)[1]	NSA-3 (1080 feet)[1]	NSA-4 (300 feet)[1]	NSA-5 (250 feet)[1]
Excavation	Backhoes	4	40	80	93	64	87	66	77	79
	Plate Compactors	2	20	80						
	Crawler Tractors	2	40	84						
	Dump Trucks	5	40	84						
	Forklifts	2	20	85						
	Generator Sets	4	50	82						
	Graders	2	40	85						
	Scrapers	2	40	85						
	Skid Steer Loaders	2	40	80						
Utilities/ Sub-grade	Backhoes	4	40	80	93	64	87	66	76	79
	Plate Compactors	2	20	80						
	Crawler Tractors	2	40	84						
	Dump Trucks	5	40	84						
	Forklifts	2	20	85						
	Generator Sets	4	50	82						
	Graders	2	40	85						
	Scrapers	2	40	85						
	Skid Steer Loaders	2	40	80						
Construction	Backhoes	7	40	84	98	69	92	71	82	84
	Bore/Drill Rigs	10	20	85						
	Cement Mixers	10	40	85						
	Forklifts	5	20	85						
	Concrete Saws	3	20	90						
	Plate Compactors	1	20	80						
	Cranes	1	16	85						
	Dump Trucks	5	40	84						
	Excavators	2	40	85						

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Construction Stage	Equipment				Construction Noise Level, dBA					
	Equipment Type	Quantity	Usage Factor (%)	USEPA Construction Noise Level (50 feet), dBA	Project Boundary (50 feet)	NSA-1 (1,430 feet)[1]	NSA-2 (100 feet)[1]	NSA-3 (1080 feet)[1]	NSA-4 (300 feet)[1]	NSA-5 (250 feet)[1]
	Generator Sets	4	50	82						
	Pavers	1	50	85						
	Paving Equipment	1	40	85						
	Skid Steer Loaders	2	40	80						
	Trenchers	10	50	82						
	Rollers	1	20	85						
Paving	Rollers	1	20	85	78	50	72	51	62	64

[1]Distance to residential structure.

The construction of the Project may cause short-term, but unavoidable noise impacts that could be loud enough at times to temporarily interfere with speech communication outdoors and indoors with windows closed at NSA-2 and NSA-4, and with windows open at NSA-3 and NSA-5. The noise levels resulting from the construction activities would vary significantly depending on several factors such as the type and age of equipment, specific equipment manufacture and model, the operations being performed, and the overall condition of the equipment and exhaust system mufflers.

Project construction would occur between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 8:00 p.m., Saturday and Sunday in compliance with the County's Code. Furthermore, all reasonable efforts would be made to minimize the impact of noise resulting from construction activities including the implementation of standard noise reduction measures included as Mitigation Measure **NOISE-1**. Due to the infrequent nature of loud construction and decommissioning activities at the site, the limited hours of construction and the implementation of noise mitigation measure, the temporary increase in noise due to construction and decommissioning is considered to be a less than significant impact.

Operation

Noise Prediction Model

As described in the Sound Survey and Analysis Report provided as Appendix I, the Cadna-A® computer noise model was used to calculate sound pressure levels from the operation of the Project equipment in the vicinity of the Project site.

Cadna-A allows for three basic types of sound sources to be introduced into the model: point, line, and area sources. Each noise-radiating element was modeled based on its noise emission pattern. Larger dimensional sources such as the transformers and inverters were modeled as area sources. The output from Cadna-A includes tabular sound level results at selected receiver locations and colored noise contour maps (isopleths) that show areas of equal and similar sound levels.

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Off-site topography was obtained using the publicly available United States Geological Survey digital elevation data. A default ground attenuation factor of 0.5 was assumed for off-site sound propagation over acoustically “mixed” ground. The Project’s general arrangement was reviewed and directly imported into the acoustic model so that on-site equipment could be easily identified; buildings and structures could be added; and sound emission data could be assigned to sources as appropriate.

The primary noise sources during operations are the inverters, transformers, battery storage heating, ventilation, and air conditioning (HVAC) units, and battery storage inverters. It is expected that all equipment would operate during the daytime period. During the nighttime period the battery storage would discharge electricity resulting in the operation only of the battery storage HVAC units, battery storage inverters, and substation transformer. It is assumed that the solar panel inverters and the solar panel inverter distribution transformers would not operate during the nighttime period. Reference sound power levels input to Cadna-A were provided by equipment manufacturers, based on information contained in reference documents or developed using empirical methods. The source levels used in the predictive modeling are based on estimated sound power levels that are generally deemed to be conservative. The projected operational noise levels are based on Applicant-supplied sound power level data for the major sources of equipment. Table 4.13-7 summarizes the equipment sound power level data used as inputs to the initial modeling analysis.

Table 4.13-7. Modeled Sound Power Level (L_W) for Major Pieces of Project Equipment

Sound Source	Sound Power Level (L_P) by Octave Band Frequency dBL									Broadband Level
	31.5	63	125	250	500	1k	2k	4k	8k	dBA
Inverter Distribution Transformer	56	66	71	72	71	68	63	65	68	78
Substation Transformer	57	63	64	60	60	53	49	44	37	60
Battery Storage Inverter	67	71	74	74	74	68	65	66	61	75
Battery Storage HVAC	-	78	77	74	69	68	62	57	51	72

Broadband (dBA) sound pressure levels were calculated for expected normal Project operation assuming that all components identified previously are operating continuously and concurrently at the representative manufacturer-rated sound. It is expected that all equipment would operate during the daytime period, while only the battery storage HVAC units, battery storage inverters, and substation transformer would operate during the nighttime period. The sound energy was then summed to determine the equivalent continuous A-weighted downwind sound pressure level at a point of reception. Sound contour plots displaying broadband (dBA) sound levels presented as color-coded isopleths are provided in Figure 4.13-2 for daytime levels, and Figure 4.13-3 for the nighttime levels. The noise contours are graphical representations of the cumulative noise associated with full operation of the equipment and show how operational noise would be distributed over the area surrounding the Project site. The contour lines shown are analogous to elevation contours on a topographic map, i.e., the noise contours are continuous lines of equal noise level around some source, or sources, of noise.

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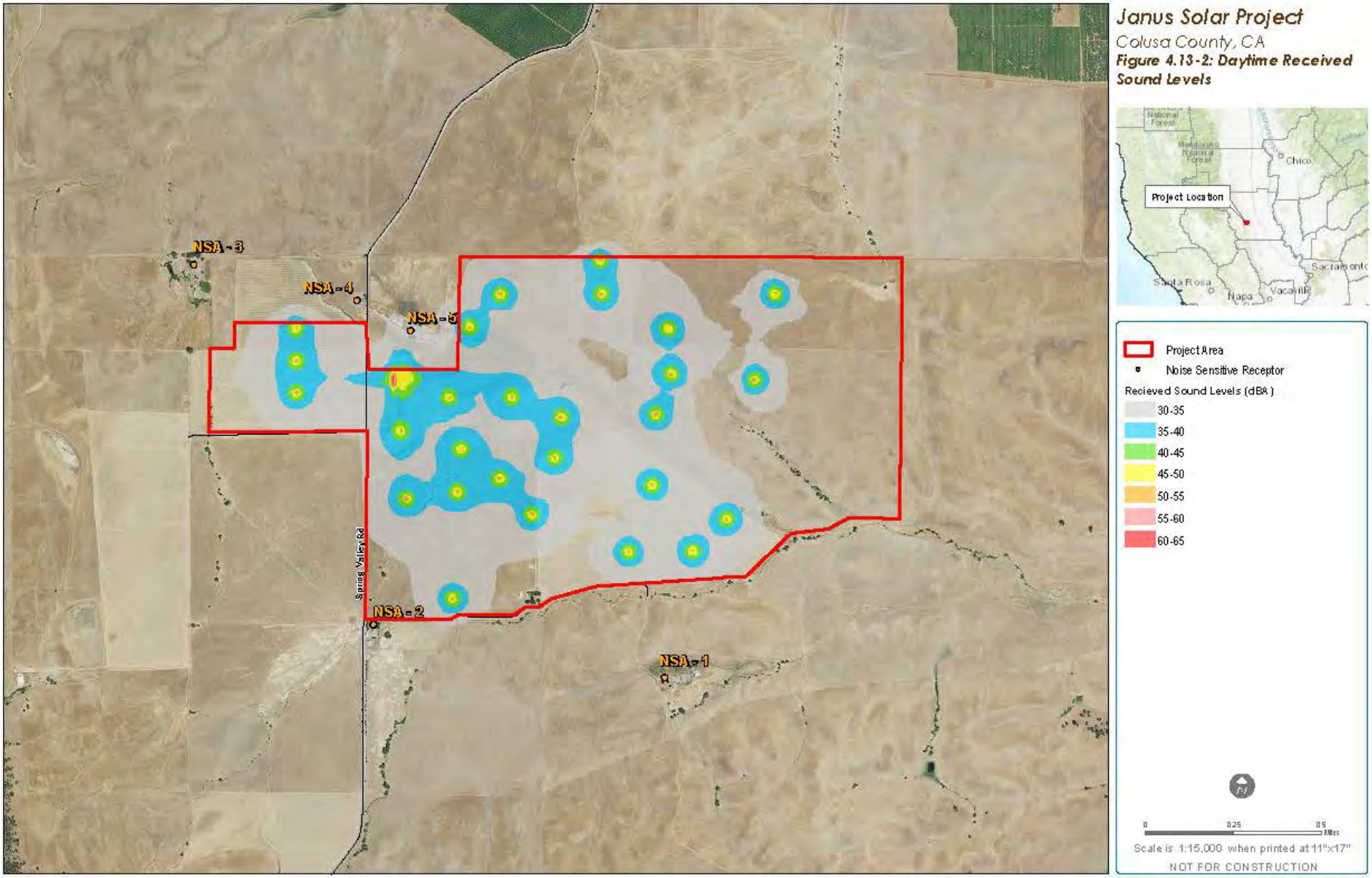


Figure 4.13-2 Daytime Received Sound Levels

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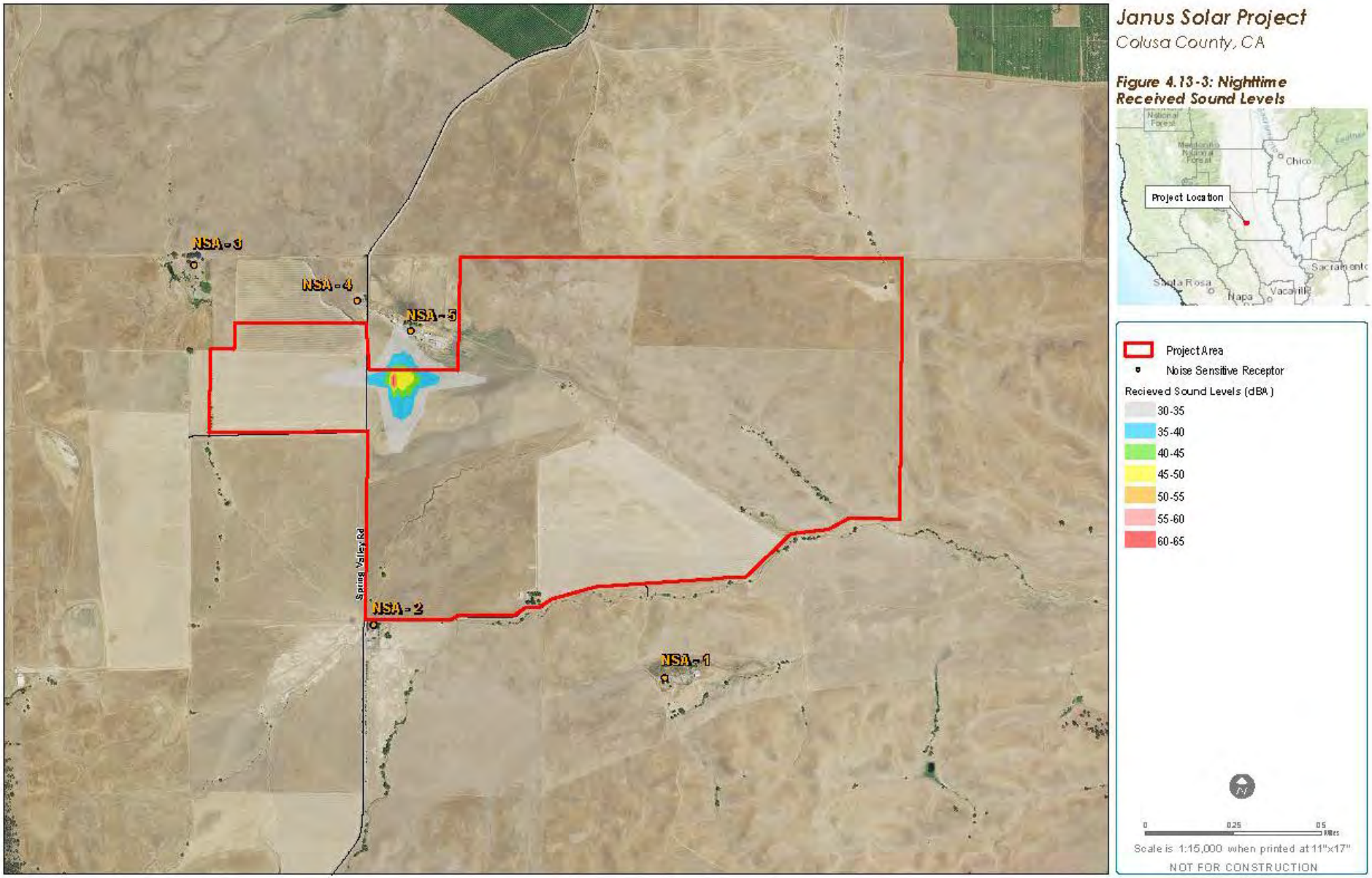


Figure 4.13-3 Nighttime Received Sound Levels

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Table 4.13-8 and Table 4.13-9 show the projected exterior sound levels at the property boundary of each receptor, while Table 4.13-10 and Table 4.13-11 show the projected exterior sound levels near the residential structure of each receptor. The tables also provide the total predicted net increase in sound energy at each of the receptors.

Table 4.13-8. Daytime Acoustic Modeling Results Summary – County Limits

NSA Property Line	Participation Status	UTM Coordinates (meters)		Daytime Ambient L_{eq}, dBA	Project Sound Level, dBA	Total Sound Level (Ambient + Project), dBA
		Easting	Northing			
NSA-1	Non-participant	563475	4326765	32	27	33
NSA-2	Non-participant	562516	4326624	32	32	35
NSA-3	Non-participant	561506	4327674	34	27	35
NSA-4	Non-participant	562084	4328070	34	27	35
NSA-5	Participant	532273	4327769	34	46	46
Noise Element Exterior Daytime Noise Level Limit						55 dB
Colusa County Code Daytime Noise Level Limit						55 dB

Table 4.13-9. Nighttime Acoustic Modeling Results Summary – County Limits

NSA Property Line	Participation Status	UTM Coordinates (meters)		Nighttime Ambient L_{eq}, dBA	Project Sound Level, dBA	Total Sound Level (Ambient + Project), dBA
		Easting	Northing			
NSA-1	Non-participant	563475	4326765	24	3	24
NSA-2	Non-participant	562516	4326624	24	14	24
NSA-3	Non-participant	561506	4327674	28	16	28
NSA-4	Non-participant	562084	4328070	28	22	29
NSA-5	Participant	532273	4327769	28	45	45
Noise Element Exterior Nighttime Noise Level Limit						45 dB
Colusa County Code Nighttime Noise Level Limit						50 dB

Table 4.13-10. Daytime Acoustic Modeling Results Summary – Noise Element CEQA Threshold

NSA Structure	Participation Status	UTM Coordinates (meters)		Daytime Ambient L_{eq}, dBA	Project Sound Level, dBA	Total Sound Level (Ambient + Project), dBA	Net Increase in Sound Level, dBA
		Easting	Northing				
NSA-1	Non-participant	563489	4326375	32	17	32	0
NSA-2	Non-participant	562162	4326600	32	24	33	1
NSA-3	Non-participant	561324	4328230	34	21	34	0
NSA-4	Non-participant	562072	4328230	34	27	35	1
NSA-5	Participant	562316	4327942	34	32	36	3
Noise Element CEQA Threshold							3 dB

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Table 4.13-11. Nighttime Acoustic Modeling Results Summary – Noise Element CEQA Threshold

NSA Structure	Participation Status	UTM Coordinates (meters)		Nighttime Ambient L_{eq}, dBA	Project Sound Level, dBA	Total Sound Level (Ambient + Project), dBA	Net Increase in Sound Level, dBA
		Easting	Northing				
NSA-1	Non-participant	563489	4326375	24	0	24	0
NSA-2	Non-participant	562162	4326600	24	14	24	0
NSA-3	Non-participant	561324	4328230	28	10	28	0
NSA-4	Non-participant	562072	4328230	28	21	29	1
NSA-5	Participant	562316	4327942	28	31	33	5
Noise Element CEQA Threshold							3 dB

Table 4.13-8 and Table 4.13-9 show the highest total sound levels, inclusive of ambient and project operational levels, are associated with participating receptor NSA-5, which would comply with the Colusa County Noise Element daytime threshold limit of 50 dBA, as well as the nighttime threshold of 45 dBA. Table 4.13-10 and Table 4.13-11 show compliance with the CEQA threshold (described in the Colusa County General Plan Noise Element Policy N 1-16) at all non-participating receptors, and one exceedance during the nighttime at participating receptor NSA-5; however, NSA-5 is the participating landowner on which the Project is located and is not considered a sensitive receptor.

A 3-mile-long overhead, 60 kV transmission line would be located partially on the Colusa County's right-of-way on Walnut Drive and Spring Valley Road and partially on private land from the Project Site to the point of interconnection at the Cortina Substation. When a transmission line is in operation, an electric field is generated in the air surrounding the conductors, forming a corona. The corona results from the partial breakdown of the electrical insulating properties of the air surrounding the conductors. When the intensity of the electric field at the surface of the conductor exceeds the insulating strength of the surrounding air, a corona discharge occurs at the conductor surface, representing a small dissipation of heat and energy. Some of the energy may dissipate in the form of small local pressure changes that result in audible noise or in radio or television interference. Audible noise generated by corona discharge is characterized as a hissing or crackling sound that may be accompanied by a 120 Hz hum. Slight irregularities or water droplets on the conductor and/or insulator surface accentuate the electric field strength near the conductor surface, thereby making corona discharge and the associated audible noise more likely. Therefore, audible noise from transmission lines are generally a foul-weather phenomenon that results from wetting of the conductor. However, during fair weather, insects and dust on the conductors can also serve as sources of corona discharge.

The Electric Power Research Institute has conducted several studies of corona effects (EPRI 1978, 1987). The typical noise levels for transmission lines with wet conductors are shown in Table 4.13-12.

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Table 4.13-12. Transmission and Subtransmission Line Voltage and Audible Noise Levels

Line Voltage (kV)	Audible Noise Level Directly Below the Conductor (dBA)
138	34
240	40
360	51

As shown in Table 4.13-12, the audible noise associated with transmission lines decreases as the line voltage decreases; the audible noise associated with the 60-kV line is lower than 34 dBA. This noise level of the 60 kV line would comply with the County's noise limits. Operational noise associated with the Project would be less than significant.

IMPACT 4.13-2: *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?* **(Less than Significant Impact)**

Vibration levels for activities associated with Project construction were based on the average of PPV source levels published with the FTA Noise and Vibration Manual (FTA 2006), which documents several types of construction equipment measured under a wide variety of construction activities. Using the documented vibration levels as input into a basic propagation model, construction vibration levels were calculated at the nearest Project site boundary and then at the NSA structure. Vibration levels for decommissioning are anticipated to be similar to those for construction.

Project construction would be completed in three work stages. This vibration level evaluated the worst-case vibration source, which would be the roller. Based on vibration propagation calculations, construction vibration levels are predicted to range from 0.0007 PPV inches per second (in/sec; 45 VdB) to 0.0263 PPV in/sec (76 VdB) dBA at the NSAs. These levels are based on the worst-case vibration producing equipment and it is expected that other vibration generating equipment proposed for the Project construction would result in lower vibration levels. Table 4.13-13 summarizes the predicted vibration levels at each of the NSAs based on the highest vibration generating equipment. As shown in Table 4.13-13, vibration levels may be perceptible at the nearest sensitive receptors but will be below the maximum vibration level of 80 VdB. This level is considered acceptable for impacts to sensitive receptors.

Project operation is not anticipated to generate groundborne noise or vibration. The Project does not propose the use of heavy equipment during Project operation that would introduce any new sources of perceivable groundborne vibration; therefore, there is no potential for significant vibration impacts resulting from Project operations.

The impacts of groundborne noise and vibration would be less than significant.

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Table 4.3-13. Projected Construction Vibration Levels

Construction Operation	Vibration Level Metric	Project Boundary (50 feet)	NSA-1 (1,430 feet)[1]	NSA-2 (100 feet) [1]	NSA-3 (1,080 feet) [1]	NSA-4 (300 feet) [1]	NSA-5 (250 feet)[1]
Roller	PPV in/sec	0.0743	0.0005	0.0263	0.0007	0.0051	0.0067
	VdB	85	41	76	45	62	64

[1] Distance to residential structure.

IMPACT 4.13-3: *For a project within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?* **(No impact)**

The Project is not within 2 miles of a public airport or public use airport or in the vicinity of a private airstrip or an airport land use plan. There would be no impact.

4.13.5 Mitigation Measures

The following mitigation measures are recommended to reduce significant impacts to noise resources.

NOISE-1: The Project shall implement the following construction management protocols to minimize noise impacts during construction:

- Maintain all construction tools and equipment in good operating order according to manufacturers' specifications;
- Limit use of major excavating and earth-moving machinery to daytime hours;
- To the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable. Some limited activities, such as concrete pours, would be required to occur continuously until completion;
- Equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks;
- For construction devices that utilize internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating material mounted on the engine housing consistent with manufacturers' guidelines, if possible;
- Limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities, together with appropriate material handling equipment; and
- Utilize a Complaint Resolution Procedure to address any noise complaints received from residents.

4.13.6 Pacific Gas and Electric Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system,

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disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint.

Construction associated with the Cortina Substation improvements has the potential to generate noise. Operation of the Cortina Substation Improvements would not appreciably increase noise above ambient levels and the current substation operations. The construction activities associated with the PG&E infrastructure would be required to comply with, and adhere to, the same mitigation measures as the rest of the Project components. Through the implementation of **Mitigation Measure NOISE-1** these improvements would not have a substantial adverse effect on noise, and no additional mitigation measures would be required.

4.13.7 Cumulative Impacts

Cumulative impacts should consider the effects of existing, current and reasonably foreseeable future projects. As noted above, the proposed Project is shown to not significantly increase the overall ambient community noise level and would not expose persons to or generate excessive groundborne vibration or groundborne noise.

There are no cumulative projects close enough to the proposed Project to potentially result in a cumulative noise impact, such that the Project would not significantly contribute to any impact to noise, groundborne vibration, or groundborne noise.

4.13.8 References

California, Energy Commission (CEC), 2010. Calisco Solar Power Project Commission Decision 2010-012-CMF, Sacramento, California.

Electrical Power Research Institute (EPRI). 1978. Transmission Line Reference Book, 115-138 kV.

EPRI. 1987. Transmission Line Reference Book, 345 kV.

Colusa County. 2012. Colusa County General Plan Noise Element.

Federal Transit Authority (FTA). 2006. Transit Noise and Vibration Impact Assessment Manual.

Kurze, U. and L. Beranek. 1988. Noise and Vibration Control. Institute of Noise Control Engineering, Washington, DC.

United States Environmental Protection Agency (USEPA). 1971. Technical Document NTID300.1, Noise from Construction Equipment and Operations, US Building Equipment, and Home Appliances. Prepared by Bolt Beranek and Newman for USEPA Office of Noise Abatement and Control, Washington, DC. December 1971.

U.S. Environmental Protection Agency (USEPA), 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. March 1974.

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4.14 POPULATION/HOUSING

This section identifies and evaluates issues related to Population and Housing in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments regarding Population and Housing.

4.14.1 Existing Conditions

4.14.1.1 Population

The Project site is located in unincorporated Colusa County approximately 6.5 miles southwest of the city of Williams. The mean commute time in Colusa County is 25.7 minutes (U.S. Census 2021). It is reasonable to assume that construction workers may drive approximately 50 miles to the Project site during construction, operation, or decommissioning from the surrounding counties of Butte, Glenn, Lake, Sutter, and Yolo.

The study area includes Colusa County and the surrounding counties listed in Table 4.14-1. Population characteristics for counties in the study area are included in Table 4.14-1. Population estimates and projections are not available for unincorporated communities; therefore, unincorporated communities are not included in the table below.

As demonstrated by Table 4.14-1, most of the counties within the study area have experienced moderate amounts of growth between 2000–2019. In 2019, Colusa County had an estimated population of 21,547 representing an approximate 0.7 percent increase from the 2010 population of 21,419 (U.S. Census 2021). The city of Williams had a higher rate of growth during the 2010–2019 period, but its actual growth was only 314 persons. The city of Colusa had an estimated population of 6,060 in 2019, an approximate 2.6 percent decrease from 2010 (U.S. Census 2021).

Table 4.14-1. Historic Population Growth, 2000–2019

Area	2000	2010	2019
Colusa County	18,804	21,419	22,248
Glenn County	26,453	28,122	29,679
Butte County	203,171	220,000	202,669
Yolo County	168,660	200,849	217,500
Lake County	58,325	64,665	63,940
Sutter County	78,930	94,737	101,289

Source: California DOF 2021

4.14.1.1.1 Housing

Table 4.14-2 outlines housing data for Colusa County and the surrounding counties in 2020. Vacancy rates for these jurisdictions ranged from 3.8 percent (Yolo County) to 22.6 percent (Lake County). In 2020, Colusa County had an estimated 8,227 housing units with a vacancy rate of 6.7 percent such that there were 716 vacant housing units.

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Table 4.14-2. 2020 Housing Data Estimates

	Total Housing Units	Occupied Housing Units	Vacancy Rate (percent)
Colusa County	8,227	7,510	8.7
Glenn County	11,334	10,437	7.9
Butte County	86,122	80,141	6.9
Yolo County	78,377	75,419	3.8
Lake County	34,418	26,639	22.6
Sutter County	34,498	32,178	6.7

Source: California DOF 2021.

The number of households is expected to increase by 7 percent in Colusa County over the period from 2020–2028 (Colusa County 2020).

4.14.1.1.1.1 Temporary Housing

Colusa County currently has over 11 full-service hotels and motels, including 8 motels in western Colusa County (Trip Advisor 2021; Visit Colusa County 2021). East Park Reservoir, Colusa-Sacramento River State Recreation Area, and the Mendocino National Forest provides tent and recreational vehicle campgrounds which are available for temporary housing accommodations (Colusa County 2021).

4.14.2 Regulatory Setting

4.14.2.1 Federal

No federal statutes, regulations, plans, or policies govern Population and Housing-related considerations on the Project site.

4.14.2.2 State

No state statutes, regulations, plans, or policies govern Population and Housing-related considerations on the Project site.

4.14.2.3 Local

The Colusa County General Plan Housing Element was last updated in 2020 and includes goals, policies, and programs related to Population and Housing to meet the state's Regional Housing Needs Assessment allocation of 526 new housing units needed between 2019 and 2028 (Colusa County 2020). The following policies from the Housing Element Update are relevant to the Project:

> ***Policy CC 2-68:*** *Encourage commercial, industrial, and other job-generating land uses, particularly in locations that are readily accessible by I-5.*
>
> ***Policy HO-23:*** *Encourage economic development and job-housing balance efforts*

4.14.3 Thresholds of Significance

A project would result in significant impacts to population and housing if it would:

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a) *Induce substantial unplanned population growth in the area either directly (for example, by proposing new homes or businesses) or indirectly (for example, through the extension or roads or other infrastructure); or*

b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.*

4.14.4 Impact Analysis

IMPACT 4.14-1: *Would the project induce substantial unplanned population growth in the area either directly (for example, by proposing new homes or businesses) or indirectly (for example, through the extension or roads or other infrastructure)?* **(Less than significant)**

Construction of the Project is anticipated to employ a maximum of 200 on-site personnel. The average number of workers on-site is anticipated to be approximately 50 to 150, depending on the construction activity. The duration of construction requiring the peak workforce is expected to be approximately 5 days per week during the 11-month construction period. Decommissioning and site restoration activities are expected to require a similar or smaller workforce than construction and conservatively also take 11 months.

As described in the County's General Plan Section 2, *Construction Schedule and Workforce*, based on the demographic profile of Colusa County it is anticipated that a majority of the construction workforce would be hired from the existing workforce in the Colusa regional area.

The California Employment Development Department estimated that the annual average unemployment rate in Colusa County in May 2021 was approximately 11.2 percent (not seasonally adjusted) compared to the statewide unemployment rate of 7.9 percent (CEDD 2021c). In 2015, the construction industry employed an average of 765 individuals in Colusa County. Four years later the number of individuals employed in the construction industry gradually increased, reaching 1,132 individuals at the end of the 4th quarter of 2020 (CEDD 2020d). Employment in Colusa County rapidly declined during 2020 due to the COVID-19 pandemic. The annual employment average for 2020 was only 8,820 persons employed in Colusa County with an unemployment rate of 16.0 percent (CEDD 2021b). Project job growth for the North Valley Region of California which includes Colusa, Glenn, and Tehama counties, estimates a 4.4 percent increase for the period of 2018–2028 (CEDD 2021a).

The Project is anticipated to generate a smaller number of highly specialized jobs for the operation of the photovoltaic and battery energy storage system site.

Colusa County is expected to increase housing by 526 units between 2019 and 2028 (Colusa County 2020). The Project is not anticipated to increase the need for additional housing units as workers would be expected to commute to the site from local and regional towns and cities, rather than relocate. Therefore, construction, operation, and decommissioning of the Project is not expected to require substantial numbers of new housing units, the construction of which could cause environmental impacts. As a result, the Project is not expected to induce population growth directly or indirectly.

The additional electricity availability generated by the Project is not expected to induce substantial population growth in Colusa County or elsewhere. The electricity would be distributed by PG&E

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and is anticipated to fulfill existing demand rather than generate additional demand due to potential inducement of growth. Therefore, the energy produced by the Project would not directly or indirectly encourage new development or induce population growth.

Mitigation: None required.

IMPACT 4.14-2: *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?* **(No Impact)**

The Project site is undeveloped land used for cattle grazing. There is one residence within one of the parcels included in the Project; however, this portion of the parcel is not included in the Project area and will be retained by the owner as a residence. The Project would not require the removal of any housing units. Therefore, there would be no potential to displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Mitigation: None required.

4.14.5 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. It is anticipated that a majority of the construction workforce would be hired from the existing workforce in the Colusa regional area. In addition, no changes to the operation workforce would occur due to these upgrades. The improvements made would be within the existing Cortina Substation footprint, and therefore would not require the removal of any housing units. The improvements would not affect the population or housing occupancy of Colusa County. Additionally, the PG&E improvements would not have an impact on significance criteria 4.14-1 and 4.14-2. No mitigation would be required.

4.14.6 Cumulative Impacts

As discussed above, there would be no impact with respect to the potential displacement of people or existing housing. Therefore, neither the Project nor the alternatives would cause or contribute to any potential cumulative impact to threshold.

The geographic context for the cumulative impacts associated with the potential inducement of population growth includes the surrounding counties of Butte, Glenn, Lake, Sutter, and Yolo. The temporal scope of potential cumulative impacts would include construction, operation and maintenance, and decommissioning phases of the Project. Cumulative effects could result from the combination of the incremental impacts of the Project with ongoing impacts of past projects as well as the other present and reasonably foreseeable future projects developed within the geographic scope.

The other present and reasonably foreseeable future projects are summarized in Table 2-1. Because there are many factors than can affect the maximum workforce required for any

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particular project, it is difficult to estimate employment levels (or their potential to overlap) with any certainty. For example, the Project would require a maximum of 200 workers at the peak of construction. In general, solar photovoltaic projects do not induce substantial population growth as they do not create substantial numbers of permanent jobs. Therefore, the Project, in combination with other projects in the cumulative scenario (even if construction in the immediate area were to occur simultaneously), would not be likely to induce migration or population growth. Additionally, the County's General Plan governs growth, development, and land use decisions within the County's jurisdiction and all development proposed within the County must occur consistent with its provisions. Therefore, construction of this Project together with the cumulative scenario projects, and other development within the geographic area of cumulative concern, would not result in substantial direct or indirect unplanned population growth. There would be no significant, adverse, cumulative impact relating to the potential inducement of population growth to which the Project would contribute.

4.14.7 References

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4.15 PUBLIC SERVICES

This section identifies and evaluates issues related to Public Services in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County did not receive any scoping input regarding Public Services.

4.15.1 Existing Conditions

The setting for Public Services includes the service areas of the police protection, fire protection, schools, parks, library, and medical providers that would serve the Project.

Fire Protection

The Williams Fire Protection Authority would provide fire services to the Project site. The station is located at 810 E Street in the city of Williams and is approximately 12 miles from the Project site.

Police Protection

The Project site would be serviced by the Colusa County Sheriff's Department. The Sheriff's department is located at 929 Bridge Street in the city of Colusa and is approximately 16 miles from the Project site.

Schools

The Project site is located within the Williams Unified School District which operates one elementary school, one upper elementary school, and one junior/senior high school (Williams Unified School District 2021). The nearest school is Williams Elementary School which is 6.1 miles northeast of the Project site. Williams Upper Elementary School is approximately 6.3 miles from the Project site, and Williams Junior Senior High School is approximately 6.4 miles from the Project site.

Parks

Recreational opportunities within Colusa County include County parks, National Wildlife Refuge areas, State Recreation Areas, and other facilities. The Northview Park is the nearest park, 11.3 miles from the Project site. The Colusa National Wildlife Refuge is located approximately 13 miles northwest of the Project. Parks and other recreational resources are discussed further in Section 4.16*, Recreation.*

Other Public Facilities

The Williams Public Library is located approximately 6.5 miles northeast of the Project site. The nearest public medical facility is the Colusa Medical Center located at 199 E Webster Street in the city of Colusa, approximately 15.1 miles northeast of the Project site.

4.15.2 Regulatory Setting

4.15.2.1 Federal

No federal statutes, regulations, plans, or policies apply to the Project site.

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4.15.2.2 State

No state statutes, regulations, plans, or policies apply to the Project site.

4.15.2.3 Local

4.15.2.3.1 Colusa County General Plan

The Public Services and Facilities Element of the Colusa County General Plan contain the following goals and policies related to fire protection, police protection, schools, parks, and other public services (Colusa County 2012):

> ***Policy PSF 3-12:*** *Encourage the incorporation of crime prevention measures into the design of new development and retrofit of existing development. Such measures may include security lighting, fencing, maximizing visibility, access control, and other appropriate measures.*

4.15.3 Thresholds of Significance

A project would result in significant impacts to public services if it would:

a) *Result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

   i. *Fire protection*
   ii. *Police protection*
   iii. *Schools*
   iv. *Parks*
   v. *Other public facilities*

4.15.4 Impact Analysis

IMPACT 4.15-1: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

i) Fire protection

No Impact. The Williams Fire Protection Authority would provide fire services to the Project site. The station is located at 810 E Street in the city of Williams and is approximately 12 miles from the Project site. The Project would be designed in compliance with federal, state, and local worker safety and protection codes and regulations which would minimize the potential for the occurrence of fire. The Project is not anticipated to contribute an increase in population that would cause an increase in the demand for fire protection.

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Project maintenance and operation may introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and photovoltaic arrays may also be identified as a potential ignition source. However, the potential fire risk is low for these Project components. All battery components for the battery energy storage system would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system.

Therefore, the proposed Project is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.

ii) Police protection

No Impact. The Project site would be serviced by the Colusa County Sheriff's Department. The Project is not anticipated to contribute an increase in population that would increase the demand for police protection. No new residences are proposed as part of the Project. The construction and operation of the Project would not substantially increase the demand for police services.

The facility would be secured with chain link fencing along the perimeter of the Project site. Access to the facility would be provided by individual site entry points. Controlled security lighting would be installed and would allow for the Project site to be monitored remotely. Lights would be installed at substations for maintenance and security purposes.

By implementing these measures, the Project would not result in any substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.

iii) Schools

No Impact. The nearest school is Williams Elementary School which is 6.1 miles away from the Project site at 1404 E Street in the city of Williams. The Project is not anticipated to contribute an increase in population or the associated potential increase in school-aged children, and therefore would not result in any increase demand for schools.

Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.

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iv) Parks

No Impact. The nearest park from the Project site is 11.3 miles from the Project site. The Northview Park is located at 180 Virginia St., Williams, CA 95987. The Project is not anticipated to contribute an increase in population, and therefore would not result in any increase demand for park facilities.

Thus, the proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any park services. Parks and other recreational resources are discussed further in Section 4.16, Recreation.

v) Other public facilities?

No impact. The Project is not anticipated to contribute to increased population growth. It is not anticipated that the demand for public facilities such as libraries or parks would be created. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any other public facilities.

Mitigation: None required.

4.15.5 PG&E Cortina Substation Improvement

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. These improvements would not increase demand for public services. Additionally, there would be no need for improvements or construction to schools, parks, police and fire stations, or other public facilities. Therefore, the PG&E improvements would not have an adverse impact on public services or facilities. No mitigation would be required as a result of these improvements.

4.15.6 Cumulative Impacts

As discussed above, there would be no impact with respect to the provision of new or physically altered fire or police protection, school, medical, or other public service facilities. The Project would not cause or contribute to any cumulative impact related to these services.

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4.15.7 References

Colusa County. 2012. General Plan. Adopted July 31, 2012.

Williams Unified School District. 2021. https://www.williamsusd.net/s_c_h_o_o_l_s. Accessed February 16, 2021.

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4.16 RECREATION

This section identifies and evaluates issues related to Recreation in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County did not receive any scoping comments related to Recreation.

4.16.1 Existing Conditions

Recreational opportunities within Colusa County include County parks, National Wildlife Refuge areas, State Recreation Areas, and other facilities. The majority of recreational resources are located within the northeastern portion of the County. Smaller, local recreational facilities in Colusa County within 10 miles of the Project are listed in Table 4.16-1, and the largest recreational facilities that serve the County within 20 miles of the Project site are described in detail below.

Table 4.16-1. Recreation Facilities within 10 miles

Facilities	Managing Agency	Distance (Miles)
Williams Community Pool	City of Williams Park and Recreation	6.3
North View Park	City of Williams Park and Recreation	6.3
Valley Vista Park	City of Williams Park and Recreation	7.3
Venice Park	City of Williams Park and Recreation	6.0
Sierra Oaks Park	City of Williams Park and Recreation	7.3
Sacramento Valley Museum	City of Williams Park and Recreation	6.1

4.16.1.1 Colusa National Wildlife Refuge

The Colusa National Wildlife Refuge is located approximately 13 miles northwest of the Project site. It was established in 1945 as a refuge and breeding ground for migratory birds and other wildlife and to reduce damage of agricultural crops caused by waterfowl. The refuge lies in the Colusa Basin and is bisected by the Colusa Basin Drain, which drains the basin southeast to the Sacramento River (USFWS 2016).

The Colusa National Wildlife Refuge provides recreational opportunities in the form of wildlife viewing and photography during an established 3-mile auto tour through the wetlands or trail hiking. A portion of the Colusa National Wildlife Refuge is open for waterfowl and pheasant hunting seasonally as part of the Sacramento Complex National Wildlife Refuge Hunt Program (USFWS 2021).

4.16.1.2 Delevan National Wildlife Refuge

The Delevan National Wildlife Refuge is located approximately 15 miles northwest of the Project site. Portions of the Delevan National Wildlife Refuge are open seasonally for waterfowl and upland game bird hunting, including geese, ducks, coots, moorhens, snipe, pheasant, and turkey. The Delevan National Wildlife Refuge is not open to the public for hiking or wildlife viewing (USFWS 2018).

4.16.1.3 East Park Reservoir

East Park Reservoir is located approximately 15 miles northeast of the Project site. The facility is owned by Colusa County and is operated by Colusa County's Parks and Recreation Division of

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the Public Works Department. Recreational activities at the East Park Reservoir include hiking, camping, horseback riding, and boating (Colusa County 2021).

4.16.1.4 Colusa-Sacramento River State Recreation Area

The Colusa-Sacramento River State Recreation Area is located 15 miles northwest of the Project site. Recreational opportunities at this facility include fishing, boating, camping, and use of trails for hiking, running, and wildlife viewing (California Department of Parks and Recreation 2021).

4.16.2 Regulatory Setting

4.16.2.1 Federal

No federal regulations pertaining to Recreation apply to the Project.

4.16.2.2 State

No state regulations pertaining to Recreation apply to the Project.

4.16.2.3 Local

The Colusa County General Plan Open Space and Recreation Element discusses policies to enhance recreational opportunities in the County by encouraging further development of public and private recreational opportunities. The following policies would apply to the Project:

> ***Policy OSR 1-1:*** The following General Plan Land Use designations shall be considered Open Space uses: Resource Conservation (RC), Designated Floodway (DF), Parks and Recreation (PR), Agriculture General (AG), and Agriculture Upland (AU).
>
> ***Policy OSR 1-5:*** New development should be designed and constructed to preserve open space features such as scenic corridors, wetlands, riparian vegetation, native vegetation, trees, and natural resources where feasible and appropriate.
>
> ***Policy OSR 1-8:*** Conversion of open space to developed commercial, industrial, or other non-residential job-generating uses may be allowed if needed to support economic development.
>
> ***Policy OSR 2-9:*** Ensure private landowners continue to have the right to offer hunters access to their land during hunting seasons

4.16.3 Thresholds of Significance

A project would result in significant effects on the environment if it would:

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

b) *Include recreational facilities or require the constructions or expansion of recreational facilities which might have an adverse physical effect on the environment?*

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4.16.4 Impact Analysis

IMPACT 4.16-1: *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such as substantial physical deterioration of the facility would occur or be accelerated?* (**No Impact**)

Increases in use of recreational facilities typically are associated with substantial increases in population or a substantial reduction in the availability of existing parks or other recreational facilities. The Project site is not located within or adjacent to a residential area, or within the immediate vicinity of any parks or recreational facilities, and there no parks or existing recreational facilities located on the site. No residential facilities are proposed as part of the Project. Therefore, population growth is not expected, and the use of parks and other regional facilities is not anticipated.

During construction, new construction jobs would be generated temporarily, and workers would come from the surrounding community relative to the Project site. Thus, there would be no increased use of local and regional parks or recreational facilities that would lead to substantial physical deterioration.

Mitigation: None required.

IMPACT 4.16-2: *Does the project include recreational facilities or require the constructions or expansion of recreational facilities which might have an adverse physical effect on the environment? (***No Impact)**

The Project would develop an 80-megawatt solar PV Facility, including an 80-megawatt BESS. The Project would not include any type of residential development with a need for recreational facilities, as described in **Impact 4.16-1**. Therefore, the Project would not develop recreational facilities that may have an adverse physical effect on the environment.

Mitigation: None required.

4.16.5 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's generation-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the generation-tie line. The improvements made would be within the existing Cortina Substation footprint. These improvements would not lead an increase in population resulting in the deterioration or excessive use of parks and recreation facilities during construction or operation of the Project. Additionally, there would be no need to construct or expand recreational facilities. Therefore, there would be no impacts to park and recreation facilities. No mitigation is required.

4.16.6 Cumulative Impacts

As described above, the Project would result in no impact to Recreation. Therefore, the Project would not cause or contribute to a significant cumulative impact to Recreation.

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4.16.7 References

California Department of Parks and Recreation. 2021. Colusa-Sacramento River State Recreation Area. http://www.parks.ca.gov/?page_id=461. Accessed February 2021.

Colusa County. 2021. Colusa County East Park Reservoir. https://visitcolusacounty.com/reservations/. Accessed February 2021.

U.S. Fish and Wildlife Services (USFWS). 2016. About Colusa National Wildlife Refuge. https://www.fws.gov/refuge/Colusa/about.html. Accessed February 2021.

USFWS. 2018. Delevan National Wildlife Refuge (California). https://www.fws.gov/refuge/delevan/. Accessed February 2021.

USFWS. 2021. Waterfowl Hunting on Complex. https://www.fws.gov/refuge/Sacramento/visit/hunting.html. Accessed February 2021.

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4.17 TRANSPORTATION

This section identifies and evaluates issues related to Transportation in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received scoping comments relating to Transportation from the California Department of Transportation, and those comments have been incorporated into the Draft EIR.

A separate Level of Service (LOS) and Vehicle Miles Traveled (VMT) Assessment was prepared for the proposed Project and is provided as Appendix J of this Draft EIR. The following discussion includes summaries and provides specific discussions of results and conclusions.

4.17.1 Existing Conditions

SR 20 runs as close as 1 mile from the Project site, to the north and west. I-5 runs north to south, approximately 7.2 miles east of the Project site. The western portion of the site is intersected by Spring Valley Road, an undivided, two-lane County road. Walnut Drive, also a two-lane, undivided County road, provides access from Spring Valley Road to SR 20 north of the Project site.

4.17.1.1 Environmental Setting

4.17.1.1.1 Major Highways

SR 20 is a two-lane undivided highway that provides a connection between I-5 and the area surrounding the Project site. According to the most recent data published by Caltrans, the average annual daily traffic volume on SR 20 in the vicinity of the Project site is approximately 5,900 vehicles, with up to approximately 590 vehicles during the peak traffic hour (Caltrans 2019).

I-5 is a north-south interstate highway that extends from the Mexican border to the Canadian border and provides access for goods movement, shipping, and travel. Access to the Project site from I-5 is provided via SR 20. Because of the site's rural location, current traffic on the roads immediately adjacent to the Project is light. The Caltrans data available for Colusa County includes I-5 and SR 20. I-5 included 30,800 vehicles per day, and SR 20 included 5,900 vehicles per day within Colusa County (Caltrans 2019). Near the Project location the roads are rural without dedicated turn lanes. The existing traffic is expected to be light, and based on experience with similar projects, rural roads like these are estimated to have between 500 and 800 vehicles per day, or less than 100 vehicles during peak hour (Tetra Tech 2021).

4.17.1.1.2 Local Roads

Spring Valley Road is a two-lane undivided County road that provides access from the site via Walnut Drive to SR 20, and most vehicle trips generated by the Project would travel through the intersection of Spring Valley Road and Walnut Drive to get to the Project site. Travelers from Colusa and Williams would be expected to access the site from SR 20 via East Camp Road, to Beauchamp Road, which transitions to Walnut Drive. There are no dedicated turn lanes onto or off of Spring Valley Road or Walnut Drive in the vicinity of the Project site. Average annual daily traffic and peak hour volumes on Spring Valley Road and Walnut Drive are not available.

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4.17.2 Regulatory Setting

4.17.2.1 Federal

There are no federal regulations that apply to the Project.

4.17.2.2 State

4.17.2.2.1 California Department of Transportation

Caltrans has jurisdiction over state highways and sets maximum load limits for trucks and safety requirements for oversized vehicles that operate on highways. Colusa County is under the jurisdiction of Caltrans District 3. The following Caltrans regulations apply to potential transportation and traffic impacts of the Project:

California Vehicle Code, Division 15, Chapters 1 through 5 (Size, Weight, and Load). Includes regulations pertaining to licensing, size, weight, and load of vehicles operated on highways.

California Street and Highway Code, Sections 660-711, 670-695. Requires permits from Caltrans for any roadway encroachment during truck transportation and delivery, includes regulations for the care and protection of state and county highways and provisions for the issuance of written permits, and requires permits for any load that exceeds Caltrans weight, length, or width standards for public roadways.

4.17.2.2.2 Senate Bill 743

Senate Bill 743, which was codified in PRC Section 21099, required changes to the guidelines implementing CEQA (CEQA Guidelines) (CCR, Title 14, Div. 6, Ch. 3, § 15000 *et seq.*) regarding the analysis of transportation impacts. Pursuant to PRC Section 21099(b)(1), the criteria for determining the significance of transportation impacts must "promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses." (See adopted CEQA Guidelines Section 15064.3(b), Criteria for Analyzing Transportation Impacts). To that end, in developing the criteria, the Governor's Office of Planning and Research (OPR) has proposed, and the California Natural Resources Agency has certified and adopted, changes to the CEQA Guidelines that identify VMT as the most appropriate metric to evaluate a project's transportation impacts. With the California Natural Resources Agency's certification and adoption of the changes to the CEQA Guidelines, automobile delay, as measured by "level of service" and other similar metrics, no longer constitutes (in most cases) a significant environmental effect under CEQA. (PRC Section 21099(b)(3))

4.17.2.2.3 California Environmental Quality Act Guidelines Section 15064.3, subdivision (b)

CEQA Guidelines Section 15064.3(b) describes specific considerations for evaluating a project's transportation impacts. Generally, VMT is the most appropriate measure of transportation impacts. VMT refers to the amount and distance of automobile travel attributable to a project. Other relevant considerations may include the effects of the project on transit and non-motorized travel. Except as provided in subdivision (b)(2) (regarding roadway capacity), a project's effect on automobile delay shall not constitute a significant environmental impact.

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4.17.2.3 Local

4.17.2.3.1 Colusa County General Plan Circulation Element

This element of the General Plan sets out goals, policies, and programs related to transportation and circulation. The following transportation-related policies are applicable to the Project:

> **Policy CIRC 1-4:** Define level of service (LOS) consistent with the latest edition of the Highway Capacity Manual and calculate using the methodologies contained in that manual. At minimum, weekday AM and PM peak hour traffic volumes will be used in determining compliance with the level of service standard. The analysis of other periods may be appropriate and will depend on type of use.
>
> **Policy CIRC 1-5: Maintain** LOS C or better for County roadways and intersections in the unincorporated County.
>
> **Policy CIRC 1-11:** Require new development to: 1) finance and construct all off-site circulation improvement (including safety improvements) necessary to mitigation a project's transportation impacts to local roads, consistent with the policies of the General Plan: and 2) to analyze traffic impacts on the regional transportation system and require fair-share contribution necessary to mitigate significant impacts to regional transportation improvements where a financing plan or other mechanism has been adopted to ensure the full funding and construction of improvements. Right-of-way dedication should be requested as a condition of proposed new or widened major or minor collector.
>
> **Policy CIRC 3-4:** Install stop signs, railroad crossing guards, and warning signs where appropriate and warranted.
>
> **Policy CIRC 4-1:** Ensure that transportation control measures, alternative transportation options, and congestion management strategies are applied to long-term planning activities and large-scale new development projects.

4.17.3 Thresholds of Significance

A Project would result in significant impacts to transportation if it would:

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

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b);

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

d) Result in inadequate emergency access.

4.17.4 Impacts Analysis

4.17.4.1 Methodology

4.17.4.1.1 Trip Generation

Trip generation for Project construction is shown below in Table 4.17-1. Detailed trip generation for the Project was developed based on the construction schedule and the Applicant's experience with construction and operation of solar facilities similar to the Project. For the purposes of CEQA,

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the values shown in the table provide a conservative scenario in that they represent the peak of Project construction activities that would occur for approximately 2–3 months, however traffic volume will be somewhat near the peak for 7 months. Though the Applicant will seek to hire local workers to the maximum extent feasible, due to the size of the Project, it is anticipated that up to 50 percent of the construction workers would commute from the surrounding Sacramento Valley area. Given the distance from Sacramento to the Project site it is anticipated that up to 25 percent of the construction workers would carpool. An estimated 25 percent of workers carpooling was used for the analysis and is reflected in the values shown in the table. The trip generation assumes a passenger car equivalent of 3.0 for the large trucks associated with construction activities. Passenger car equivalent account for differences between trucks and passenger vehicles (i.e., trucks utilize more roadway capacity than passenger vehicles due to their larger size, slower start-up times, and reduced maneuverability).

Table 4.17-1. Trip Generation for Project Construction

Phase	Daily		Trip Generation			
			AM Peak Hour		PM Peak Hour	
	Workers	Trucks	in	out	in	out
Peak Construction Traffic	200	15	150	8	8	150
Operations	1-2*	2*	1*	1*	1*	1*

Peak hours for traffic generated by the Project are expected to be between 6:00 a.m. and 7:00 a.m. and between 6:00 p.m. and 7:00 p.m., when construction workers would commute to and from the Project site. It is expected that nearly all workers would arrive and leave during the peak hours. Conservatively, a small number of workers are included as either leaving during the morning peak hour or arriving during the evening peak hour.

Once constructed, the Project would operate 7 days per week and 365 days per year. Only occasional, on-site maintenance is expected to be needed following commissioning. Initially, personnel would likely visit the Project site daily or weekly, but it is anticipated that eventually maintenance visits would be reduced to once a month or less, such that facility operations would generate little traffic. Operation and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment. On intermittent occasions, the presence of 5 to 30 workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. Due to the infrequent operations and maintenance worker trips to the site, there would be no impact to peak hour traffic associated with ongoing operations of the Project.

Trip generation for decommissioning is conservatively assumed to be similar to Project construction.

4.17.4.1.2 Trip Distribution

The Project traffic distribution was estimated based on panel and racking manufacturer shipping, proximity to cities, commonality of the remaining materials like fencing and concrete. Based on these considerations, it is expected that the panels, inverters, and racking would arrive by ship to the Port of Oakland and or San Francisco, a maximum of 121 miles from the Project location.

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These components would be delivered with standard 5-axle semi-trucks by way of I-680 to I-80, to I-550 to I-5 to the Project site and would be approximately 40 percent of the total materials and equipment truck loads to the Project site. The remaining 60 percent of heavy vehicle loads were assumed to come from Sacramento; either being sourced locally or arriving at a local railyard. This includes construction equipment, aggregate, concrete, fencing, cabling, and electrical equipment. An estimated 50 percent of the workers were assumed to either reside or lodge in Sacramento. Due to limited lodging available in Williams and Colusa, only approximately 10 to 15 percent of the workers were assumed to reside or lodge in those cities, respectively.

In summary, the following construction trip distribution percentages were assumed:

- 40 percent of trucks traveling to/from the north via interstates;
- 60 percent of trucks/50 percent of construction workers traveling to/from the southeast (Sacramento) via I-5 and SR 20; and
- 25 percent of construction workers traveling to/from Colusa and Williams via SR 20.

4.17.4.1.3 Vehicle Miles Traveled

CEQA Guidelines Section 15064.3(b) was adopted in December 2018 by the California Natural Resources Agency. These revisions to the CEQA Guidelines criteria focus the analysis of traffic impacts from driver delay to reduction of GHG emissions, creation of multimodal networks, and diversity of land uses. The revisions required lead agencies to evaluate transportation impacts based on VMT beginning July 1, 2020. VMT is a measure of the total number of miles driven to or from a project and is sometimes expressed as an average per trip or per person. Colusa County has not yet adopted VMT-based transportation significance thresholds. Where no VMT threshold has yet been adopted, the Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA (OPR 2018) provides guidance:

> *"The VMT metric can support the three statutory goals: "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." (Pub. Resources Code, § 21099, subd. (b)(1), emphasis added.) However, in order for it to promote and support all three, lead agencies should select a significance threshold that aligns with state law on all three. State law concerning the development of multimodal transportation networks and diversity of land uses requires planning for and prioritizing increases in complete streets and infill development but does not mandate a particular depth of implementation that could translate into a particular threshold of significance. Meanwhile, the State has clear quantitative targets for GHG emissions reduction set forth in law and based on scientific consensus, and the depth of VMT reduction needed to achieve those targets has been quantified. Tying VMT thresholds to GHG reduction also supports the two other statutory goals. Therefore, to ensure adequate analysis of transportation impacts, OPR recommends using quantitative VMT thresholds linked to GHG reduction targets when methods exist to do so."*

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IMPACT 4.17-1: *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?* **(Less than significant Impact)**

The LOS analysis performed for the Traffic Analysis Memorandum provided in Appendix J relies on the conservative estimates due to the lack of traffic count data. Given the remoteness of the Project site, the local roads are believed to have far fewer vehicles than their capacity. Applying the conservative estimate of 800 vehicles per day under current conditions, during the peak hour there would be 80 or fewer vehicles on the road using the Highway Capacity Manual standard estimation method of peak hour being 10 percent. The Highway Capacity Manual capacity for a single free flow lane is 1,800 vehicles per hour (TRB 2016). These intersections are two-way stop-controlled intersections, so they have one free-flowing lane in each direction. The estimated total number of vehicles during the peak hours, taking into account 80 vehicles per hour at Walnut Drive and at East Camp Road currently, plus 150 vehicles generated by Project construction, would be 230 to 310. The actual capacity of the intersection is far less than the sum of the two lanes since there would be a break in the traffic for stopped vehicles; however, the estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The LOS calculation for Walnut Drive and Spring Valley Road is provided as Appendix A and yields a LOS A during peak construction. Based on this conservative estimate, it can be reasonably concluded that the LOS will be C or better during construction.

Because the existing roadways would still be functioning under their estimated capacity, there will be no need to mitigate for traffic and a Traffic Management Plan is not anticipated to be needed for this Project.

During the construction phase, service roads would be constructed in between the solar arrays and around the Project site. Signage indicating the speed limit and stop signs would be posted where appropriate. Due to the remoteness of the Project site, it is not expected to interfere with any bicycle or pedestrian facilities.

The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the Project impact would be less than significant.

Mitigation: None required.

IMPACT 4.17-2: *Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?* **(Less than Significant Impact)**

The VMT analysis quantifies the total number of vehicle miles added to the roads as a direct result of the construction and operation of the Project. The transportation impact study's VMT analysis includes the estimated number of workers on a weekly basis, reduced by the number that are likely to carpool, and multiplied by the approximate distance traveled and the number of times per week that distance is traversed (i.e., commutes happen 10 times per week = 2 times per day). As shown in Table 4.17-2, a total VMT of 721,453 was calculated for the Project, which is relatively low compared to similarly sized projects within California. Vehicle trips would peak during the months of February and May.

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Mitigation: None required.

Table 4.17-2. Construction Vehicle Miles Traveled

Type	Worker Trip	Worker Trip	Worker Trip	Worker Trip	Equipment Trip	Materials Trip	Materials Trip
Source Location	Williams	Colusa	Yuba City	Sacramento	Sacramento	Port of SF	Sacramento
Distance	9.3	18.4	42.2	64.4	64.4	118	64.4
Times per week	10	10	10	10	2	2	2
Percent of total	15%	10%	10%	65%	100%	60%	40%
Percent Carpool	25%	25%	25%	25%	N/A	N/A	N/A
October	697.5	920	2110	20930	644	708	257.6
November	697.5	920	2110	20930	644	708	257.6
December	1395	1840	4220	41860	128.8	1416	515.2
January	2790	3680	8440	83720	128.8	1416	515.2
February	2790	3680	8440	83720	128.8	2124	772.8
March	2790	3680	8440	83720	128.8	2124	772.8
April	2790	3680	8440	83720	128.8	2124	772.8
May	2790	3680	8440	83720	128.8	2124	772.8
June	2790	3680	8440	83720	128.8	708	257.6
July	279	368	844	8372	644	0	0
Total:	721,453						

Source: Tetra Tech 2021

IMPACT 4.17-3: *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?* **(Less than Significant Impact)**

Some of the heavy construction equipment and facility materials may be transported to the site by oversize vehicles. The use of oversize vehicles during construction can create a hazard to the public by limiting motorist views on roadways and by the obstruction of space.

Oversize vehicle loads must comply with permit-related and other requirements of the California Vehicle Code and California Streets and Highway Code. California Highway Patrol and Colusa County may require oversize load permits which would specify if California Highway Patrol escorts are required during oversize vehicle trips. Due to the rural nature of the area roads and relatively low traffic volumes, construction vehicles are not anticipated to cause hazards to other roadway users traveling to and from the Project site. Furthermore, the Project would not include a design feature or utilize vehicles with incompatible uses that would create a hazard on the roadways surrounding the Project site.

Access to the Project site would be provided from SR 20, Walnut Drive and Spring Valley Road. Design and construction of Project access road intersections would be required to conform with Colusa County standards, ensuring that corner sight distance requirements are followed (though the relatively flat terrain is assumed to not make sight distance an issue of concern). These design and construction requirements would ensure that Project elements would not increase

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transportation-related hazards. Impacts associated with transportation-related hazards resulting from a Project geometric design feature or incompatible uses would be less than significant.

Mitigation: None required.

IMPACT 4.17-4: *Would the project result in inadequate emergency access?* **(Less than Significant Impact)**

The Project site is located in a rural area with existing roads providing adequate egress/ingress to proposed Project site in the event of an emergency. Additionally, as part of the Project, internal access roadway improvements would occur. Therefore, the Project would allow for adequate emergency access. The Project also would be subject to the requirements of the current Fire Code and Building Code, and Project plans would be reviewed by Colusa County for appropriate access design prior to the issuance of building permits.

Project-related operational traffic would not result in any noticeable change to operating conditions on study area roadways, and the Project would not require closures of public roads, which could inhibit access by emergency vehicles. During construction of the Project, heavy construction-related vehicles could interfere with emergency response to the site or emergency evacuation procedures in the event of an emergency (e.g., slowing vehicles traveling behind the truck). In the vicinity of the Project site, there are sparse rural residences, and a lack of businesses and emergency response stations. Heavy equipment and construction materials deliveries are anticipated to occur throughout the day, such that they would not cause prolonged delays on surrounding roadways, such that construction-related traffic would not result in inadequate emergency access.

Mitigation: None required.

4.17.5 PG&E Cortina Substation Improvement

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint. These improvements would not put a significant strain to the existing roadways. Additionally, there would be no need to finance or physically make improvements to roadways as mitigation for the PG&E improvements. Furthermore, the PG&E Cortina substation improvements would have no significant impact on criteria 4.17-1 to 4.17-4. No mitigation would be required.

4.17.6 Cumulative Impacts

As discussed above, the Project would cause no impact with respect to conflicts with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Therefore, the Project could neither cause nor contribute to any potential significant cumulative effect regarding these considerations.

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The potential for cumulative transportation impacts exists where there are multiple projects proposed in an area that have overlapping construction schedules and/or project operations that could result in a substantial contribution to increased traffic levels throughout the surrounding roadway network.

For the purposes of the cumulative analysis of transportation impacts, only other projects that contribute, or could contribute, traffic to the same roadway segments as the Project should be included. Because the volume of traffic generated would not be particularly high during site clearing and construction and decommissioning and would be substantially less during operation and maintenance activities, only segments of Walnut Drive and Spring Valley Road would experience increases in traffic. Therefore, the geographic scope for cumulative impacts consists of those two roadway segments.

Similar to the Project analysis above, which focused on the construction phase of the Project, the temporal scope for cumulative transportation impacts is limited to the construction and decommissioning phases, because activities during these times would contribute the most traffic to roadways within the geographic scope.

Past, present, and reasonably foreseeable future actions making up the cumulative scenario are identified in Table 2-1. Past projects have been constructed and so would contribute only ongoing operational traffic to area roadways during the Project's construction phase. The ongoing impacts associated with past projects are accounted for as part of baseline conditions for the Project and are described as part of the existing conditions described above. That evaluation indicates that vehicular circulation would continue to operate acceptably under Project conditions.

There are no cumulative projects that could potentially interact with the Project and contribute traffic to the roadway segments defined above in the geographic scope of the cumulative transportation analysis. The construction traffic associated with the Project would not increase VMT or daily trips beyond the roadways current operating capacity, such that the Project's incremental contribution to cumulative transportation impact would not be cumulatively considerable.

Operational traffic associated with the Project would not substantially increase daily trips on any roadway segment. The Project would not cause or contribute to a significant adverse cumulative impact relating to operational traffic.

4.17.7 References

California Department of Transportation (Caltrans). 2019. 2019 Traffic Volumes on California Highways. Available online at: https://dot.ca.gov/programs/traffic-operations/census. Accessed May 2021.

Office of Planning and Research (OPR). 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA. Available online at: https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf. Accessed April 2021.

Tetra Tech, Inc. (Tetra Tech). 2021. Traffic Analysis Technical Memorandum.

Transportation Research Board (TRB). 2016. Highway Capacity Manual. 6th Ed. Washington, D.C.

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4.18 TRIBAL CULTURAL RESOURCES

This section identifies and evaluates issues related to tribal cultural resources in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received scoping comments relating to Tribal Cultural Resources from the NAHC, and those comments have been incorporated into the Draft EIR.

4.18.1 Existing Conditions

The Project area and surrounding region is within the ancestral territory of the Patwin band of the Southern Wintun people (see discussion in Section 4.5.1.2). An ethnographic review of tribal cultural resources was performed via the NWIC record search, NAHC SLF search, and review of available ethnographic documents (see Section 4.5.1). In addition, AB 52 tribal notification consultation letters were sent out to tribes.

4.18.2 Regulatory Setting

A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource, may have a significant effect on the environment (PRC 21084.2). As specified in the PRC Section 21080.31, as amended by AB 52, requires a lead agency to consult with any California Native American tribe that requests consultation and is traditionally and culturally affiliated with the geographic area of a proposed project. Consultations must include discussing the type of environmental review necessary, the significance of tribal cultural resources, the significance of the project's impacts on the tribal cultural resources, and alternatives and mitigation measures recommended by the tribe (PRC 21080.3.1 (a) and 20184.3(b)(a)), and Government Code 65352.4). That consultation must take place prior to the determination of whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

Public Resource Code Section 21074 defines tribal resources as follows:

(a)"Tribal cultural resources" are either of the following:

(1) Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:

(A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.

(B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

(2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.

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(b) A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.

(c) A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).

14 California Code of Regulation 15120(d) Confidentiality

Section 15120(d) of the California Code of Regulations states that information and locational information regarding archaeological sites, sacred lands, or other information is confidential and is restricted from disclosure in public documents.

Also see California Health and Safety Code, Section 7052 and 7050.5 and California Public Resource Code, Section 5097 discussed in Section 6.5.2.

4.18.3 Threshold of Significance

In recognition of AB 52, which strengthens the level of review required for Tribal cultural resources and establishes guidelines for require consultation with Native American Tribes, the following threshold is included:

- Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

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

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

4.18.4 Impact Analysis

Impact 4.18-1: *Would the project cause adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geologically defined in terms of the size and scope of the landscape, sacred plan, or object with cultural value to a California Native American tribe that is:*

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

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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, as the CEQA lead agency, has considered the significance of the resource to a California Native American tribe.

Less than Significant Impact with Mitigation. The combined NWIC record search, NAHC SLF search, and Phase I field survey (see Section 4.5), and tribal notification did not identify any tribal cultural resources listed in a local register or eligible or listed as eligible to the CRHR within the Project Area. Per Assembly Bill 52 (21080.3.1), the County sent Project consultation letters to the following tribal governments on July 10, 2020:

- Daniel Gomez, Chairman, The Colusa Indian Community Council
- Charlie Wright, Chairperson, Cortina Rancheria – Kletsel Dehe Band of Wintun Indians
- Anthony Roberts, Chairperson, Yocha Dehe Wintun Nation
- Glenda Nelson, Chairperson, Estom Yumeka Maidu Tribe – Enterprise Rancheria
- Ronald Kirk, Chairperson, Grindstone Rancheria of Wintun-Wailaki
- Andrew Alejandre, Chairperson, Paskenta Band of Nomlaki Indians
- Jose Simon III, Chairperson, Middletown Rancheria of Pomo Indians

Responses were received by the following:

Leland Kinter, Tribal Historic Preservation Officer, of the Yocha Dehe Wintun Nation replied on July 23, 2020 that the Project is within the aboriginal territories of the Yocha Dehe Wintun Nation and the tribe has an interest and authority in the Project Area. Mr. Kinter also stated the tribe has concerns that the Project could impact cultural resources and recommends cultural sensitivity training for Project personnel prior to the start of Project construction and on-site cultural monitors during development and ground disturbance.

Implementation of **Mitigation Measures CUL-1** (Cultural Resource Worker Education/Training), **CUL-2** (Inadvertent Discovery of Archaeological Resources During Construction), and **CUL-3** (Native American Tribal Consultation and Monitoring), would ensure that tribal resources would be appropriately addressed, therefore, reducing any significant impacts. Thus, the Project is proposed to have less than significant impacts after mitigation.

4.18.5 Mitigation Measures

CUL-1, **CUL-2**, and **CUL-3** would be implemented, as described in Section 4.5 Cultural Resources.

4.18.6 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's property at the Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system,

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disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements made would be within the existing Cortina Substation footprint.

Through the implementation of **Mitigation Measures CUL-1, CUL-2**, and **CUL-3** these improvements would not have a substantial adverse effect on any tribal cultural resources, and no additional mitigation measures would be required.

4.18.7 Cumulative Impacts

If construction ground disturbance depths extend to native soils (approximately 1.5 to 3 feet or more in depth), there would be a potential to impact previously unrecorded subsurface cultural resources or human remains. As discussed in Section 4.5, Mitigation Measures **CUL-1 through CUL-3** would mitigate impacts to cultural resources to be less than significant, and compliance with existing regulations would ensure that any impacts to human remains would be less than significant. In addition, cultural resources that are potentially affected by related or future projects would be subject to the same requirements of CEQA and the laws and regulations discussed above in section 4.5.2 Regulatory Setting. Therefore, the Project would contribute to a less than significant cumulative impact to tribal cultural resources.

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4.19 UTILITIES AND SERVICE SYSTEMS

This section identifies and evaluates issues related to Utilities and Service Systems in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received no scoping comments relating to Utilities and Service Systems.

This analysis is based in part on the Water Supply Assessment report prepared for the Project by Tetra Tech in July 2021 (Appendix H). The County independently reviewed this (and other materials prepared by or on behalf of the Applicant) and determined it to be suitable for reliance, in combination with other materials included in the formal record, in the preparation of this Draft EIR.

4.19.1 Existing Conditions

For the purposes of this analysis, the relevant utility or service systems are the water supply, wastewater, stormwater, solid waste disposal, gas and electrical, and telecommunication utilities that would provide service to the Project site.

4.19.1.1 Water Supply

The Project is located in the Colusa Subbasin, included in the larger Sacramento Valley Groundwater Basin. The Colusa Subbasin covers approximately 1,131 square miles and is bounded by Stony Creek to the north, the Coast Ranges to the west, the Sacramento River to the east, and the Yolo Subbasin to the south.

4.19.1.2 Solid Waste Management

The Solid Waste Division of the Colusa County Public Works Department is responsible for County solid waste coordination and solid waste disposal activities. Garbage collection for the unincorporated areas of the County is contracted by Recology. The Maxwell Transfer Station, located approximately 19 miles northeast of the Project site, is owned and operated by Recology (Colusa County 2021). Solid waste from the Maxwell Transfer Station is transferred to the Recology Ostrom Road Landfill in Yuba County. The Ostrom Road Landfill is permitted to receive 3,000 tons of waste per day; it has a remaining capacity of approximately 41,822,300 cubic yards and is expected to reach its permitted capacity in 2066 (CalRecycle 2021).

4.19.1.3 Wastewater

Wastewater service is not currently provided at the Project site. Within Colusa County, rural areas generally use on-site septic systems for wastewater disposal.

4.19.1.4 Stormwater

No stormwater drainage infrastructure is located on-site; rather, natural drainage patterns and ditches control water on the site.

4.19.1.5 Gas and Electrical

PG&E is an investor-owned utility company that provides electricity and natural gas supplies and services throughout a 70,000 square-mile service area that includes Colusa County and the Project site (PG&E 2020).

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4.19.2 Regulatory Setting

4.19.2.1 Federal

No federal regulations pertaining to Utilities and Service Systems apply to the Project.

4.19.2.2 State

4.19.2.2.1 The California Integrated Waste Management Act

The California Integrated Waste Management Act was enacted in 1989 as AB 939 and codified in Pub. Res. Code §40050 et seq. The Act required all California cities, unincorporated portions of counties, and approved regional solid waste management agencies to divert a minimum of 25 percent of solid waste from landfills by 1995 and 50 percent by 2000. Cities and counties are required to maintain the 50 percent diversion specified by AB 939 past 2000. Diversion includes waste prevention, reuse, and recycling. The Act resulted in the creation of the California Integrated Waste Management Board, which now is known as CalRecycle. Under the Act, jurisdictions also have to submit solid waste planning documentation to CalRecycle. The Act also set into place a comprehensive statewide system of permitting, inspections, and maintenance for solid waste facilities, and authorized local jurisdictions to impose fees based on the types and amounts of waste generated.

4.19.2.2.2 Sustainable Groundwater Management Act

In 2014, a three-bill legislative package was signed into law by Governor Brown. The three-bill package comprised of AB 1739, SB 1168, and SB 1319, known as the Sustainable Groundwater Management Act. The Act requires governments and water agencies of high and medium priority basins to manage over drafting in order to bring groundwater basins to balanced levels of pumping and recharge. The Sustainable Groundwater Management Act empowers local agencies to form Groundwater Sustainability Agencies to manage basins and adopt Groundwater Sustainability Plans for crucial groundwater basins in California.

4.19.2.2.3 22 California Code of Regulations Division 4.5

Title 22 of the California Code of Regulations discusses an array of requirements with respect to the disposal and recycling of hazardous and universal wastes. Specific standards and requirements are included for the identification, collection, transportation, disposal, and recycling of hazardous wastes. Additional standards are included for the collection, transportation, disposal, and recycling of universal wastes, where universal wastes are defined as those wastes identified in Section 66273.9 of Title 22 of the California Code of Regulations, including batteries, electronic devices, mercury containing equipment, lamps, cathode ray tubes, and aerosol cans. Requirements include recycling, recovery, returning spent items to the manufacturer, or disposal at an appropriately permitted facility. Division 4.5 of Title 22 also provides restrictions and standards relevant to waste destination facilities and provides authorization requirements for various waste handlers. Title 22 includes California's Universal Waste Rule, as well as other additional waste handling and disposal requirements.

4.19.2.2.4 Utility Notification Requirements

California Government Code Section 4216 et seq. requires owners and operators of underground utilities to become members of, participate in, and share the costs of a regional notification center.

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4.19.2.2.5 California Public Utilities Commission

The California Public Utilities Commission regulates services and utilities and assures California's access to safe and reliable utility infrastructure and services. The essential services regulated include, electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies. The California Public Utilities Commission implements the California Environmental Quality Act for utility construction by PG&E and the other public utilities under its jurisdiction, and regulates the location and relocation of power lines by investor-owned utilities, such as PG&E.

4.19.2.2.6 National Pollutant Discharge Elimination System Construction General Permit

Construction activities disturbing 1 acre or more of land, as proposed for the Project site, are subject to the permitting requirements of the National Pollutant Discharge Elimination System General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (Construction General Permit) and must apply for Construction General Permit coverage. For all new projects, applicants must electronically file permit registration documents using the Stormwater Multiple Applications and Report Tracking Systems, and must include a Notice of Intent, risk assessment, site map, and SWPPP to be covered by the General Construction Permit prior to beginning construction. The risk assessment and SWPPP must be prepared by a State-Qualified SWPPP Developer. See Section 4.10, *Hydrology/Water Quality*, for a more detailed discussion relative to water quality and SWPPP requirements.

4.19.2.3 Local

4.19.2.3.1 Colusa County General Plan

The Colusa County General Plan Public Facilities and Services Element (2012) contains the following policies related to Utilities and Service Systems that are relevant to the Project (Colusa County 2012):

> ***Policy PSF 1-8:*** Require proof of an adequate (as defined by the County of Environmental Health Division) potable water supply to serve the entire project prior to approval of any division of land or use permit.
>
> ***Policy PSF 1-22:*** For projects that will rely on on-site wastewater system, applicants shall provide detailed plans demonstrating that the system will be adequate to serve the project and will meet or exceed all applicable water quality standards.
>
> ***Policy PSF 1-27:*** Ensure future septic systems are designed and located to protect waterways and agricultural lands.
>
> ***Policy PSF 2-6:*** Encourage the salvage, re-use and/or recycling of demolition and construction material on all construction sites and encourage the re-use of salvage material in project construction.
>
> ***Policy SA 1-27:*** Maintain adequate lands that can be used for groundwater recharge and storm water management. These lands may include parcels designated Agriculture General (AG), Designated Floodway (DF), and Resource Conservation (RC)

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4.19.3 Significance Criteria

A project would result in significant impacts to utilities and service systems if it would:

a) *Require or result in the relocations or construction of new or expanded water, wastewater, treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation which would cause significant environmental effects;*

b) *Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years;*

c) *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;*

d) *Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals; or*

e) *Not comply with federal, State, and local management and reduction statutes and regulations related to solid waste.*

4.19.4 Impact Analysis

IMPACT 4.19-1: *Would the project require or result in the relocations or construction of new or expanded water, wastewater, treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation which would cause significant environmental effects? (**Less than Significant Impact**)*

Water Supply

Current water facilities on-site are one hand dug well and several manmade reservoirs currently used to water the land for cattle grazing.

The city of Williams is the purveyor of a public water system located approximately 11.4 miles from the Project site. The City has indicated that it can provide water for the Project through a fire hydrant located at 180 N. Virginia Way in the city of Williams. Water obtained from the fire hydrant would be trucked to the Project site.

The City's potable water system consists of 2,126 service connections and serves a population of 5,698. The City depends on the Colusa Sub-basin for water supply and utilizes three active and two standby groundwater wells (which pump from the Colusa Sub-basin). The wells are approximately 120 to 500 feet deep.

The Project would primarily require water during construction for dust control. Total water volume to be used during construction is 46 acre-feet (AF; 15,000,000 gallons). During O&M, water would be used for panel washing and maintenance. The expected annual water consumption during operation would be approximately 1 AF per year. No new wells would be constructed as part of the Project. The proposed Project would not require or result in the relocation or construction of new or expanded water treatment facilities.

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Wastewater

The proposed Project would not require permanent wastewater treatment connection due to the small number of employees during operation. Portable toilets would be on-site for permanent employees. Portable units would be provided for workers during construction. Removal of the portable units would not affect the operation or function of wastewater facilities that are located on or adjacent to the Project. Therefore, the Project would not require or result in relocations or construction of wastewater facilities.

Stormwater

No on-site stormwater detention facilities are planned nor would the Project require the construction or relocation of stormwater drainage facilities. The Project has been designed so that site drainage would continue to follow the natural drainage pattern. None of the Project facilities would prevent stormwater flow. Site preparation and construction activities would be performed in accordance with a SWPPP, or similar plan as appropriate, which incorporates stormwater BMPs to reduce the adverse effects of erosion and sedimentation. Therefore, the Project would not require or result in the construction or relocation of new or expanded stormwater facilities that would cause an adverse environmental effect.

Electric Power

The Project is a solar facility that would include arrays of solar PV modules (or panels) and support structures, direct current electricity to alternating current electricity power inverters and transformers or power conditioning stations, an on-site substation, and a gen-tie line to generate and distribute up to 80 MW of electricity. Additionally, the energy storage system would include power conditioning systems, electrical wiring, switching, transformers, and connect to the 60.0 kV bus in the Project substation.

Except for the potential use of temporary portable lighting, no electrical services are required during construction and decommissioning. Electricity would be consumed by the Project, as required for operation, when the Project is not powered by on-site energy generation.

Electric facilities and connections proposed as part of the Project could result in potential environmental impacts that are discussed throughout this Draft EIR. The Project would not require or result in the construction or relocation of new or expanded electric facilities beyond those included as part of the Project that would cause an adverse environmental effect.

Natural Gas

As a solar PV facility, the Project does not require the use of natural gas for the power generation process. Therefore, no natural gas facilities are proposed as part of the Project, nor would the Project result in the relocation or construction of new or expanded natural gas facilities that would cause an adverse environmental effect.

Telecommunications Facilities

The Project proposes new telecommunications infrastructure to connect to existing local telecommunication services. As discussed in *Chapter 2, Project Description*, a telecommunication line would be comprised of fiber optic cable and/or 25-pair telephone line, which would be installed above and below ground, either attached to existing distribution lines or installed immediately

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adjacent to the Project substation. The telecommunication routes would use a combination of existing poles or new poles and below ground installations. The point of interconnection to the existing telecommunication facilities would be in a small telephone/fiber optic vault. Interconnection to the Project would be within the Project substation. Below ground installations are usually installed 24-48 inches below grade. Above ground lines are typically placed 6 feet below existing distribution lines or on new, adjacent wooden poles. Telecommunications may also be transmitted by a small wireless microwave antenna mounted on a pole up to 90 feet tall, which would be placed at the Project substation. The impacts of the telecommunications-related components of the Project are analyzed on a resource-by-resource basis throughout Chapter 4 of this Draft EIR. The construction required to expand telecommunications services for Project purposes would cause a less-than-significant environmental effect.

Mitigation: None required.

IMPACT 4.19-2: *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?* **(Less than Significant Impact)**

As discussed in **IMPACT 4.10-2**, the solar PV facility would require a minimal amount of water during construction and operation. Water would be used for dust control and soil compaction during construction. Construction would require 46 AF of potable water over an 11-month period. Water usage for maintenance of the Project would be 1 AF and be used for panel washing. Rainfall is predicted to provide occasional cleaning for the panels. Panel washing is only required if the performance of the panels degrades significantly between rainfall events. Water would be trucked in from a fire hydrant located in the city of Williams during construction and maintenance of the Project.

Existing water consumption at the Project site would be reduced by approximately 554 AF during construction. During operation, existing water consumption would be reduced even further as operational use of water would be significantly less than construction water consumption. Water consumption during the operational life would be reduced by 592 AF per year.

Due to the low amount of water used during the construction and operation of the life of the Project, it is anticipated that the Project would have sufficient water supplies during normal, dry, and multiple dry years.

Mitigation: None required.

IMPACT 4.19-3: *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that is has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?* ***(No Impact)***

Wastewater disposal needs at the proposed Project addition during construction would be provided on-site via portable toilet facilities with sanitary disposal occurring at an offsite facility. During operation, the O&M building would be served by a portable toilet. Public wastewater treatment services would not be required for the modified Project and no increase in demand for wastewater treatment services would occur with implementation of the Project. Therefore, the Project would not result in a determination by the wastewater treatment provider that serves the

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Project has inadequate capacity to serve the Project's demand in addition to the provider's existing commitments.

Mitigation: None required.

IMPACT 4.19-4: *Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (**Less than Significant Impact**)*

Approximately 20 cubic yards of solid waste per week would be generated during the short-term construction phase (11 months), a majority of which would be non-hazardous, and consist primarily of cardboard, wood pallets, copper wire, scrap metal, common trash, and wood wire spools. Construction waste materials such as metal and wood would be separated from the waste stream and recycled whenever feasible. Non-recyclable construction waste would be placed into commercial trash dumpsters located on-site. Dumpsters would be collected as needed by a commercial service and delivered to a landfill, such as the Maxwell Transfer Station.

As described in Section 4.18.1.2, the solid waste from the Maxwell Transfer Station is transferred to the Recology Ostrom Road Landfill in Yuba County. The Ostrom Road Landfill is permitted to receive 3,000 tons of waste per day; it has a remaining capacity of approximately 41,822,300 cubic yards and is expected to reach its permitted capacity in 2066 (CalRecycle 2021). Additionally, it is assumed the Project would comply with the CalGreen Code, which is intended to assist the County in compliance with the solid waste reduction goals of AB 939.

Generation of solid waste during the construction phase would be properly disposed of in accordance with applicable statutes and regulations. Similarly, any waste generated during future decommissioning of the modified Project would be required to be properly managed and disposed of in a licensed, offsite land fill or recycling facility. It is conservatively assumed that solid waste for decommissioning would be approximately the same as solid waste generated during construction.

During the operations phase, minimal amounts of solid waste would be generated by staff during periodic maintenance activities, and this solid waste would be collected on a daily basis or as otherwise needed and transported to a licensed offsite landfill or recycling facility for disposal. The modified Project would be implemented in compliance with applicable federal, state, and local statutes and regulations related to solid waste.

Mitigation: None required.

IMPACT 4.19-5: *Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste? **(No Impact)***

During initial demolition and construction, the Project would be required to comply with the CalGreen Code, which is intended to assist the County in compliance with the solid waste reduction goals of AB 939. Project operation would generate a negligible amount of solid waste as well as an on-site dumpster that would be collected weekly by a commercial waste management service. Therefore, the Project would not negatively impact the provision of solid waste services or the attainment of solid waste reduction goals and no impact would occur.

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Mitigation: None required.

4.19.5 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminated at the boundary of PG&E's Cortina Substation to the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. These improvements would not alter the current and future water usage of the Project. The utilities discussed in **IMPACT 4.19-1** would not be affected due to the PG&E improvements. Nor would solid waste management exceed any capacity of the local waste facilities or the standards set by local and state agencies as a result of these impacts. Thus, the improvements would have no impact on local utilities. No mitigation is required.

4.19.6 Cumulative Impacts

The potential cumulative impacts related to Utilities and Service Systems would extend within the service areas of the utility and service providers that would serve the Project site. As discussed above, there would be no impact with respect to construction or expansion of water, wastewater, stormwater, telecommunications, or natural gas facilities, or compliance with federal, state, a local management and reduction statutes related to solid waste, such that there is no significant cumulative impact to these criteria to which the Project could contribute.

The cumulative analysis provided below considers the incremental impacts related to water availability and landfill capacity, that could be caused by the Project in combination with other past, resent, and reasonably foreseeable future projects.

The geographic scope of potential cumulative impacts to landfill capacity would be the areas served by the Recology Ostrom Road Landfill in Yuba County. The Project would generate solid waste (causing less than significant impacts) of approximately 20 cubic yards per week during short-term construction and decommissioning, and one cubic yard per week during O&M, recycling whenever feasible. In the unlikely scenario that the cumulative projects resulted in a significant cumulative effect, the Project's incremental contribution would not be cumulatively considerable due to the negligible amount of waste that would be generated during the Project's construction period. During O&M, the cumulative volume of solid waste disposal would be substantially lower compared with construction.

The Ostrom Road Landfill is expected to reach its permitted capacity in 2066, such that it would be expected to be operating during decommissioning of the Project, which is estimated to be 35 years after the start of operations, or approximately in 2058. Should the Ostrom Road Landfill not be available to the Project for decommissioning, the Project and the County would still be required to comply with the Integrated Waste Management Act. Colusa County is required to specify areas for transformation or disposal sites to provide capacity for non-recyclable solid waste generated in the jurisdiction for a 15-year planning horizon. If existing areas are not available to meet the anticipated 15-year capacity requirement, the County would be required to create and implement a plan to site additional capacity. It is anticipated that the County therefore would have at least 15 years of remaining capacity at the time of decommissioning, in compliance with this Act, and

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that decommissioning waste could be disposed of within the limits of available permitted capacity. The same state and local requirements for waste diversion and recycling that would apply to the Project also would apply to other projects in the cumulative scenario and therefore the cumulative scenario for solid waste is not expected to exceed the permitted capacity of available landfills. Therefore, the Project's incremental contribution to capacity concerns would not be cumulatively considerable.

The Water Supply Assessment (WSA) determined water availability during normal, single dry, and multiple dry years during a 20-year projection in addition to the area's existing and planned future uses. Any adjacent cumulative projects that meets the criteria included in SB 610 (any project subject to the California Environmental Quality Act, is an industrial project of more than 40 acres in size regardless of size or type, or would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project) would be required to complete similar WSAs applicable to those development projects, which would ensure that sufficient groundwater supplies would be available to meet their demands during construction.

4.19.7 References

CalRecycle. 2021. Solid Waste Information System Facility/Site Activity Details. https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/733?siteID=4075. Accessed July 2021.

Colusa County. 2012. General Plan. Adopted July 31, 2012.

Colusa County. 2021. Solid Waste. https://www.countyofcolusa.org/146/Solid-Waste. Accessed March 2021.

Pacific Gas and Electric (PG&E). 2020. 2020 Joint Annual Report to Shareholders, February 25, 2021. Available online: https://s1.q4cdn.com/880135780/files/doc_financials/2020/ar/PCG012AR_2020_AR_Web.pdf. Accessed March 2021.

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4.20 WILDFIRE

This section identifies and evaluates issues related to Wildfire in the context of the Project. It includes the physical and regulatory setting, the criteria used to evaluate the significance of potential impacts, the methods used in evaluating these impacts, and the results of the impact assessment. The County received scoping comments relating to Wildfire from the California Department of Forestry and Fire Protection and the Williams Fire Protection Authority, and those comments have been incorporated into the Draft EIR.

4.20.1 Existing Conditions

Wildland fire hazards in Colusa County have the potential to affect grass, forest, and brushlands, and when uncontrolled, they have the potential to cause property damage, human injury, and mortality. Wildfires ignite from both natural causes (e.g., lightning strikes) and human-caused ignition sources. The degree of wildfire hazard is determined primarily by fuel availability and type, topography, and weather. This analysis includes a discussion of wildfire risk on the three parcels that comprise the Project site, including Assessor Parcel Numbers 018-050-005-000, 018-050-006-000, and 018-050-013-000.

4.20.1.1 Climate and Topography

The Project site is located in northern California within the Central Valley. This region experiences hot, dry summers, mild winters, and annual rainfall averaging between roughly 5 and 25 inches. Elevation at the Project site ranges from approximately 144 to 331 feet above mean sea level. The majority of the precipitation in the Sacramento Valley occurs during the winter months. On average, Colusa County receives 24 inches of precipitation per year (Best Places 2021).

The Central Valley of California is a long (approximately 450 miles) and comparatively narrow lowland (with a width averaging about 50 miles) that has a central drainage outlet through Suisun Bay and into San Francisco Bay. The northern half of the province (the Sacramento Valley) and the southern half (the San Joaquin Valley) meet at the Sacramento-San Joaquin Delta, which is tidally influenced and therefore essentially at sea level. The Sacramento Valley is bounded on the west by the Coast Ranges, on the east by the Sierra Nevada Mountains, and to the north by the Klamath Mountains. The southern end is the Sacramento-San Joaquin Delta.

4.20.1.2 Vegetation/Fuels and Ignition Sources

Fuels can include natural materials, such as dead tree leaves, twigs, branches dead or live trees, brush, and dry grasses, as well as human-made structures. The Project site consists of rolling hills and flat grazing land with few trees and lacks heavy brush. A residence and several agricultural structures are present on-site. Potential ignition sources include both natural and human-caused in connection with vehicles, agricultural equipment, and residences.

4.20.1.3 Fire History

Historically, the California fire season extends from June through October of each year during the hot, dry months. According to the Colusa County General Plan Safety Element, “Wildfires are a potential hazard to development and land uses located in the foothill and mountain areas. The grassland, chaparral, woodland, and forest vegetation in areas of Colusa County, coupled with hot, dry summers, present extreme fire hazards during critical fire periods,” (Colusa County 2012).

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Since 2010, the fire season throughout California has been getting longer, typically starting in May and extending into November, but wildfires can occur any time of the year. Since 2017, the California Department of Forestry and Fire Protection (CAL FIRE) has recorded 9 fires in Colusa County (CAL FIRE 2021):

- 2017 Sand Fire
- 2018 Stony Fire
- 2018 Ranch Fire
- 2018 River Fire
- 2019 Spring Fire
- 2020 Nail Fire
- 2020 Hill Fire
- 2020 Sites Fire
- 2020 August Complex Fire

4.20.1.4 CAL FIRE-Designated Wildfire Hazard Zones

CAL FIRE has published Draft Fire Hazard Severity Zones for both Local Responsibility Areas (LRAs) and State Responsibility Areas (SRAs). SRAs are the official boundaries where the State of California (through CAL FIRE) has the primary legal and financial responsibility for the prevention and suppression of wildland fires. The Project is entirely located within a moderately hazardous SRA which includes state agencies and counties (ArcGIS 2020).

4.20.1.5 California Public Utilities Commission-Designated Wildfire Hazard Zones

Pursuant to its Fire Safety Rulemaking, the California Public Utilities Commission (CPUC) mapped high fire threat areas where more stringent inspection, maintenance, vegetation clearance, and wire clearance requirements (as required by CPUC General Orders 95, 165, and 166, described in Section 4.20.2, below) would be implemented due to the elevated risk for power line fires. The CPUC High Fire Threat District Map identifies three tiers of elevated risk for fires associated with utilities. The Project site is not located in a CPUC designated High Fire Threat District (HFTD) (CPUC 2019).

4.20.1.6 Fire Protection Services

The primary fire protection services in the vicinity of the Project site are provided by the Williams Fire Protection Authority (WFPA). The WFPA's service area encompasses approximately 135 square miles in the city of Williams and the surrounding area (City of Williams 2012). The WFPA provides a full range of emergency response services, which include structural, wildland, and confined space fire suppression, basic response to hazardous materials incidents, and basic life support medical services. For additional details regarding fire protection services, see Section 4.15, *Public Services*.

4.20.2 Regulatory Setting

4.20.2.1 Federal

4.20.2.1.1 North American Electric Reliability Corporation Standards

The NERC is a nonprofit corporation comprising 10 regional reliability councils. The overarching goal of NERC is to ensure the reliability of the bulk power system in North America. To achieve its goal, the NERC develops and enforces reliability standards, monitors the bulk power systems, and educates, trains, and certifies industry personnel (NERC 2021). In order to improve the reliability of regional electric transmission systems and in response to the massive widespread

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power outage that occurred on the Eastern Seaboard in 2003, NERC developed a transmission vegetation management program. The program is applicable to all transmission lines operated at 200 kV and above to lower voltage lines designated by the Regional Reliability Organization as critical to the reliability of the electric system in the region.

The plan, which became effective on April 7, 2006, establishes requirements of the formal transmission vegetation management program, which include identifying and documenting clearances between vegetation and any overhead, ungrounded supply conductors, while taking into consideration transmission line voltage, the effects of ambient temperature on conductor sag under maximum design loading, fire risk, line terrain and elevation, and the effects of wind velocities on conductor sway. The clearances identified must be no less than those set forth in the IEEE Standard 516-2003 (*Guide for Maintenance Methods on Energized Power Lines*) (IEEE 2003), which establishes minimum vegetation-to-conductor clearances in order to maintain electrical integrity of the electrical system.

4.20.2.2 State

4.20.2.2.1 2019 Strategic Fire Plan for California

Developed by the Board of Forestry and Fire Protection, the Strategic Fire Plan outlines goals and objectives to implement CAL FIRE's overall policy direction and vision. The 2019 Strategic Fire Plan aims to meet the following goals: 1) improve core capabilities; 2) enhance internal operations; 3) ensure health and safety; and 4) build an engaged, motivated, innovative workforce. The plan also discusses implementation and measures of success.

4.20.2.2.2 Fire Protection in California Fire Code and Public Resources Code

The California Fire Code is contained within Title 24, Chapter 9 of the California Code of Regulations. Based on the International Fire Code (IFC), the California Fire Code is created by the California Buildings Standards Commission and regulates the use, handling, and storage requirements for hazardous materials, including ignitable ones, at fixed facilities. Similar to the IFC, the California Fire Code and the CBC use a hazards classification system to determine the appropriate measures to incorporate to protect life and property.

The California Public Resources Code includes fire safety provisions that apply to SRAs during the time of year designated as having hazardous fire conditions. During the fire hazard season, these regulations restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on equipment that has an internal combustion engine; specify requirements for the safe use of gasoline-powered tools in fire hazard areas; and specify fire-suppression equipment that must be provided on-site for various types of work in fire-prone areas. Additional codes require that any person who owns, controls, operates, or maintains any electrical transmission or distribution line must maintain a firebreak clearing around and adjacent to any pole, tower, or conductors that carry electric current as specified in Public Resources Code Sections 4292 and 4293. Section 4292 requires that a 10-foot area around the base of poles be cleared of all flammable vegetation. The State's Fire Prevention Standards for Electric Utilities (14 CCR §§1250-1258) provide specific exemptions from electric pole and tower firebreak and electric conductor clearance standards and specifies when and where standards apply. Similar to the IFC, the California Fire Code and the CBC use a hazards classification system to determine the appropriate measures to incorporate to protect life and property. Section 608 of the IFC has been adopted by the State of California and Colusa County to minimize risk of fire from stationary

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battery energy storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, further reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

4.20.2.2.3 California Emergency Response Plan

Pursuant to the Emergency Services Act (Government Code §8550 et seq.), California has developed an Emergency Plan to coordinate emergency services provided by federal, State, and local governmental agencies and private persons. Response to hazardous materials incidents is one part of this plan. The plan is administered by the State Office of Emergency Services (Cal OES) which coordinates the responses of other agencies, including the USEPA, California Highway Patrol, California Department of Fish and Wildlife, the Regional Water Quality Control Board (in this case, the Central Valley Regional Water Quality Control Board), the local air districts (in this case, the San Joaquin Valley Air Pollution Control District) and local agencies. The State Emergency Plan defines the "policies, concepts, and general protocols" for the proper implementation of the California Standardized Emergency Management System. The Standardized Emergency Management System is an emergency management protocol that agencies within the state of California must follow during multi-agency response efforts whenever state agencies are involved.

4.20.2.2.4 California Public Utilities Commission General Orders

4.20.2.2.4.1 General Order 95

CPUC General Order 95 applies to work conducted by PG&E and the other Investor-Owned Utilities (IOUs),[1] including the construction and reconstruction of overhead electric lines. The replacement of poles, towers, or other structures is considered reconstruction and requires adherence to all strength and clearance requirements of this order. CPUC Decision 17-12-024 created enhanced requirements under Rule 18A, Rule 35, and Rule 38, which apply to overhead electric lines located in Tier 2 or Tier 3 HFTDs. The Project is not proposed in a Tier 2 or Tier 3 HFTD; therefore, the enhanced requirements would not apply to the gen-tie line that would be needed to connect the Project to the grid.

The CPUC has promulgated various rules to implement the fire safety requirements of General Order 95, including:

- Rule 18A, which requires utility companies take appropriate corrective action to remedy Safety Hazards and General Order 95 nonconformances. Additionally, this rule requires that each utility company establish an auditable maintenance program.
- Rule 31.2, which requires that lines be inspected frequently and thoroughly.
- Rule 35, which requires that vegetation management activities be performed in order to establish necessary and reasonable clearances. These requirements apply to all overhead electrical supply and communication facilities that are covered by this General Order.

[1] Investor-owned utilities (IOUs) are private electricity and natural gas providers. The CPUC regulates IOUs.

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- Rule 38, which establishes minimum vertical, horizontal, and radial clearances of wires from other wires (CPUC 2018).

4.20.2.2.4.2 General Order 165

General Order 165 establishes requirements for the inspection of electric distribution and transmission facilities that are not contained within a substation. Utilities must perform "Patrol" inspections, defined as a simple visual inspection of utility equipment and structures that is designed to identify obvious structural problems and hazards, at least once per year for each piece of equipment and structure. "Detailed" inspections, where individual pieces of equipment and structures are carefully examined, are required every 5 years for all overhead conductors and cables, transformers, switching/protective devices, and regulators/capacitors. By July 1 of each year, each utility subject to this General Order must submit an annual report of its inspections for the previous year under penalty of perjury (CPUC 2017a).

4.20.2.2.4.3 General Order 166

General Order 166 Standard 1.E requires IOUs to develop a Fire Prevention Plan, which describes measures that the utility will implement to mitigate the threat of power line fires generally. Additionally, this standard requires that IOUs outline a plan to mitigate power line fires when wind conditions exceed the structural design standards of the line during a Red Flag Warning[2] in a high fire threat area. Fire Prevention Plans created by IOUs are required to identify specific parts of the utility's service territory where the conditions described above may occur simultaneously. Standard 1 also requires that utilities prepare an emergency response plan. PG&E's Emergency Response Plan, prepared in compliance with Standard 1, is described below. Standard 11 requires that utilities report annually to the CPUC regarding compliance with General Order 166 (CPUC 2017b). In compliance with Standard 1.E of this General Order, PG&E adopted a Fire Prevention Plan on September 30, 2017.

4.20.2.2.4.4 PG&E Company Emergency Response Plan

PG&E's Company Emergency Response Plan describes and formalizes PG&E's in-place plans and protocols for response to emergencies. The plan identifies potential hazards, available resources to respond to emergencies, internal communication protocols, and operational structure. Additionally, PG&E's Wildfire Safety Operations Center operates 24-hours a day during wildfire season (PG&E 2018).

4.20.2.2.4.5 PG&E Fire Prevention Plan

PG&E prepared a Fire Prevention Plan in compliance with CPUC Decision 12-01-032 (Fire Safety Order), Standard 1.E of General Order 166, and Senate Bill 1028. The Fire Prevention Plan summarizes PG&E's fire prevention and safety procedures and programs which include, but are not limited to: fire threat and risk area mapping, fire prevention pre-planning, enhanced fire detection efforts, building resiliency (including a wood pole test and treat program), operational practices to reduce the risk of fires, overhead inspections and patrols, fire prevention outreach and training programs, as well as pro-active responses to fire incidents.

[2] A "Red Flag Warning" is issued by the National Weather Service to alert fire departments of the onset, or possible onset, of critical weather and dry conditions that could lead to rapid or dramatic increases in wildfire activity.

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4.20.2.2.4.6 Senate Bill 1028

Senate Bill 1028 (2016) requires each electrical corporation to construct, maintain, and operate its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire posed by those electrical lines and equipment, and makes a violation of these provisions by an electrical corporation a crime under state law. The bill also requires each electrical corporation to annually prepare a wildfire mitigation plan and submit to CPUC for review. The plan must include a statement of objectives, a description of preventive strategies and programs that are focused on minimizing risk associated with electric facilities, and a description of the metrics that the electric corporation uses to evaluate the overall wildfire mitigation plan performance and assumptions that underlie the use of the metrics. PG&E developed the 2017 Fire Prevention Plan in response to the requirements of Senate Bill 1028.

4.20.2.2.4.7 Senate Bill 901

Senate Bill 901 (2018) expanded upon the wildfire mitigation plan requirements of Senate Bill 1028 and included a number of provisions related to wildfire risk and management in California including, but not limited to, the following: budget adjustments related to emergency response and readiness, the creation of a CAL FIRE Wildfire Resilience Program and increasing the maximum penalties that can be issued by the CPUC to a public utility that fails to comply with CPUC requirements. Additionally, the legislation requires that utilities prepare wildfire mitigation plans that include elements specified in the bill such as the following:

1) A description of the preventive strategies and programs to be adopted by the electrical corporation to minimize the risk of its electrical lines and equipment causing catastrophic wildfires, including consideration of dynamic climate change risks.
2) Protocols for disabling reclosers[3] and deenergizing portions of the electrical distribution system that consider the associated impacts on public safety, as well as protocols related to mitigating the public safety impacts of those protocols, including impacts on critical first responders and on health and communication infrastructure.
3) Particular risks and risk drivers associated with topographic and climatological risk factors throughout the different parts of the electrical corporation's service territory.

These wildfire mitigation plans are required to be reviewed by an independent evaluator.

4.20.2.2.4.8 PG&E Wildfire Safety Plan

Pursuant to Senate Bill 901 and Senate Bill 1028, PG&E's Wildfire Safety Plan was approved by the CPUC on May 3, 2019. The Wildfire Safety Plan describes PG&E's approach to mitigate wildfire risk and is accompanied by the expansion of its Public Safety Power Shutoff program. In order to address wildfire risk, PG&E has included the following Wildfire Reduction Measures:

- Enhanced Vegetation Management and Tree Removal in HFTD; Transmission, Distribution, and Substation Inspections in HFTDs;
- System Hardening (including replacing conductors, undergrounding lines where appropriate, replacing equipment and upgrading or replacing transformers, and installing more resilient poles) in HFTD;

[3] Reclosing devices, such as circuit breakers, are used to isolate circuit segments when abnormal system conditions are detected.

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- Services coordinating the development and maintenance Situational Awareness (installing weather stations, cameras, and fire spread models);
- Establishment of Resilience Zones; and
- The Public Safety Power Shutoff program.

The objective of this plan is to address differentiated fire risks across the state of California, reduce ignition drivers, and risk-event frequency associated with overhead electric facilities (PG&E 2019).

4.20.2.3 Local

4.20.2.3.1 Colusa County General Plan

The Safety Element of the Colusa County General Plan outlines Colusa County's planning strategies regarding emergency response and preparedness, seismic and geologic hazards, flooding hazards, dam inundation, management and response, fire hazards, hazardous materials, and airport hazards. The following policy of the Safety Element is relevant to fire hazards:

> ***Policy SA 1-45:*** Require identification of adequate water source and supply system, including adequate fire flows, prior to development in very high, high or moderate Fire Hazard Severity Zones. Major industrial and other large-scale developments may be required to provide and maintain water storage facilities to ensure adequate water supply.

4.20.3 Thresholds of Significance

A project would result in significant impacts to wildfire if it would:

a) *Be located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and would the project substantially impair an adopted emergency response plan or emergency evacuation plan;*

b) *Due to slope, prevailing winds, and other factors, would exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildfire;*

c) *Be located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and would require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or*

d) *Be located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

4.20.4 Impact Analysis

IMPACT 4.20-1: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, and would the project substantially impair an adopted emergency response plan or emergency evacuation plan?* **(No Impact)**

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The Project site is located in the Moderate SRA and is approximately 2.2 miles from the nearest Very High SRA. The primary fire protection services in the vicinity of the Project site are provided by the WFPA.

As discussed in Section 4.09, Hazards, and Section 4.17, Transportation, the Project would not have an impact on emergency response, evacuation routes, and emergency access during construction, and operation and maintenance. Since the Project is located in a rural area of Colusa County, it would not alter or impair any of the existing public roadways.

The Project would comply with the current Fire and Building Codes. The WFPA would be given a chance to review the Project plans to ensure there is sufficient access to the site prior to awarding building permits. The construction, and operation and maintenance of the Project would not result in any road closures of public roads, which could impact the response time of emergency vehicles. Heavy vehicles during construction of the Project have the potential to interfere with emergency response or emergency evacuation. However, since the Project site is located in a rural area and considering its proximity to the emergency response stations, impacts to emergency response and evacuation during construction would be unlikely. Only occasional, on-site maintenance would be required, which would usually require up to four workers, but may occasionally require 5 to 30 workers. Due to the infrequency of maintenance activities to the Project site, operation and maintenance is not anticipated to impair emergency access or evacuation plans.

In section 4-20.2.2.1, *2019 Strategic Fire Plan for California*, the overarching goals for CAL FIRE are outlined. Although the Project is located in a SRA, the Project is not anticipated to conflict with the implementation of the 2019 Strategic Fire Plan for California.

The Project would have no impact as it would not conflict with any emergency response plan or emergency evacuation plan.

IMPACT 4.20-2: *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?* **(Less than Significant Impact)**

Construction and Decommissioning

During Project construction and decommissioning, the primary fire hazards would be heat or sparks from vehicles and construction equipment. These hazards could potentially ignite dry vegetation at the site, especially during the warmer, dry months between June and October. Additionally, construction activities such as welding and grinding could generate sparks which would increase the likelihood of ignition. Therefore, dependent on the time of year and location of construction activities at the Project site, there could be a temporary increase in exacerbated fire risk in the area.

As discussed in Section 4.20.2 Regulatory Setting, wildfires release large amount of air pollutants, which can pose as a harmful exposure to first responders such as firefighters, as well as the surrounding communities. The Project site includes relatively flat topography with some rolling hills, and sparse vegetation. While the use of vehicles and equipment on the Project site could introduce an ignition source that could lead to the spread of wildfire, the risk of such an impact would be low. Due to the short-term duration of construction as well as the existing flat topography, lack of vegetation on-site, and distance to population centers, a potential ignition from Project

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construction is not likely to lead to the spread of wildfire. Therefore, impacts to wildfire risk from Project construction and decommissioning would be less than significant.

Operation

The Project would include battery energy storage systems and other supporting electrical equipment elements that may be susceptible to fire. However, each battery energy storage system used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the IFC, which has been adopted by the State of California, to minimize risk of fire from stationary battery energy storage systems and contain fire in the event of such an incident, and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the battery energy storage system would include fire protection systems. Intermittent maintenance activities could increase the potential for ignition on-site due to the presence of vehicles and use of equipment; however, given the low frequency and nature of maintenance activities as well as the site topography, vegetation, and surrounding land uses, Project operation and maintenance would not significantly exacerbate existing wildfire risks. The potential impacts related to wildfires would be less than significant.

IMPACT 4.20-3: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?* **(No Impact)**

The Project would require water for dust suppression during construction and decommissioning activities as well as for emergency fire suppression during operation of the Project. Additionally, fire breaks would be required along the Project boundary. These measures are considered to be part of the Project. The environmental impacts that could result from implementing these measures have been analyzed throughout this document based on a resource-by-resource basis, and the installation and maintenance of additional infrastructure that could potentially exacerbate wildfire would not be required.

IMPACT 4.20-4: *If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?* **(Less than Significant Impact)**

As discussed in Impact 4.20-1, the Project site is located in a moderate SRA. However, since the Project does not include housing and is in a rural area, it is not anticipated to expose people to an increased risk associated with flooding, landslides, or post-fire slope instability as a result of structures built to support the Project.

As discussed under threshold b), Project construction would have a less than significant impact on wildfire risk due to the short duration of construction and site topography, vegetation, and the distance between the Project Site to population centers.

Section 4.10, Hydrology and Water Quality, Impact 4.10-3, identifies that during construction the implementation of a SWPPP and BMPs related to erosion control would reduce potential impacts

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related to drainage patterns during construction to a less-than-significant level. Following the completion of construction, drainage patterns on-site would be similar to existing conditions. Thus, the Project would not result in changes to runoff or drainage patterns that has the potential to exacerbate downslope or downstream flooding and thereby expose people or structures to associated risks.

Since the Project would have low potential to exacerbate wildfire risk, it also would not pose a substantial risk of causing post-fire slope instability. Due to the fact that the Project site is located on flat land, the Project would not be located on slopes that could contribute to the occurrence of landslides or flooding. Therefore, the Project would have no impact with regard to the Project's potential to exacerbate the risk of flooding and mudslides as a result of post-fire slope instability

4.20.5 PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and a span of transmission lines that would extend from where the Applicant's gen-tie line terminates at the boundary of PG&E's Cortina Substation to the available PG&E Cortina substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The improvements would be made within the existing Cortina Substation footprint. As a result of these improvements, there would be minimal impacts to wildfires. These improvements are not likely to impeded or conflict with any emergency plans or evacuation routes. Nor would the impacts exacerbate wildfire risks and the potential pollutants caused by wildfires. The improvements would not build any housing facilities, thus, would not increase the risk of direct impacts caused by wildfires. Therefore, there would be no significant impacts and no mitigation would be required.

4.20.6 Cumulative Impacts

The Project would have no impact resulting in the impaired ability to implement an emergency response plan. The Project would not cause or contribute to any cumulative impacts to emergency response or evacuation. The potential for the Project or an alternative to cause or contribute to a potential significant cumulative impact with respect to the remaining wildfire considerations is evaluated below.

The geographic scope for potential cumulative impacts to wildfire encompasses the Project site and the surrounding areas, which consist of agricultural land uses. Ongoing impacts relating to wildfire considerations of past projects are reflected in the environmental setting described in Section 4.20.1. Environmental and cumulative conditions in the geographic scope are not conducive to the rapid spread of uncontrolled wildfire and while existing land uses could provide ignition sources, operating solar projects and agricultural uses do not present a significant risk with respect to ignition sources. In combination with other Projects in the vicinity, the Project could increase the potential for ignition sources; however, given the flat topography and lack of vegetation within the geographic scope of cumulative impacts, the impact of an increase in ignition sources of the Project in combination with the incremental impacts of other projects would be less than significant. Therefore, the Project would not contribute to significant cumulative impacts to wildfire.

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4.20.7 References

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5 COMPARISON OF ALTERNATIVES

5.1 INTRODUCTION

In accordance with the CEQA Guidelines Section 15126.6, this Draft EIR contains a comparative impact assessment of alternatives to the proposed Project. The primary purpose of an alternatives analysis is to provide decision-makers and the public with a reasonable number of feasible project alternatives that could attain most of the basic project objectives, while avoiding or reducing any of the project's significant adverse environmental effects. Important considerations for this alternative analysis are noted below (as stated in CEQA Guidelines Section 15126.6).

- An EIR need not consider every conceivable alternative to a project;
- An EIR should identify alternatives that were considered by the lead agency, but rejected as infeasible during the scoping process;
- Reasons for rejecting an alternative include:
    - Failure to meet most of the basic project objectives;
    - Infeasibility; or
    - Inability to avoid significant environmental effects.

5.1.1 Significant Unavoidable Impacts

CEQA requires that alternatives to a proposed project have the potential to avoid or substantially lessen one or more significant effects of the project (CEQA Guidelines Section 15126.6). At the Project and/or cumulative level, the Draft EIR has not identified any environmental issues that may result in significant and unavoidable impacts.

5.1.2 Alternatives to the Proposed Project

The four alternatives to the proposed Project analyzed in this section are as follows:

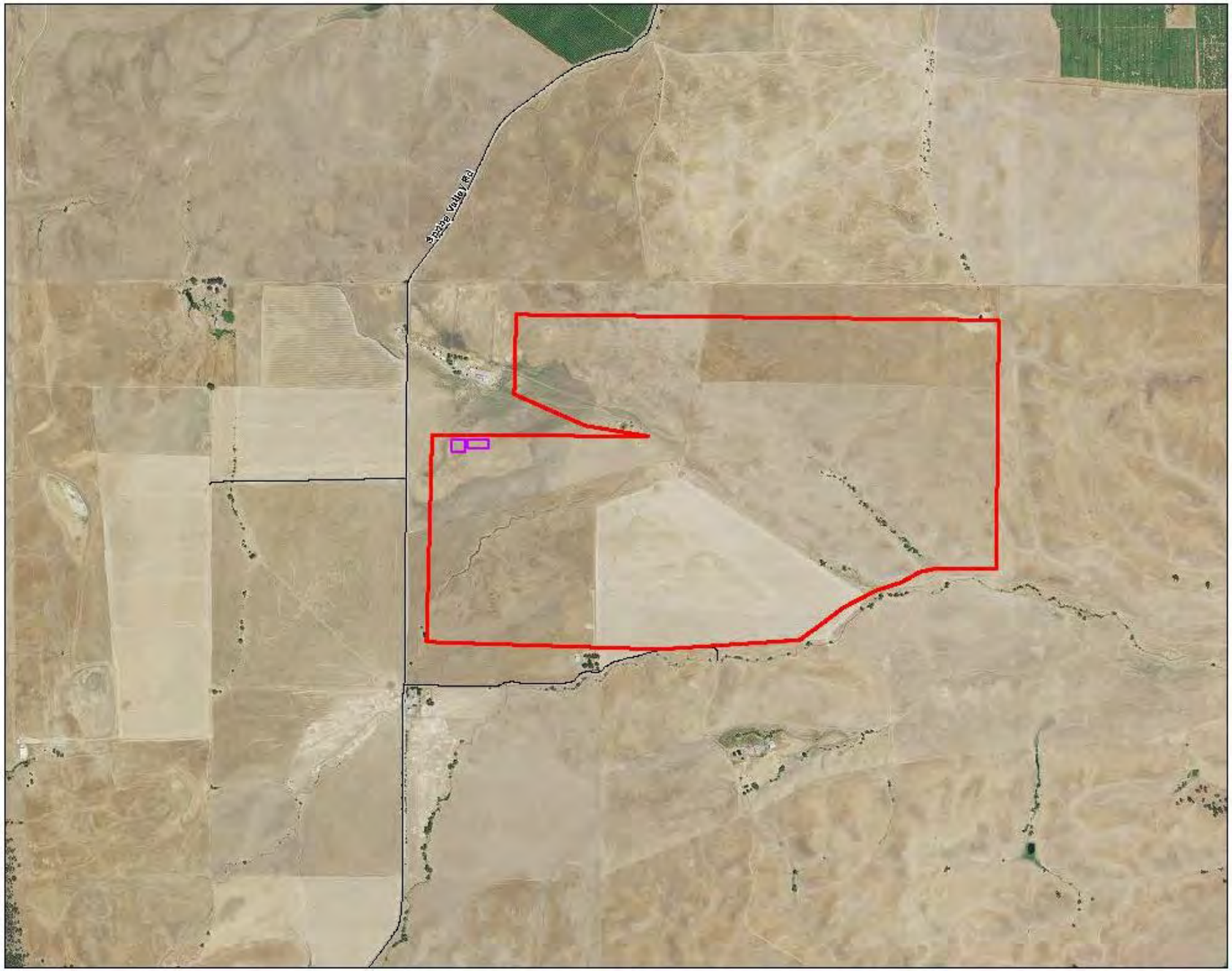
No Project Alternative: The Project site would not be developed and would remain in its existing condition and continue to experience a reduction in agricultural production from water resource allocation constraints.

Distributed Solar Alternative: The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County.

Reduced Acreage Alternative: The Project site would be reduced by 342 acres (from 1,024 acres to 682 acres). See Figure 5-1. This alternative would otherwise be as described in Chapter 2, *Project Description*.

Northeast Site Alternative: An alternate site which consists of 15 contiguous parcels totaling approximately 917 acres and is located approximately 5 miles northeast of the Project site, on the north side of Highway 20 and just west of Williams. See Figure 5-2.

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Janus Solar Project

Colusa County, CA

Figure 5-1: Reduced Acreage Alternative



Project Area

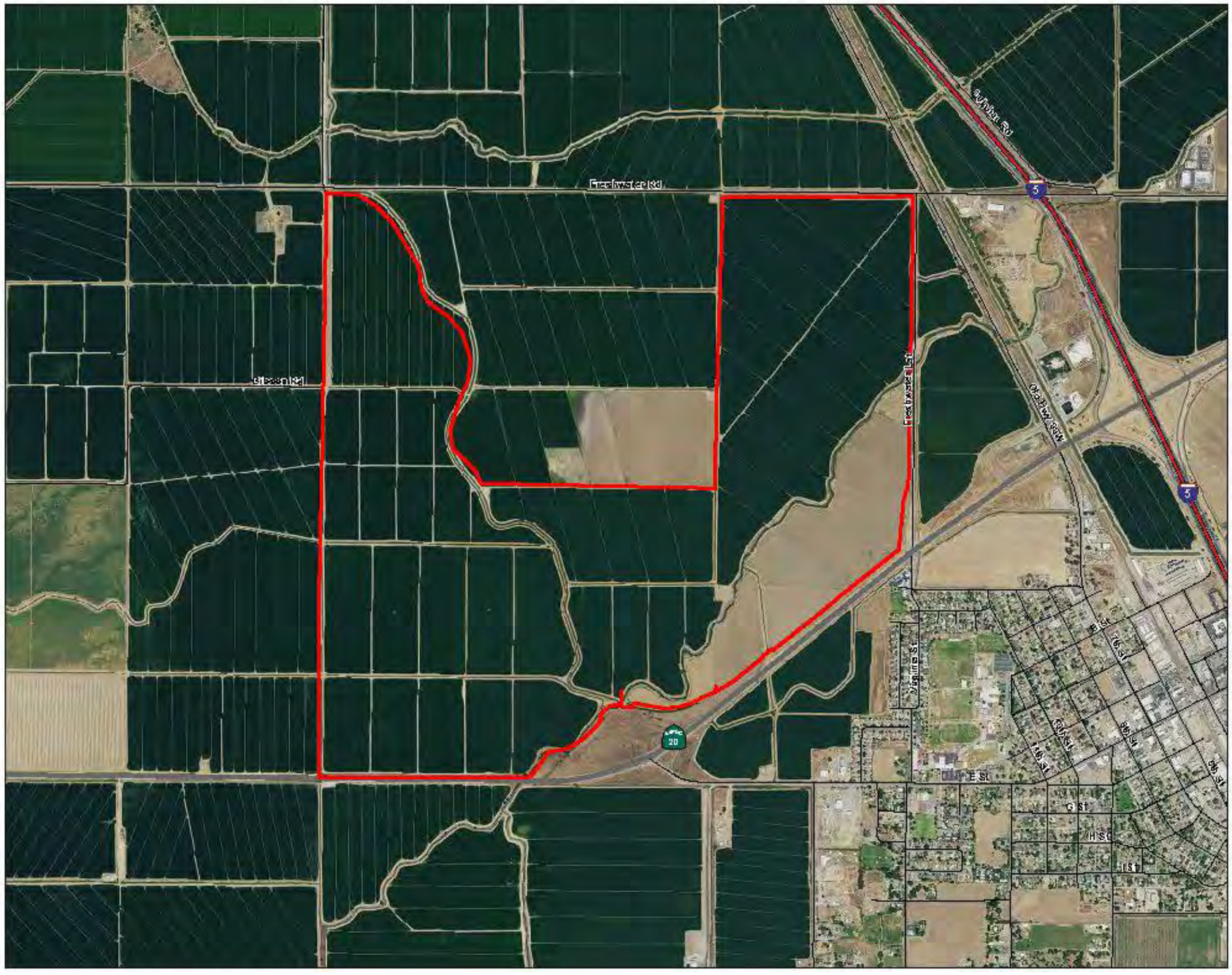
Substation and Battery Storage

0 0.25 0.5 Miles

Scale is 1:15,000 when printed at 11"x17"

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Janus Solar Project

Colusa County, CA

Figure 5-2: Northeast Site Alternative



Project Area

0 0.25 0.5 Miles

Scale is 1:15,000 when printed at 11"x17"

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A comparison of the alternatives is included in Table 5-1 and the following sections.

Table 5-1. Alternatives Comparison

Resource Area	Project	No Project	Distributed Solar	Reduced Acreage	Northeast Site
Aesthetics	Impacts determined to be less than significant	-	-	=/-	+
Agriculture/ Forestry	Impacts determined to be less than significant with mitigation incorporated.	-	-	=	+
Air Quality	Impacts determined to be less than significant with mitigation incorporated.	-	-	=/-	=
Biological Resources	Impacts determined to be less than significant with mitigation.	-	-	=/-	=/+
Cultural Resources	Impacts determined to be less than significant with mitigation incorporated.	-	=/-	=/-	=/+
Energy	Impacts determined to be less than significant.	-	=/+	=/+	=
Geology, Soils, Paleontology	Impacts determined to be less than significant with mitigation incorporated.	-	-	=/-	=
Greenhouse Gas Emissions	Impacts determined to be less than significant.	+	=/+	=/+	=
Hazards and Hazardous Materials	Impacts determined to be less than significant.	-	-	=	=
Hydrology and Water Quality	Impacts determined to be less than significant.	-	-	=	=
Land Use and Planning	No impacts determined.	-	=	=	=
Mineral Resources	No impacts determined.	-	=	=	=
Noise	Impacts determined to be less than significant with mitigation incorporated.	-	=/-	=/-	=/+
Population and Housing	Impacts determined to be less than significant.	-	=	=	=
Public Services	No impacts determined.	-	=	=	=
Recreation	No impacts determined.	-	=	=	=
Transportation	Impacts determined to be less than significant.	-	=/-	=	=/+
Tribal Resources	Impacts determined to be less than significant with mitigation incorporated.	-	-	=/-	=/+
Utilities	Impacts determined to be less than significant.	-	-	=/-	=
Wildfire	Impacts determined to be less than significant.	-	-	=/-	=

"-" = less impacts than the Project
"+" = greater impacts than the Project
"=" = similar impacts to the Project

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5.2 PROJECT OBJECTIVES

1. Establish a PV solar power-generating facility of a sufficient size and configuration to produce up to 80 MW (AC) of electricity at the point of interconnection (POI) in a cost-competitive manner;
2. Assist California utilities in meeting their obligations under California's RPS Program and SB 100, which calls for 100 percent of all electricity sold in California to come from carbon-free resources by 2045, including 60 percent renewables by 2030;
3. Assist California utilities in meeting their obligations under CPUC's Energy Storage Framework and Design Program;
4. Provide for the economically viable, commercially financeable, and environmentally beneficial use of the site's water-limited agricultural capacity;
5. Develop a site in proximity to transmission infrastructure in order to minimize environmental impacts;
6. Facilitate grid integration of intermittent and variable PV solar generation and minimize line losses associated with off-site storage by collocating battery storage at the PV solar facility site; and
7. Develop a solar power generation facility in Colusa County, which would support the economy by investing in the local community, creating local construction jobs, and increasing tax and fee revenue to the County.

Table 5-2. Alternatives and Objectives

Project Objective	Project	No Project	Distributed Solar	Reduced Acreage	Northeast Site
1. Establish a solar generating facility that would generate up to 80 MW in a cost competitive manner.	Y	N	N	N	N
2. Help to meet SB 100 which would obtain 100 percent electricity by 2045.	Y	N	Y	Y[1]	Y[1]
3. Assist California utilities to meet their obligations under CUPC's Energy Storage Framework and Design Program.	Y	N	Y	Y	Y
4. Provide for the economically viable, commercially financeable, and environmentally beneficial use of the site's water-limited agricultural capacity.	Y	N	N	N	N
5. Develop a site in proximity to transmission infrastructure in order to minimize environmental impacts.	Y	N	N	Y	N
6. Facilitate grid integration of intermittent and variable PV solar generation and minimize line losses associated with off-site storage by collocating battery storage at the PV solar facility site.	Y	N	N	Y	Y
7. Develop a solar generating facility in Colusa County that would support the local economy.	Y	N	N	N	Y

[1]The alternative would help meet the goals of SB 100; however, in a reduced capacity compared to the Project.

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5.3 NO PROJECT ALTERNATIVE

For the No Project Alternative, the Project site would continue to be used for agricultural grazing and the existing environmental setting would be maintained. Changes to the environmental setting, including changes to visual resources, habitat, and land use/agriculture would not occur. Project related impacts such as construction noise, traffic, and air emissions would not occur, and potential ground disturbance impacts to cultural and tribal resources and wildlife habitat would not occur. Additionally, the environmental benefits associated with energy resources and GHG reduction related to renewable energy generation would not be realized from solar development of the site. It is reasonable to assume that that the land will remain in agricultural production for the foreseeable future if the project is not approved based on current plans and consistent with available infrastructure and community services.

Under the No Project Alternative, all project related impact would be avoided due to the lack of development of the Project site. There would be no new impacts to the environment. No feasibility issues have been identified which would eliminate the No Project Alternative from consideration; however, the No Project Alternative would not meet any of the Project objectives. The No Project Alternatives is being analyzed in this because this analysis is required by CEQA.

5.3.1 Impact Analysis

Aesthetics

Under this alternative, there would be no development of solar PV panels and its ancillary structures. No changes in the visual setting would occur, therefore there would be no impacts.

Agriculture/Forestry

Under the No Project Alternative, there would be no need for a Williamson Act contract cancellation. The Project site would continue to be used for grazing and other agricultural uses. As a result, this alternative would not result in any impacts to Agriculture or Forestry Resources.

Air Quality

The No Project Alternative would not create new sources of regional air emissions; therefore, there would be no impact to air quality.

Biological Resources

Since there will be no changes to land uses under this alternative, no impacts to existing biological resources on, or surrounding the proposed Project site would occur.

Cultural Resources

Most of the proposed Project area has been disturbed by past agricultural activities. This alternative would not include any new type of ground disturbing activities or involve removal of any cultural resources. No impacts to cultural resources would occur.

Energy

This alternative would not introduce new land uses that would generate construction or operational energy demands. No impacts to existing energy resources would occur, however, the

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environmental benefits associated with energy resources related to renewable energy generation would not be realized from solar development of the site.

Geology, Soils, and Paleontology

This alternative would not include any new development on the site, any new type of ground disturbing activities, or involve removal of any paleontological resources. No impacts to geology and soil resources would occur.

Greenhouse Gas Emissions

This alternative does not include uses that would create new sources of regional air emissions and contribute to global climate change. There would be no impact to GHG and global climate change, however, the environmental benefits associated with GHG reduction related to renewable energy generation would not be realized from solar development of the site.

Hazards and Hazardous Materials

This alternative would not include any new development on the site or other ground disturbing activities. No impacts associated with the accidental release of hazardous substances during construction and operation or with the potential for disturbing unknown hazardous materials during construction would occur.

Hydrology and Water Quality

This alternative would not include any new development on the site or other ground disturbing activities that would alter the hydrology of the site; therefore, no impacts would occur.

Land Use and Planning

This alternative would not include any new development on the site or involve any activities that would not be consistent with the County's general plan policies and Zoning Ordinance. As a result, there would be no impact to Land Use and Planning.

Mineral Resources

This alternative would not include any new development on the site or other ground disturbing activities. There would be no changes to the physical environment which could result in a loss of the availability of a known mineral resource that may be of value to the region or of a locally important mineral resource recovery site; therefore, no impacts would occur.

Noise

This alternative would not introduce new land uses that would generate construction or operational noise that would increase the ambient noise levels in the surrounding area. No impacts to existing noise levels would occur.

Population and Housing

This alternative would not introduce solar facilities into an undeveloped area and would not result in the temporary or permanent increase in the workforce concentrated at a single construction site; therefore, no impacts would occur.

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Public Services

Under the No Project Alternative, no new demands on public services would occur; therefore, no impacts would occur.

Recreation

Under the No Project Alternative, no new demands on recreational resources would occur; therefore, no impacts would occur.

Transportation

Under this alternative, development of the proposed Project site would not occur. The proposed Project site would remain undeveloped and traffic volumes in the surrounding area would not increase as a result of this alternative. This alternative would not have any impacts to the existing transportation system or traffic volumes.

Tribal Cultural Resources

Most of the proposed Project area has been disturbed by past agricultural activities. This alternative would not include any new type of ground disturbing activities or involve removal of any tribal cultural resources. No impacts to tribal cultural resources would occur.

Utilities

Under the No Project Alternative, no new utilities would be needed for the operation of the Project site, therefore no impacts would occur.

Wildfire

This alternative would not include any new development on the Project site or involve any activities that would increase risk of wildfire. As a result, there would be no impact associated with wildfire.

Conclusion and Relationship to Project Objectives

The No Project Alternative would result in the continuation of existing conditions on the proposed Project site. This would be the environmentally superior alternative as no impacts or less than significant impacts would occur if the proposed Project site were to remain undeveloped. However, the six Project objectives would not be met, and the environmental benefits associated with energy resources and GHG reduction related to renewable energy generation would not be realized from solar development of the Project site.

5.4 DISTRIBUTED SOLAR ALTERNATIVE

The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County. The Distributed Solar Alternative was selected for analysis because it would eliminate the need to convert rangeland to energy generation and because it would reduce other environmental impacts compared to the proposed project.

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5.4.1 Impact Analysis

Aesthetics

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed. There is potential for the solar panels to be visible by viewers from ground level or neighboring properties, dependent on the height of the rooftops. While the solar panels may result in a contrast to the existing roof color, the lines and form would be similar to the structures. These added visual elements are expected to have minimal contrast with the existing views of these rooftops. As the solar panels would be distributed on rooftops throughout Colusa County, changes to existing views would be reduced under this alternative. Therefore, the impacts of the Distributed Solar Alternative would be reduced compared to the proposed Project.

Agriculture/Forestry

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed. There would be no need for a Williamson Act contract cancellation. The Project site would continue to be used for grazing and other agricultural uses. If solar PV systems were to be installed on buildings located on agricultural properties, they would not result in farmland being converted into non-agricultural use. As a result, the Distributed Solar Alternative would not result in any physical changes to Agriculture or Forestry Resources. Therefore, under this alternative the Project's less than significant impact due to conflict with an existing Williamson Act contract would be reduced to no impact.

Air Quality

Under this alternative, no land use would be developed or altered. The Distributed Solar Alternative would avoid or substantially reduce impacts to air quality from ground disturbance activities. The Distributed Solar Alternative would result in more vehicle trips compared to the proposed Project as on-site construction equipment and worker vehicles would be dispersed throughout the County, requiring multiple, distributed trips. Energy generated on the rooftops could be used for on-site use or could be distributed to multiple customers through a community solar arrangement which would allow multiple customers to use the energy from a single source. The power generated under this alternative would not require construction of new transmission facilities or a new energy substation. The Distributed Solar Alternative may result in the generation of lower emissions, reducing the Project's less than significant impact.

Biological Resources

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed. The Project would still generate 80 MW of electricity, while avoiding the development or disturbance of the proposed Project site or other undeveloped sites. This alternative would avoid impacts to Biological Resources.

Cultural Resources

Compared to the Project, the Distributed Solar Alternative would entail a similar or larger work area, but a dispersed distribution of solar modules on rooftops throughout the County. Because solar panels would be attached to existing buildings, there would be no ground disturbing activities, eliminating the potential for inadvertent disturbance of previously unknown cultural resources. However, the installation of solar modules may result in impacts to architectural historical resources

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(Kandt et al. 2011; National Park Service 2021). Mitigation measures would be required to reduce potentially significant impacts to architectural resources. The Distributed Solar Alternative would have similar and marginally reduced impacts to cultural resources.

Energy

This Alternative, like the Project, would assist the state of California in achieving or exceeding its RPS and GHG emissions reduction objectives by developing and constructing a new California RPS-qualified 80 MW solar power generating facility. Under the Distributed Solar Alternative, no undeveloped land would be altered or developed, however, greater, or similar acreage (768 acres or more of total rooftop area) may be required to attain the Project's 80 MW of solar PV generating capacity, and due to the distributed and individual project nature of the alternative, achieving 80 MW capacity would not be guaranteed. Under this alternative, less energy may be generated from the roof-mounted solar PV panels compared to the proposed Project's single-axis tracking system, which is designed to optimize power production of the solar panels by ensuring the proper orientation to the sun both daily and seasonally. The Distributed Solar Alternative would result in more fuel consumption compared to the proposed Project as on-site construction equipment and worker vehicles would be dispersed throughout the County, requiring multiple, distributed trips. The impact of the Distributed Solar Alternative would result in no significant impacts to Energy, similar to the Project.

Geology, Soils, and Paleontology

The Distributed Solar Alternative would not involve ground disturbing activities; therefore, no impacts to previously unknown paleontological resources would occur and impacts would be reduced compared to the Project.

Greenhouse Gas Emissions

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed; thus, this alternative would not involve ground disturbing activities that may result in decreased GHG emissions. Energy generated by the solar PV systems may be used for on-site uses or may be shared with multiple customers through a community solar arrangement that would allow the solar generated at one site to be shared. The Distributed Solar Alternative would not require the construction of new electrical substations or transmission lines, which would also contribute to the reduction of GHG generated by construction as compared to the proposed Project. However, vehicle trips needed for construction and maintenance of the solar PV systems would be dispersed throughout the County, potentially resulting in additional, and more dispersed trips. This alternative would result in a less than significant impact in regard to the generation of GHG emissions, similar to the Project.

Hazards and Hazardous Materials

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed, and would not require new transmission lines and energy substations to be built. While ground disturbing construction equipment would not be required, equipment for construction of the solar facilities and for the operation similar to the Project would be required. Operation of this alternative would require relatively similar vehicles including light duty trucks and other light equipment for the maintenance of the rooftop solar PV systems. On-site diesel and gasoline storage would not be required for refueling of operating and maintenance vehicles. Little to no hazardous materials

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would be used and the construction of substations and transmission lines would not be necessary. Therefore, the impacts of this alternative would be reduced as compared to the proposed Project and would be less than significant.

Hydrology and Water Quality

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed; however, dependent on the type of solar models used, a similar or greater amount of acreage (768 acres or more of total rooftop area) may be required to meet the Project's 80 MW solar PV generating capacity. The Distributed Solar Alternative would not result in any significant impact to water or hydrology as there would be no ground disturbance activities associated with this alternative. Therefore, the impacts of this alternative would be reduced as compared to the proposed Project and would be less than significant.

Land Use and Planning

The Distributed Solar Alternative would develop existing rooftops throughout Colusa County for solar PV systems which would be mounted on rooftops. The installation of the rooftop solar systems would be required to be consistent with the County's general plan policies and Zoning Ordinance. As a result, there would be no impact to Land Use and Planning.

Mineral Resources

Under the Distributed Solar Alternative, no undeveloped land would be altered or developed and there would be no ground disturbing activities. Thus, there would be no changes to the physical environment which could result in a loss of the availability of a known mineral resource that may be of value to the region or of a locally important mineral resource recovery site. The Distributed Solar Alternative would have no impacts to mineral resources, similar to the Project.

Noise

This alternative would develop existing rooftops throughout Colusa County to be used for solar PV systems. The amount of acreage may be similar or greater (768 acres or more of total rooftop area) may be necessary to meet the 80 MW solar PV generating capacity. Vehicle trips for construction and maintenance of the solar panels would be necessary and dispersed with individual site locations. No new transmission lines would be required for the solar PV systems. The intensity of construction and operational related noise impacts would be reduced as construction would be minimized to support small-scale installations dispersed throughout the County; however, the construction would often be located adjacent to sensitive uses. The Distributed Solar Alternative would be less than significant to both noise and vibration impacts from construction related activities and operational noise impacts, similar to the Project.

Population and Housing

This alternative would not introduce solar facilities into an undeveloped area and would not result in the temporary or permanent increase in the workforce concentrated at a single construction site. Similar to the Project, a majority of the construction workers would be hired from the existing workforce in the regional area. This alternative would result in a less than significant impact in the potential inducement of population growth and no impact relating to the displacement of people or existing housing, similar to the Project.

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Public Services

Like the Project, this alternative would not result in an increase in population and the associated increase in demands on public services and therefore result in no impact, similar to the Project.

Recreation

Construction workers who are available to work on this alternative would most likely reside in the region. Therefore, this alternative would not result in the population growth within Colusa County, and would not affect the County's ability to meet the existing demand for park and recreation services, similar to the proposed Project.

Transportation

Under the Distributed Solar Alternative, solar PV systems would be installed on the existing rooftops throughout Colusa County. For this alternative the vehicles to be used for construction and maintenance would be dispersed throughout the County to the individual sites. This dispersion would reduce the number of vehicle trips generated on a single roadway segment to a level that would not be noticeable to the average motorist. The impacts under the Distributed Solar Alternative would be less than significant and marginally less than the Project.

Tribal Cultural Resources

Compared to the Project, the Distributed Solar Alternative would entail a similar work area, but a dispersed distribution of solar modules on rooftops throughout the County. Because solar panels would be attached to existing buildings, there would be no associated ground disturbing activities, eliminating the potential for inadvertent disturbance of previously unknown tribal cultural resources. The Distributed Solar Alternative would have reduced impacts to tribal cultural resources compared to the Project.

Utilities

There would be no new land disturbance or alteration associated with this alternative. Storm water drainage would not be affected by this alternative. The energy generated could either be used for on-site uses or could be share with multiple customers through a community solar arrangement. The installation, operation, maintenance of rooftop solar systems would rely on the utilities existing at the supporting structures, resulting in less generated water demands, solid waste, wastewater or stormwater need compared to the Project. The potential impacts to utilities would be reduced compared to the Project and would also be less than significant.

Wildfire

There would be no new land disturbance or alteration associated with this alternative. Thus, construction equipment would not be needed for site preparation or grading. Trucks would be used to transport materials to the individual sites, and the tools used for construction pose a potential risk for sparking; however, the existing rooftops would not provide fuel for fire in the way the grasses and other agricultural plants may. Operation and maintenance may require similar equipment. There would be no need for on-site diesel or gasoline storage. Because the construction of transmission lines would not be necessary, the impacts of the Distributed Solar Alternative would be substantially reduced as compared to the proposed Project.

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Conclusion and Relationship to Project Objectives

The Distributed Solar Alternative would have similar but slightly reduced impacts compared to the Project due to elimination of ground disturbance. However, the energy generation could be reduced, take longer to achieve, and would require many individual projects that are not guaranteed to occur. The Distributed Solar Alternative would not efficiently meet the Project Objectives to generate 80 MW of electricity at the POI (Project Objective 1), would not be economically viable to develop or commercially financeable (Project Objective 4) due to its reduced capacity and unpredictable implementation, and it would generate less economic benefits to the County (Project Objective 7). It would be feasible, but not an efficient or effective alternative.

5.5 REDUCED ACREAGE ALTERNATIVE

Under the Reduced Acreage Alternative, the site size would be reduced by 342 acres (from 1,024 acres to 682 acres). See Figure 5-1. This alternative would otherwise be as described in Chapter 2, *Project Description*. The Reduced Acreage Alternative was selected for analysis because it would slightly reduce environmental impacts and leave more land in agriculture compared to the project as proposed.

5.5.1 Impact Analysis

Aesthetics

Under the Reduced Acreage Alternative, all visual elements of the Project would remain the same as the Project, except for the reduction in the area of the Project site. The area of the Project site would decrease, removing the northwest parcel and small additional setbacks from the northern, western, and southern boundaries. Visual impacts associated with the Project are less than significant. The reduced footprint of the Project site would further reduce the less than significant visual impact of the solar generating facility, especially for views from KOPs 1, 5, and 6. This alternative would not be visible from KOPs 2 and 4, similar to the Project. Views from KOP 3 would be similar to the Project. The visual impact of the Reduced Acreage Alternative would reduce the less than significant impact of the proposed Project.

Agriculture/Forestry

Under the Reduced Acreage Alternative, a Williamson Act contract cancellation would still be required. Solar PV facilities would still be installed on agricultural properties under a Williamson Act contract, though less acreage would be removed from the Williamson Act contract. With the implementation of Mitigation Measure **AGR-1**, impacts would be less than significant. Therefore, under this alternative, the less than significant impact after mitigation due to conflict with an existing Williamson Act contract would be similar to the impact of Project.

Air Quality

The Reduced Acreage Alternative would develop solar PV facilities on the Project site, but with a reduced footprint, such that less land would be developed or altered. The Reduced Acreage Alternative would proportionately reduce impacts to air quality from ground disturbance, construction, and decommissioning activities. Vehicle trips would be reduced but not eliminated as they would be needed during the construction phase and for maintenance of the solar facility, and heavy equipment would still be required for construction. Compared to the Project, the air

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quality impacts of the Reduced Project Alternative would be slightly less than the Project, and also less than significant.

Biological Resources

Under the Reduced Acreage Alternative, potential impacts to special-status species during construction and to migratory birds during operation and maintenance of the Project, would remain, although be marginally lessened by the smaller size of the facility. Mitigation Measures **BIO-1** through **BIO-4** would be required. Impacts would be less than significant, similar to the Project.

Cultural Resources

Under the Reduced Acreage Alternative, potential impacts to cultural resources during ground disturbance for construction, would remain, although be lessened by the smaller size of the facility and associated ground disturbance. Mitigation Measures **CUL-1** through **CUL-4** would be required. Impacts would be less than significant, similar to the Project.

Energy

Compared to the Project, the Reduced Acreage Alternative would result in less surface disturbance and reduced construction and decommissioning activities, which would require less consumption of fuel resources. However, the capacity of the solar facility would also be reduced, causing a lower production of emissions-free energy generation. Overall, the Reduced Acreage Alternative would result in no significant impacts to energy; impacts would be the same as those identified for the Project.

Geology, Soils, and Paleontology

The Reduced Acreage Alternative would result in less surface disturbance. However, a potential significant impact could result if paleontological resources are encountered and inadvertently destroyed during ground disturbing activities. Accordingly, the implementation of Mitigation Measures **GEO-1** and **GEO-2** would be required for the Reduced Acreage Alternative. Because existing regulatory requirements including the Construction General Permit and the California Building Code would still apply to this alternative and because Mitigation Measures **GEO-1** and **GEO-2** would reduce this Alternative's potential significant impact of damaging significant paleontological resources, the potential impacts related to geology, soils, and paleontological resources would be less than significant and similar to the Project.

Greenhouse Gas Emissions

Under the Reduced Acreage Alternative, the electricity generating capacity would be reduced as compared to the Project. In addition, the Reduced Acreage Alternative would entail less reduction in carbon sequestration and construction and decommissioning emissions. The land not developed would continue in its existing use as rangeland, and occasionally dry-farmed. Overall, the Reduced Acreage Alternative would result in a reduction in generated GHG emissions relative to the Project due to its smaller size. Similar to the Project, the Reduced Acreage Alternative would have less than significant impacts related to generation of GHG emissions and conflicts with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. However, the reduced generating capacity of the Reduced Acreage Alternative would have a reduced

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overall benefit in terms of GHG emissions from replacing reliance on fossil-fuel sources with renewable energy.

Hazards and Hazardous Materials

Compared to the Project, the Reduced Acreage Alternative would consist of less construction disturbance, and a reduction in the number of solar panels, battery enclosures, and associated infrastructure. The NPDES Construction General Permit and other existing regulatory requirements would still apply to this alternative to reduce potential impacts to less than significant. Overall, there would be a reduction in the amount of hazardous materials required for construction and operation, although the use of hazardous materials during operation under the Project would be minimal. While smaller quantities of hazardous materials would be used, the impacts of the Reduced Acreage Alternative would be similar to those of the Project.

Hydrology and Water Quality

The Reduced Acreage Alternative would result in less surface disturbance and reduced construction and decommissioning activities. The NPDES Construction General Permit and other existing regulatory requirements would still apply to this alternative to reduce potential impacts to less than significant. Though slightly reduced, overall, the Reduced Acreage Alternative would result in less than significant impacts to hydrology and water quality, similar to the Project.

Land Use and Planning

The Reduced Acreage Alternative would include solar facilities on most of the same parcels as the Project, with a reduced footprint and output capacity, such that this alternative would also not physically divide an established community and would not conflict with any applicable land use plan designed to mitigate environmental effects. Similar to the Project, the Reduced Acreage Alternative would have no impact to Land Use and Planning.

Mineral Resources

The Reduced Acreage Alternative would include solar facilities on most of the same parcels as the Project, with a reduced footprint and output capacity, such that this alternative would also have no impact on Mineral Resources.

Noise

Under the Reduced Acreage Alternative, the substation and BESS would be located further from Noise Sensitive Area (NSA) 5, reducing noise at that location. While the reduced footprint of the Project site would decrease the noise impact of the solar generating facility during Project operation slightly, impacts would remain less than significant, similar to the impact of the proposed Project.

Population and Housing

The Reduced Acreage Alternative would reduce the acreage of disturbance and the output capacity, compared to the Project, thereby requiring a slightly smaller workforce or a slightly shorter construction period during construction and decommissioning. Operations would be expected to include the same number of workers as the Project. The Reduced Acreage Alternative is not expected to induce population growth directly or indirectly, and would have a

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less than significant impact, similar to the Project. The Reduced Acreage Alternative would result in no impact relating to the displacement of people or existing housing.

Public Services

The Reduced Project Alternative would result in a minimally lower, if any, demand for fire and emergency services, police, schools, parks, and other public services due to reduced construction and decommissioning activities and would result in no impacts to Public Services, the same as the Project.

Recreation

The Reduced Project Alternative would result in a minimally smaller workforce and is not anticipated to increase demand on regional or local parks or require expansion or addition of recreational facilities. Similar to the Project, this alternative would have no impact on Recreation.

Transportation

The Reduced Project Alternative would result in a minimally smaller workforce during construction and the same workforce during operations and would impact the same roads as the Project. Similar to the Project, this alternative would have a less than significant impact on Transportation.

Tribal Cultural Resources

Potential impacts to tribal cultural resources during ground disturbance for construction, would remain, although be lessened by the smaller size of the facility. Mitigation Measures **CUL-1** through **CUL-4** would be required. Impacts would be less than significant after mitigation, similar to the Project.

Utilities

The Reduced Acreage Alternative would entail a small degree less surface disturbance, require less water to manage construction dust, and result in the generation of less sanitary and solid waste. There would be no conflict with solid waste reduction statutes or regulations. The Reduced Acreage Alternative would therefore have similar but slightly reduced impacts related to Utilities.

Wildfire

The Reduced Acreage Alternative would consist of less construction disturbance, and a reduction in the number of solar panels and associated infrastructure to be constructed. As a result, there would be a minor reduction in the potential for ignition risks on-site during Project construction and decommissioning. The potential for ignition risks on-site during the operation and maintenance phase would likely be the same as for the Project. The impacts of the Reduced Acreage Alternative would be slightly reduced, although similar in nature and less than significant, the same as the Project.

Conclusion and Relationship to Project Objectives

The Reduced Project Alternative would have a smaller site boundary than the proposed Project (about 628 acres compared to 1,024 acres). Therefore, the area experiencing environmental impacts would be slightly smaller than the proposed Project. Nevertheless, most impacts under the Reduced Project Alternative would be substantially similar to those expected under the Project.

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The Reduced Acreage Alternative would not meet the Project Objectives to generate 80 MW of electricity at the POI in a cost-effective manner (Project Objective 1), would not be economically viable to develop or commercially financeable (Project Objective 4) due to its reduced capacity, and it would generate less economic benefits to the County (Project Objective 7). It would be feasible, but not an efficient use of a site with low agricultural productivity.

5.6 NORTHEAST SITE ALTERNATIVE

The Northeast Site Alternative would relocate the Project to the Northeast Site, which consists of 15 contiguous parcels totaling approximately 917 acres and is located approximately 5 miles northeast of the Project site, on the north side of Highway 20 and just west of Williams. See Figure 5-2. It is anticipated that the same amount of acreage would be used for solar and ancillary facilities as the Project (768 acres) in order to maximize the capacity to generate electricity. However, due to the anticipated set-aside areas for giant garter snake (*Thamnophis gigas*) and the 100-year floodplain along the existing agricultural canals, solar arrays would be required to be distributed throughout the site rather than concentrated in a single area. The scattered distribution of solar arrays would result in less efficient production of electricity and a significant decrease in capacity compared to the Project's 80 MW. The Northeast Site Alternative was selected for analysis because of past diligence undertaken when looking to originally site a potential project. It should be noted that the proponent does not have the Northeast Site under site control and there is no certainty that it could do so.

5.6.1 Impact Analysis

Aesthetics

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used for solar and ancillary facilities (768 acres) in order to maximize the capacity to generate electricity. Compared to the Project site, the Northeast Site Alternative is much closer to the urbanized community of Williams, local roadways, and I-5, potentially increasing its visibility. Aesthetic impacts of the Northeast Site Alternative site would potentially be greater than the aesthetic impacts of the Project.

Agriculture/Forestry

Under the Northeast Site Alternative, a Williamson Act contract cancellation would not be required. However, use of this alternative site would convert prime agricultural land to another use, such that the impact on conversion of farmland would be significant and greater than the Project.

Air Quality

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used. Ground disturbance area, number of vehicles, and heavy equipment use would be the same as the Project, therefore, air quality impacts would be similar to the Project and also less than significant.

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Biological Resources

Potential impacts to biological resources would result from development of the Northeast Site Alternative. Because the rice fields within the Northeast Site Alternative includes potential habitat for the giant garter snake (*Thamnophis gigas*) (Stantec 2018), a federal and state threatened species, impacts would be similar to the Project or greater.

Cultural Resources

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used. Potential impacts to cultural resources during ground disturbance for construction, would be similar to the Project impacts. It is unknown whether there are archaeological or historical resources on the Northeast Site Alternative site and Mitigation Measures **CUL-1** through **CUL-4** would be required to reduce the potential impacts due to inadvertent discoveries. Impacts would be similar to the Project or greater.

Energy

Under the Northeast Site Alternative, solar project-related development would occur on approximately the same amount of acreage as the Project such that surface disturbance and construction and decommissioning activities would require approximately the same fuel resources as the Project. Overall, the Northeast Site Alternative would result in no significant impacts to energy; impacts would be the same as those identified for the Project.

Geology, Soils, and Paleontology

Under the Northeast Site Alternative, the solar project-related development would occur on approximately the same amount of acreage as the Project. Compared to the Project, the Northeast Site Alternative would result in similar surface disturbance and construction and decommissioning activities, and a potential significant impact could result if paleontological resources are encountered and inadvertently destroyed during ground disturbing activities. Accordingly, the implementation of Mitigation Measures **GEO-1** and **GEO-2** would be required for the Northeast Site Alternative. Because existing regulatory requirements including the Construction General Permit and the California Building Code would still apply to this alternative and because Mitigation Measures **GEO-1** and **GEO-2** would reduce this Alternative's potential significant impact of damaging significant paleontological resources, the potential impacts related to geology, soils, and paleontological resources would be less than significant and similar to the Project.

Greenhouse Gas Emissions

Under the Northeast Site Alternative, the solar project-related development would occur on approximately the same amount of acreage as the Project, such that this alternative would result in approximately the same construction and decommissioning emissions as the Project. Similar to the Project, the Northeast Site Alternative would have less than significant impacts related to generation of GHG emissions and conflicts with plans, policies, or regulations adopted for the purpose of reducing GHG emissions.

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Hazards and Hazardous Materials

Compared to the Project, the Northeast Site Alternative would consist of approximately the same construction disturbance, and an equivalent number of solar panels, battery enclosures, and associated infrastructure. The NPDES Construction General Permit and other existing regulatory requirements would still apply to this alternative to reduce potential impacts to less than significant. The use of hazardous materials during operation under the Project would be minimal and the Northeast Site Alternative would have the similar use of hazardous materials.

Hydrology and Water Quality

Under the Northeast Site Alternative, solar project-related development would occur on approximately the same amount of acreage as the Project, such that the Northeast Site Alternative would result in approximately the same amount of surface disturbance during construction and decommissioning activities. The 100-year floodplain within the alternative site would be avoided, requiring a less consolidated arrangement of solar arrays. Water needs during construction and operation would be the same as the Project, with water extracted from the Colusa Sub-Basin, similar to the Project. The NPDES Construction General Permit and other existing regulatory requirements would still apply to this alternative to reduce potential impacts to less than significant, similar to the Project.

Land Use and Planning

The Northeast Site Alternative would include solar facilities on agricultural land with approximately the same amount of acreage and output capacity as the Project, such that this alternative would also not physically divide an established community and would not conflict with any applicable land use plan designed to mitigate environmental effects. Similar to the Project, the Reduced Acreage Alternative would have no impact to Land Use and Planning.

Mineral Resources

The Northeast Site Alternative does not occur in an area that is delineated as a locally important mineral resource (DOC 2000), such that this alternative would also have no impact on Mineral Resources, similar to the Project.

Noise

The Northeast Site Alternative is much closer to the urbanized community of Williams and depending on the siting of the substation and BESS, its impacts on noise sensitive receptors could be the same or greater than the Project. With the implementation of mitigation measures, it is anticipated that the noise impacts of the Northeast Site Alternative could be reduced to less than significant, similar to the Project.

Population and Housing

The Northeast Site Alternative would require a similar workforce and duration of construction for construction and decommissioning and operations. The Northeast Site Alternative is not expected to induce population growth directly or indirectly, and would have a less than significant impact, similar to the Project. Like the Project, the Northeast Site Alternative would be located on agricultural land and would result in no impact relating to the displacement of people or existing housing.

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Public Services

The Northeast Site Alternative would result in an approximate equivalent, if any, demand for fire and emergency services, police, schools, parks, and other public services as the Project, such that this alternative would also result in no impacts to Public Services.

Recreation

The Northeast Site Alternative would require a similar workforce and is not anticipated to increase demand on regional or local parks or require expansion or addition of recreational facilities. Similar to the Project, this alternative would have no impact on Recreation.

Transportation

The same workforce and the same number of vehicle trips would be required for the Northeast Site Alternative as for the Project. The Northeast Site Alternative is located adjacent to the urbanized community of Williams, such that traffic impacts may be greater or equivalent to the Project.

Tribal Cultural Resources

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used. Potential impacts to tribal cultural resources during ground disturbance for construction, would potentially occur. It is unknown whether there are tribal cultural resources on the Northeast Site Alternative site and Mitigation Measures **CUL-1** through **CUL-4** would be required to reduce the potential impacts due to inadvertent discoveries. Impacts would be similar to the Project or greater.

Utilities

The Northeast Site Alternative would entail equivalent surface disturbance, water to manage construction dust, and result in the same generation of sanitary and solid waste as the Project. There would be no conflict with solid waste reduction statutes or regulations. The Northeast Site Alternative would therefore have the same impacts related to Utilities as the Project.

Wildfire

The Northeast Site Alternative would develop approximately the same amount of acreage as the Project. As a result, there would be the same potential for ignition risks on-site during Project construction and decommissioning. The potential for ignition risks on-site during the operation and maintenance phase would also be the same for the Project once the site was converted from irrigated agriculture to another use. The impacts of the Northeast Site Alternative to Wildfire would be the same as the Project.

Conclusion and Relationship to Project Objectives

The Northeast Site Alternative would disturb a similar amount of acreage compared to the proposed Project. Therefore, impacts associated with ground disturbance would be similar to the proposed Project. Impacts to agriculture would be significant and greater than the proposed Project, due to its occurrence on prime farmland. Biological impacts would also be expected to be increased due to the presence of potential habitat for the giant garter snake (*Thamnophis gigas*), a federal and state threatened species. This Northeast Site Alternative would achieve most of the objectives of

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the proposed Project. However, the impacts to develop the Northeast Site Alternative to achieve those objectives would be increased compared to the Project.

5.7 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The CEQA Guidelines define the environmentally superior alternative as that alternative with the least adverse impacts to the project area and its surrounding environment. The No Project Alternative is considered the environmentally superior alternative for CEQA purposes because it would not create any of the localized impacts of the Project, even though it would have less beneficial impacts than that of the Project on energy and GHG emissions. The No Project Alternative would fail to meet the basic objectives of the Project, including, but not limited to: establishing a PV solar power-generating facility of a sufficient size and configuration to produce up to 80 MW of electricity; assisting California utilities in meeting their obligations under California's RPS Program and SB 100; assisting California utilities in meeting their obligations under CPUC's Energy Storage Framework and Design Program; providing for the economically viable, commercial financeable, and environmentally beneficial use of the site's water-limited agricultural capacity; developing a site in proximity to transmission infrastructure in order to minimize environmental impacts; and, facilitating grid integration of intermittent and variable PV solar generation and minimizing line losses associated with off-site storage by collocating battery storage at the PV solar facility site.

Because the environmentally superior alternative is the No Project Alternative, the EIR also must identify an environmentally superior alternative from among the other alternatives. The County preliminarily has identified the Project as the environmentally superior alternative because of the beneficial effects of energy production and reduced GHGs associated with the greater amount of reliable, renewable energy that would be produced by the Project compared to the other alternatives. County decision-makers may weigh the relative benefits of the alternatives differently could identify another alternative as preferred and environmentally superior.

5.8 REFERENCES

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Kent Johanns, Associate Planner

6.2 TETRA TECH (TECHNICAL ASSISTANCE)

Jennifer Merrick, Project Manager
Elizabeth Bradley, Deputy Project Manager
Paula Fell, Aesthetics
Michael Tynan, Aesthetics
Jessica Taylor, Agriculture and Forestry Resources
Paula Fell, Agriculture and Forestry Resources
Jeff Harrington, Air Quality
Tiffanie Ramos, Air Quality
Lysa Modica, Air Quality
Michelle Bates, Biological Resources
Amy Noddings, Biological Resources
Daniel Berg, Biological Resources
Jenna Farrell, Cultural Resources
Elizabeth Bradley, Energy
Jennifer Merrick, Energy
Derrick Coleman, Geology and Soil Resources
Jay Neuhaus, Geology and Soil Resources
Jeff Harrington, Greenhouse Gases
Tiffanie Ramos, Greenhouse Gases
Lysa Modica, Greenhouse Gases
Kian Liew, Hazards and Hazardous Materials
Carl Lenker, Hazards and Hazardous Materials
Ken Berard, Hydrology and Water Quality
Jay Neuhaus, Hydrology and Water Quality
Elizabeth Bradley, Land Use and Planning
Elizabeth Bradley, Mineral Resources
Jay Neuhaus, Mineral Resources
Kevin Fowler, Noise
Chris Hulik, Noise
Elizabeth Bradley, Public Services, Population and Housing, and Recreation
Jennifer Merrick, Public Services, Population and Housing, and Recreation
Perry Patton, Transportation
Eric Mathers, Transportation
Jenna Farrell, Tribal and Cultural Resources
Ken Berard, Utilities
Jennifer Merrick, Utilities
Elizabeth Bradley, Wildfire

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Jennifer Merrick, Wildfire
DeeAnna Garcia, Word Processor/Editor
Jake Engelman, Mapping/Graphics
Sierra Marrs, Mapping/Graphics

Attachment: Exhibit "A" Draft EIR Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX A
NOTICE OF PREPARATION

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COUNTY OF COLUSA

COMMUNITY DEVELOPMENT DEPARTMENT

220 12th Street
Colusa, California 95932
TELEPHONE (530) 458-0480 FAX (530) 458-0482

July 31, 2020

NOTICE OF PREPARATION
DRAFT ENVIRONEMNTAL IMPACT REPORT

To: State Clearinghouse, Agencies and Interested Parties

From: Colusa County Community Development Department 220 12th Street, Colusa CA, 95932

Subject: Notice of Preparation of a Draft Environmental Impact Report (EIR) for the Proposed Janus Solar PV (Solar Farm), Use Permit Application No. 20-01 (Project).

The Purpose of This Notice of Preparation

The purpose of the Notice of Preparation (NOP) is to comply with the California Code of Regulations (CCR) Section 15082. The Colusa County Community Development Department (the Department) is the Lead Agency for the project. The Use Permit application triggers environmental review and County staff has determined that an EIR is the appropriate level of review.

The County is requesting input for the preparation of EIR regarding the scope and content of environmental concerns from your agency's area of responsibility. The EIR will be utilized by various agencies for subsequent approvals. Please provide appropriate contact information for the person(s) in your agency for consultation regarding this project that is subject to the California Environmental Quality Act (CEQA).

The NOP is available on the County website at:
https://www.countyofcolusa.org/25/Community-Development-Department

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Project Location

The project would be located on private property currently used for grazing. The project site includes three parcels with Assessor Parcel Numbers 018-050-005, 018-050-006, and 018-050-013, which are 630.5, 255.7, and 137.7 acres in size, respectively, for a total area of 1,023.9 acres. These parcels are located at 1958 and 1961 Spring Valley Road. The site is more generally located in Township 14 North, Range 4 West, Sections 1, 2 and 3. The project would connect to the Cortina Substation, which is located on Walnut Drive approximately 3 miles northeast of the project site, as shown on Figure 1 (see Attachment A). The project is approximately 6.5 miles southwest of the city of Williams. State Highway 20 runs as close as 1 mile from the project site, to the north and west.

Several alignments for the 60 kilovolt (kV) generation tie (gen-tie) line from the project site to the Cortina Substation have been initially identified. The first would be located on the Colusa County's right-of-way (ROW) on Walnut Drive and Spring Valley Road and the second on private land and Walnut Drive ROW from the project site to the point of interconnection (POI) at the Cortina Substation. Both initial options are shown on Site Plan Option 1 and Site Plan Option 2 included as Attachment A. The gen-tie line may be overhead, underground, or a combination of both.

Project Setting

The project site is located in a transitional area of Colusa County between the intensively farmed valley floor and the westerly foothills of the California Coast Range. Topographic survey is underway and has not been completed. Preliminary maps show that site topography varies from relatively flat to gently rolling hills with elevation changes of approximately 150 feet.

The Project site historically has been used for grazing activities and has cattle ranch facilities located in the northwest corner. These facilities include a single family residence and accessory ranching buildings (approximately 5 acres). The area immediately surrounding the homes site and ranching buildings includes an area of un-vegetated agricultural land and existing corrals (approximately 225.4 acres), all of which are outside the project boundary and would be retained by the landowner as a residence and for cattle ranching, as shown on CUP Site Plan Option 1 and CUP Site Plan Option 2, provided as Attachment A.

The Project site is under Williamson Act contract. While energy production is considered a compatible use under the County's Williamson Act Program, due to the size and scope of the project the County believes it is appropriate to cancel that portion of the contract affected by the project.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Project Description

The project will utilize approximately 650 acres of the 1,023.9 acre project site. Construction is planned for the end of 2022. The project will be capable of producing 80 MWs of electricity for distribution on the PG&E grid. A more detailed description is provided as follows:

Solar Arrays and Inverter Blocks - The project solar PV power generation facilities include solar arrays and inverter blocks, as shown on the Site Plans, included as Attachment A. The project's solar PV modules (also known as panels) would convert solar energy into direct current (DC) electricity. By design, the solar PV panels absorb sunlight to generate electrical output by being manufactured with anti-reflective glass that also minimizes potential for glare. The PV modules would be mounted together in arrays on a modular tracking system such that the angle of the panels varies throughout the day. Each tracking assembly would consist of galvanized steel posts on which the frames which range between 6 and 10 feet above grade, depending on the topography, as shown on the Site Plans, included as Attachment A. The project would also include inverter blocks to convert the DC electricity from the solar arrays to alternating current (AC) electricity. The inverter blocks would be located along the internal access roads within the solar arrays. Each inverter block would consist of enclosed inverter stations and a transformer approximately 10 feet in height above grade set on concrete or steel foundations, as shown on the Site Plans, included as Attachment A.

Related and Supporting Facilities - The project-related supporting facilities include underground electrical collection lines, an on-site substation, a Battery Energy Storage System (BESS), a 60-kV transmission line to the point of interconnection (POI), an operations and maintenance (O&M) facility, internal service roads, security fencing, gates and lighting, a construction laydown yard, and other temporary construction areas.

Electrical Collection System - The electrical collection system would be installed underground. Underground AC electrical cables would be arranged in several branch circuits to connect the electrical output of the energy facility to the on-site substation. Cable lengths would vary with the distance of the solar arrays to the on-site substation.

Substation - The project substation would be located on an approximately 1-acre area in a corner of the project site within the perimeter fence. The substation would include a generator step-up transformer to increase the output voltage from the module blocks (34.5 kV) to the voltage of the 60-kV transmission line, protective relay and metering equipment, utility and customer revenue metering, and a station service

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

transformer that would provide power to the substation and its weatherproof control house.

Energy Storage System - The BESS would be located next to the substation within a 5-acre area. The BESS would consist of lithium ion battery technology that would be used to either control electric frequency or store energy from the solar project. The BESS would be housed in standard shipping containers or inside an air-conditioned building.

Transmission Line and Point of Interconnection - The 60-kV transmission line would extend from the project site approximately 2 to 4 miles (depending on the alignment) along the County ROW or a combination of County ROW and private land to reach the Walnut Drive substation. The line would be installed on existing, retrofitted or new poles, underground or a combination of the two.

Operations and Maintenance Facility - The O&M facility would include office space, storage, and sanitary facilities. The sanitary facilities would drain to an on-site septic system. Water would be supplied by either on-site wells or trucked to the site. An equipment storage area and a gravel parking lot for employees, visitors, and emergency response vehicles would be located adjacent to the container. The O&M facility would be located with the substation.

Internal Service Roads - Internal service roads would be built to access the project, for ingress and egress to the project site, to individual project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would provide access to the inverter equipment pads and substations and would be graveled. The roads would be 12 feet wide. A summary of the components and required acreage is listed in the Table Below.

Security Fencing, Gates, and Lighting - The solar array perimeter would be bordered by a 6- to 8-foot-tall woven wire or chain link fence. This type of fence would provide necessary security for the project while also being friendly to wildlife. A locked security gate would be located at the site entrance

Construction Laydown Yards - One main, temporary, construction laydown yard is included in the project. The laydown yard is approximately 3 acres in size and located within the project site. The laydown yard would be graded with a gravel surface and temporarily fenced to provide storage for supplies, vehicles, and equipment during construction.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Potential Environmental Impacts

Pursuant to CEQA and CCR Section 15064, the discussion of potential environmental impacts in the EIR shall be focused on impacts identified by the County as potentially significant. The EIR will evaluate cumulative impacts of the project when considered in conjunction with other related past, current, and reasonably foreseeable future projects. The lead agency has initially identified

the following environmental considerations as potentially significant effects of the Project:

Aesthetics – The project is located in a rural area surrounded by existing agricultural uses consisting of grazing lands and scattered residential buildings and accessory buildings. The placement of PV solar panels and associated structures on the project site would alter the existing character of the site and surrounding area. The project site is divided by Spring Valley Road with majority of the facilities being located to the east of the road. Residents and travelers and residents in the area would observe alterations to the existing landscape. The EIR will provide an assessment of project impacts to visual resources, as well as glint and glare impacts.

Agriculture and Forestry Resources - The site is unirrigated and farming activities are restricted to ranching. The entire project site is designated as Farmland of Local Importance by the California Farmland Mapping and Monitoring Program. The project site is surrounded by grazing land. The project site is under Williamson Act contract. The EIR will provide an assessment of potential project related impacts to agricultural resources including potential cancellation of the Williamson Act contract.

Air Quality and Greenhouse Gas Emissions - The EIR will describe regional and local air quality in the vicinity of the proposed project site and evaluate impacts to air quality associated with the construction and operation of the project. An air quality study will be prepared to establish baseline conditions, and project and cumulative impacts. The proposed project's estimated air emissions will be compared to emissions thresholds of the Colusa County Air Pollution Control District and California Air Resources Board. The EIR will describe existing air quality conditions within the Sacramento Valley Air Basin and will evaluate the proposed project's potential air quality impacts. Potential air quality emissions include fugitive dust and combustion exhaust. The EIR will also include a discussion of greenhouse gas emissions and the proposed project's contribution to potential cumulative impacts on global climate change.

Biological Resources - Construction of the proposed project may modify biotic habitats used by sensitive plant and wildlife species. As such, site development may

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

be regulated by state or federal agencies, in addition to being subject to the provisions of CEQA. A preliminary biological assessment special status species review was completed in November of 2019 and was provided with the application. The assessment indicated that the project site primarily consists of non-native grasslands (approximately 706.1 acres); however, smaller areas of disturbed potential wetland (approximately 4.7 acres), disturbed riparian woodland (approximately 4.2 acres), and native forbs (approximately 21.9 acres) are present on the project site. The project site contains several ephemeral drainages and riverine drainages, all of which have been heavily disturbed due to historical and existing ranching activities. The preliminary biological assessment also determined that certain wildlife may utilize the habitats found on site, including raptor and bat species. One invertebrate species, the Vernal Pool Tadpole Shrimp, is considered to have moderate potential to utilize the site due the potential wetlands. Additional plant and wildlife studies and a wetland delineation study will be prepared, and the Project's potential impacts to biological resources will be further analyzed in the EIR. A wetland delineation will be conducted to identify waters within the project boundary that are within federal or state jurisdiction.

Cultural and Tribal Cultural Resources - The County has begun the AB 52 process by notifying seven tribes, six from the NAHC lists and another who has requested consultation in the past. A records search, tribal consultation, and a cultural pedestrian survey will be conducted for the project site.. There are no known historic architectural resources on the site. The EIR will examine the proposed project's potential to affect cultural resources and tribal cultural resources.

Energy - The EIR will include an analysis of the project's potential to result in impacts on energy conservation and/or consumption.

Geology/Soils and Mineral Resources - Initial construction, buildout, and operation of the proposed project on the project site could result in impacts related to geotechnical hazards, including seismicity of the area, potential for liquefaction and subsidence, potential for soil erosion, soil stability characteristics, and shrink/swell potential of site soils, as applicable.

Mineral resources in the County are general related to gravel along existing waterways. While no significant waterways exist on the project site gravel resources have the potential to be present due to the proximity of the Coast Range and possible alluvial fans.

It is currently unknown whether the proposed project site soils have the potential to contain paleontological resources. If such resources exist on the site, ground-disturbing activities could result in potentially significant impacts. geological

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

evaluation of the proposed project site will be conducted to establish baseline, project conditions, and impacts related to geology, soils, mineral resources, and paleontological resources.

Greenhouse Gas Emissions - The temporary construction activities associated with the proposed project, which would involve operation of heavy off-road equipment, on-road trucks, and construction worker commute trips, would generate greenhouse gas (GHG) emissions. However, as a solar facility, the proposed project is expected to displace traditional sources of electricity production that involves combustion energy sources (e.g., burning coal, fuel oil, or natural gas). As such, the provision of solar energy by the proposed project would produce GHG-free electricity that is anticipated to offset GHGs that would otherwise be generated by traditional sources of electricity. The potential impacts associated with GHG emissions generated during construction of the project and the potential GHG offsets resulting from operation of the project will be evaluated in the EIR. The proposed project's estimated greenhouse gas emissions will be evaluated for consistency with the Colusa County 2012 General Plan Update and 2017 State Scoping Plan.

Hazards and Hazardous Materials - There are no known hazards or hazardous materials located within the proposed project site according to the Phase 1 Environmental Site Assessment provide in the application. The EIR will evaluate the potential for the proposed project to result in, or be affected by, impacts associated with hazards and hazardous materials.

Hydrology/Water Quality - According to the Flood Insurance Rate Maps (FIRM) prepared by the Federal Emergency Management Agency (Map Numbers 06011C0625F and 06011C0650F), the majority of the project site is located within Zone X. Zone X is an area determined to be outside the 0.2 percent annual chance floodplain. There are locations along drainages that are identified as Zone A and are considered to be with the 100 Year Flood Plain. The EIR will analyze the proposed project's impacts on hydrology and water quality.

Land Use/Planning - The EIR will describe the proposed project's potential effects on existing and planned uses on and around the project site. The General Plan land use designation is Upland Agricultural. The site is zoned as Foothill Agriculture (FA), which has a minimum parcel size of 80 acres. The designations are intended to promote and support agricultural uses such as grazing. The FA zoning designation allows the installation of energy production for off-site use with a Use Permit. The EIR will provide a discussion of relevant local plans and policies because conflicts with other uses, including agricultural operations, could potentially result in environmental impacts.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Noise - The EIR will describe the noise levels associated with proposed project construction and operations will compare these levels to applicable noise thresholds to determine whether the proposed project would result in a significant noise impact. A noise study will be prepared to establish baseline, project, and cumulative impacts.

Population/Housing - The EIR will evaluate the project's effect on population and housing in the local area based on estimations of project employment and distribution of the employees by place of residence.

Public Services - The EIR will evaluate the proposed project's potential to create an adverse impact to schools, and will also evaluate effects on local police and fire services along with parks and regional recreational facilities.

Recreation - Recreational activities such as hunting in the vicinity of the project will be analyzed in the EIR.

Transportation/Traffic - The EIR will evaluate the proposed project's impact on regional and local transportation facilities based on a transportation analysis that will assess both construction-related impacts (heavy truck trips and construction worker trips), as well as operational impacts (employee and visitor trips). Construction-related vehicles would primarily access the project site from State Route 20, Walnut Drive and Spring Valley Road. The EIR will evaluate traffic safety, road damage impacts, and agricultural aircraft operations.

Utilities and Service Systems - The proposed project would not require extension/connection to urban services such as potable water service, wastewater treatment, and storm-water drainage. However, the EIR will analyze drainage, wastewater, natural gas, and electrical systems and the proposed project's impact on these systems. The EIR also will analyze water supply for construction activities and solar facility maintenance. A water supply assessment will be conducted for the EIR analysis. The EIR will also describe the existing solid waste facilities that serve the project site.

Wildfire – The proposed project is/is not located within a Moderate fire hazard severity zone The EIR will evaluate the potential impacts of the project related to Wildfire.

GROWTH INDUCEMENT **-** The EIR will evaluate the proposed project's potential for growth inducement resulting from the construction and operation of the solar energy and battery facility, as well as new demand for housing, and goods and services. The effect of primary and secondary increases in employment and economic activity will be discussed.

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CUMULATIVE IMPACTS - The EIR will discuss the incremental contribution of the proposed project to cumulative effects of other past, current, and planned and reasonably foreseeable projects in the vicinity. The summary of projects method will be used where applicable. Also, to the extent feasible, the Cumulative Impacts section will quantify the degree of severity of any cumulative impact.

ALTERNATIVES EVALUATED IN THE EIR - In accordance with the CEQA Guidelines Section 15126.6, the EIR will describe a reasonable range of alternatives to the proposed project that are capable of meeting most of the proposed project's objectives, but would avoid or substantially lessen any of the significant effects of the proposed project. The EIR will also identify any alternatives that were considered but rejected by the Lead Agency as infeasible and briefly explain the reasons why. The EIR will also provide an analysis of the No project Alternative.

OPPORTUNITY FOR PUBLIC COMMENT

Interested individuals, groups, and agencies may provide to the County of Colusa Community Development Department, written comments on topics to be addressed in the EIR for the proposed project. Because of time limits mandated by state law, comments should be provided no later than 5:00 p.m. September 1, 2020. Agencies that will need to use the EIR when considering permits or other approvals for the proposed project should provide the name of a staff contact person. Please send all comments to:

Kent Johanns, Associate Planner
Colusa County Community Development Department
220 12th Street, Colusa CA, 95932
(530) 458-0480
kjohanns@countyofcolsa.org

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"

Attachment A

Attachment #8.a

CUP Site Plan Option 1

Colusa Co., CA



N

Feet
0 500 1,000 1,500 2,000 2,500

Meters
0 250 500 750

- Cortina Substation
- Gen-tie (40 Ft. Wide Transmission Easement; Opt. 1)
- Project Substation (Opt. 1)
- Project BESS (Opt. 1)
- Solar Panel Layout (Approx. 607 Ac)
- Favero's Cattle Ranch Operations
- Janus Solar Site
- Project Parcels (Approx. 1,018 Ac)
- Township
- Section

Date: April 15, 2020
Map Scale: 1:20,000
Projection: NAD 1983 UTM Zone 10N

RWE

Map produced by RWE Renewables for internal use only. Final analysis & site locations to be determined by RWE personnel through on-site verification. Map is not to be reproduced or redistributed without expressly written permission from RWE Renewables Americas, LLC.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.a

Exhibit "A"

Attachment A

CUP Site Plan Option 2

Colusa Co., CA



N

Feet
0 500 1,000 1,500 2,000 2,500

Meters
0 250 500 750

- Cortina Substation
- Gen-tie (40 Ft. Wide Transmission Easement; Opt. 2)
- Project Substation (Opt. 2)
- Project BESS (Opt. 2)
- Solar Panel Layout (Approx. 607 Ac)
- Favero's Cattle Ranch Operations
- Janus Solar Site
- Project Parcels (Approx. 1,018 Ac)
- Township
- Section

Date: April 15, 2020
Map Scale: 1:20,000
Projection: NAD 1983 UTM Zone 10N

RWE

Map produced by RWE Renewables for internal use only. Final analysis & site locations to be determined by RWE personnel through on-site verification. Map is not to be reproduced or redistributed without expressly written permission from RWE Renewables Americas, LLC.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Pacific Gas and Electric Company
Plan Review Team
Land Management
PGEPlanReview@pge.com
6111 Bollinger Canyon Road 3370A
San Ramon, CA 94583

September 2, 2020

Kent Johanns
Colusa County Community Development Department
220 12th Street
Colusa, CA 95932

Re: Janus Solar Energy Project, UP #20-01, NOP

Dear Kent Johanns,

Thank you for providing PG&E the opportunity to review your proposed plans for Janus Solar Energy Project dated 7/31/2020. Our review indicates your proposed improvements do not appear to directly interfere with existing PG&E facilities or impact our easement rights.

Please note this is our preliminary review and PG&E reserves the right for additional future review as needed. This letter shall not in any way alter, modify, or terminate any provision of any existing easement rights. If there are subsequent modifications made to your design, we ask that you resubmit the plans to the email address listed below.

If you require PG&E gas or electrical service in the future, please continue to work with PG&E's Service Planning department: https://www.pge.com/cco/.

As a reminder, before any digging or excavation occurs, please contact Underground Service Alert (USA) by dialing 811 a minimum of 2 working days prior to commencing any work. This free and independent service will ensure that all existing underground utilities are identified and marked on-site.

If you have any questions regarding our response, please contact the PG&E Plan Review Team at (877) 259-8314 or pgeplanreview@pge.com.

Sincerely,

PG&E Plan Review Team
Land Management

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY GAVIN NEWSOM, Governor

DEPARTMENT OF TRANSPORTATION
District 3
703 B Street
MARYSVILLE, CA 95901–5556
PHONE (530) 741-4233
FAX (530) 741-4245
TTY 711
www.dot.ca.gov

Making Conservation a California Way of Life.

August 19, 2020

GTS# 03-COL-2020-00029

Mr. Kent Johanns
Associate Planner
County of Colusa
547 Market Street
Colusa, CA 95932

Re: Janus Solar PV (Solar Farm)

Dear Mr. Johanns:

Thank you for including the California Department of Transportation (Caltrans) in the application review process for the project referenced above. We review this local development for impacts to the State Highway System (SHS) in keeping with our mission, vision and goals for sustainability, livability, economy, and safety and health while enhancing California's economy and livability.

The project proposes to construct the Janus Solar PV (Solar Farm). The project will utilize approximately 650 acres of the 1,023.9 acres project site. Construction is planned for the end of 2022. The project will be capable of producing 80 MWs of electricity for distribution on the PG&E grid. The project is located in Colusa County approximately 6.5 miles southwest of the city of Williams. The following comments are based the documents received.

Traffic Operations

Please provide to the following:

1. Describe what mitigation may be needed at the intersection where the project site accesses State Route (SR) 20.
2. Provide the number of construction vehicles and trucks that will there be per day.
3. Provide the time frame from beginning to end of construction.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Encroachment Permit

Any project along or within the State's Right-of-Way (ROW) requires an encroachment permit issued by Caltrans. To apply, a completed encroachment permit application, environmental documentation, and five sets of plans indicating State ROW must be submitted to:

Hikmat Bsaibess
California Department of Transportation
District 3, Office of Permits
703 B Street
Marysville, CA 95901

Please provide our office with copies of any further actions regarding this project. We would appreciate the opportunity to review and comment on any changes related to this development.

If you have any question regarding these comments or require additional information, please contact Deborah Mckee, Interim Intergovernmental Review Coordinator for Colusa County, by phone (530) 741-5455 or via email at Deborah.McKee@dot.ca.gov.

Sincerely,

David James Smith

DAVID J. SMITH, Branch Chief
Office of Transportation Planning
Regional Planning Branch—North

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

bcc: Jennifer Kwong-Bihlman, Traffic Operations
Hikmat Bsaibess, Right of Way

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Kent Johanns

From: Giovacchini, Annie@DOC <Annie.Giovacchini@conservation.ca.gov>
Sent: Wednesday, August 12, 2020 1:48 PM
To: Kent Johanns
Subject: RE: Janus Solar UP #20-01

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon Kent,

Please accept this e-mail as verification of receipt of the following document:

- 2020 07 31 Janus Solar Project NOP (Final OPR).pdf

As you may have guessed, most of the Department of Conservation is working remotely and it is taking a while before our mail is routed appropriately. I will be your point of contact in reference to the Cancellation process. You may send any further documents related to this project to me or to our Williamson Act program e-mail address at: LCA@conservation.ca.gov . Once you have received verification of receipt, no hard copy is necessary. I will be in contact with you if the Department has any comments in regard to this project. Please feel free to contact me if you have any further questions.

Sincerely,

Annie Giovacchini
Associate Environmental Planner | Division of Land Resource Protection

California Department of Conservation
801 K Street, MS 14-15, Sacramento, CA 95814
T: (916) 324-9038
E: annie.giovacchini@conservation.ca.gov

From: DLRP@DOC <DLRP@conservation.ca.gov>
Sent: Wednesday, August 12, 2020 11:26 AM
To: Giovacchini, Annie@DOC <Annie.Giovacchini@conservation.ca.gov>
Subject: FW: Janus Solar UP #20-01

Annie,

Wanted to make sure you got this.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Kent Johanns

From: Kearns, Zachary@Wildlife <Zachary.Kearns@Wildlife.ca.gov>
Sent: Tuesday, August 11, 2020 2:10 PM
To: Kent Johanns
Subject: RE: ACC Biomass/Janus Solar

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Kent,

Perfect, thank you so much. I don't have anything additional for the ACC at this time, but I began my desk research for Janis solar, and I'll have comments to you by the September 1st deadline.

Thanks again,

Zach Kearns
Environmental Scientist
(916) 358-1134
1701 Nimbus Rd.
Rancho Cordova, CA 95670

CALIFORNIA DEPARTMENT OF FISH and WILDLIFE

From: Kent Johanns <kjohanns@countyofcolusa.com>
Sent: Tuesday, August 11, 2020 1:43 PM
To: Kearns, Zachary@Wildlife <Zachary.Kearns@Wildlife.ca.gov>
Subject: RE: ACC Biomass/Janus Solar

Warning: This email originated from outside of CDFW and should be treated with extra caution.

Hi Zach,

That explains it. Let me know if you have any questions on the ACC project and provide any comments you have on the Janus Solar NOP, which may have also been forwarded to you. There was hard copy mailed to the Region 2 office and I received the confirmation receipt the other day. If not, I have attached it for your review.

Kent Johanns
Associate Planner
Community Development Department
Colusa County
(530) 458-0480
kjohanns@countyofcolusa.org

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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STATE OF CALIFORNIA Gavin Newsom, Governor

NATIVE AMERICAN HERITAGE COMMISSION

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COMMISSIONER
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EXECUTIVE SECRETARY
Christina Snider
Pomo

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

August 4, 2020

Kent Johanns
County of Colusa
220 12th Street
Colusa, CA 95932

Re: 2020070577, Janus Solar PV (Solar Farm) Project, Colusa County

Dear Mr. Johanns:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a 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 §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, § 5064 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 within the area of potential 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, a notice of negative declaration, or a 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.

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.

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 §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 §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 §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 non-federally 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 §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §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 §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

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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, §15064.5(f) (CEQA Guidelines §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 §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §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 or need additional information, please contact me at my email address: Nancy.Gonzalez-Lopez@nahc.ca.gov.

Sincerely,

Nancy Gonzalez-Lopez
Cultural Resources Analyst

cc: State Clearinghouse

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DEPARTMENT OF FORESTRY AND FIRE PROTECTION
1199 Big Tree Rd
St Helena, CA 94574
(707) 967-1400
Website: www.fire.ca.gov

June 4, 2020

To:
Colusa County
Community Development Department
Planning Unit
220 12th Street
Colusa, CA 95932
Attn; Kent Johanns

Regarding: **Janus Solar PV, LLC, UP#20-01**

Mr. Johanns,
Please see comments from CAL FIRE regarding the proposed development by Janus Solar on lands which are located in the State Responsibility Area (SRA). When projects of this nature are located in the SRA, the developer/builder is required to comply with the California Code of Regulations and California Public Resources Code. I have viewed the documents available to me at the time of this response and have identified the following requirements:

ROAD STANDARDS: CCR 1273/PRC 4290
- Two 9 foot traffic lanes (18 foot wide road surface)
- Minimum 40,000 lb. load capability (California Vehicle Code)
- Maximum grade 16 %
- Minimum vertical 15 foot clearance
- Minimum curve radius 50 feet
- Turnarounds shall be a minimum 40 foot radius or 60 foot hammerhead "T"
- Turnouts shall be a minimum 10 feet wide and 30 feet long, with a 25 foot taper at each end

- Dead-End Roads shall not exceed:
  - ◊ 800 feet for parcels zoned for less than 1 acre
  - ◊ 1320 feet for parcels zoned for 1 acre to 4.99 acres
  - ◊ 2640 feet for parcels zoned for 5 acres to 19.99 acres
  - ◊ 5280 foot for parcels zoned for 20 acres or larger
  - ◊ Turnarounds required every 1320 feet and at terminus

BRIDGES: CCR1273.07/PRC 4290
- Minimum 40,000 pound load capability (California Vehicle Code) minimum 15 foot vertical clearance
- Appropriate signing including: weight limits, vertical clearance limitations, one-way road and single lane conditions shall reflect the capability of each bridge

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• One lane bridges (if approved) shall provide an unobstructed visibility from one end to the other and turnouts at both ends

GATE ENTRANCES: CCR 1273.11/PRC 4290

• Gate entrances shall be at least 2 feet wider than width of the traffic lane(s) serving that gate.
• All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and open to allow a vehicle to stop without obstructing traffic on that road.
• Where a one-way road with a single traffic lane provides access to a gated entrance, a 40 foot turning radius shall be used.

EMERGENCY WATER SUPPLY STANDARDS: CCR 1275/PRC 4290

As approved by the Inspection Authority, shall meet or exceed either:
• PUC Revised General Order #103, Sec. VIII or other applicable sections
• NFPA Standard 1231, or
• ISO Rural Class 8 Standard
• The local jurisdiction may require more, as these are minimum standards Fire Hydrant (As required):
• Shall be 18 inches above grade
• Minimum 8 feet from flammable vegetation
• Minimum 4 feet and maximum 12 feet from roadway
• Minimum 50 feet and maximum 1/2 mile from building it serves
• 2 -1/2 inch or 4-1/2 inch male N.H. male fitting • Suitable Crash Protection if Required by Local jurisdiction
• Located where fire apparatus using it will not block roadway
• Identified with a 3 in. reflectorized blue dot on driveway address sign, or placed within 3 feet of hydrant or using highway marker as specified by State Fire Marshal.

ROOFING

• Class A roof required

Public Resources Codes § 4291.3

(a) Subject to any other applicable law, a state or local fire official, at his or her discretion, may authorize an owner of property, or his or her agent, to construct a firebreak, or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a hospital, adult residential care facility, school, aboveground storage tank, hazardous materials facility, or similar facility on the property. The firebreak may be for a radius of up to 300 feet from the facility, or to the property line, whichever distance is shorter.
(b) The director may authorize an owner of a property not listed in subdivision (a) to construct a firebreak, or implement appropriate vegetation management techniques, within a radius of up to 300 feet from a structure, or to the property line, whichever distance is shorter, if it is determined by the director as necessary to protect life, property, and natural resources from unreasonable risks associated with wild land fires.

- Clearance to bare mineral soil or other non- flammable material such as gravel required under solar panels
- 300' clearance around other hazardous areas such as battery storage

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Public Resources Codes § 4292

Except as otherwise provided in Section 4296, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for fire protection of such areas, maintain around and adjacent to any pole or tower which supports a switch, fuse, transformer, lightning arrester, line junction, or dead end or corner pole, a firebreak which consists of a clearing of not less than 10 feet in each direction from the outer circumference of such pole or tower. This section does not, however, apply to any line which is used exclusively as telephone, telegraph, telephone or telegraph messenger call, fire or alarm line, or other line which is classed as a communication circuit by the Public Utilities Commission. The director or the agency which has primary fire protection responsibility for the protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

Public Resources Codes § 4293

Except as otherwise provided in Sections 4294 to 4296, inclusive, any person that owns, controls, operates, or maintains any electrical transmission or distribution line upon any mountainous land, or in forest-covered land, brush-covered land, or grass-covered land shall, during such times and in such areas as are determined to be necessary by the director or the agency which has primary responsibility for the fire protection of such areas, maintain a clearance of the respective distances which are specified in this section in all directions between all vegetation and all conductors which are carrying electric current:
(a) For any line which is operating at 2,400 or more volts, but less than 72,000 volts, four feet.
(b) For any line which is operating at 72,000 or more volts, but less than 110,000 volts, six feet.
(c) For any line which is operating at 110,000 or more volts, 10 feet.
In every case, such distance shall be sufficiently great to furnish the required clearance at any position of the wire, or conductor when the adjacent air temperature is 120 degrees Fahrenheit, or less. Dead trees, old decadent or rotten trees, trees weakened by decay or disease and trees or portions thereof that are leaning toward the line which may contact the line from the side or may fall on the line shall be felled, cut, or trimmed so as to remove such hazard. The director or the agency which has primary responsibility for the fire protection of such areas may permit exceptions from the requirements of this section which are based upon the specific circumstances involved.

We appreciate the opportunity to provide fire safety input for this project.

Sincerely,

Joe Baldwin
Battalion Chief- Fire Prevention/ Law Enforcement
CAL FIRE
Sonoma-Lake-Napa Unit

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WILLIAMS FIRE PROTECTION AUTHORITY

810 E Street • P.O. Box 755 • Williams, California 95987

(530) 473-2269 • Fax: (530) 473-3174 • E-mail: wfpa@frontiernet.net

5/28/2020

County of Colusa
Community Development Department
Planning Unit
220 12th Street
Colusa CA 95932

RE: Janus Solar PV Project:

The Williams Fire Protection Authority has reviewed the Use permit application for Janus Solar PV, LLC. UP #20-01 and provide the following comments.

Fire Concerns: Wildland
What mitigation factors are going to be used for fire prevention under the solar array?
What mitigation factors will be used to prevent fire from spreading onto solar array property? (Boarders)

Road ways: Need to meet PRC Code 4290, 4291 & 4292 Cal Fire Standard. Proposed 12 foot roads are not acceptable.

Water Supply: Need to meet Cal Fire standard, WFPA 2019 Fire Coded adoption, and or NFPA 1142 for rural water supply

Training: Are they going to provide public safety training for first responders?

Impacts Fee's: Are storage containers for batteries going to be considered structures and are impact fees going to be applicable?

Considerations: Building Helicopter pad for emergency use during and after construction.

Overall Project: The WFPA feels that this is a good project for the County of Colusa as long as all of the impacts are met for public safety.

Jeffery A. Gilbert Fire Chief

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APPENDIX B
LAND EVALUATION AND SITE ASSESSMENT

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TETRA TECH

Draft

Technical Memorandum

Date: February 2, 2021

To: Scott Schwartz, Solar Development Manager, RWE Solar Development, LLC

From: Jessica Taylor, Soil Conservationist/Ecologist, Tetra Tech, Inc.

Subject: Land Evaluation and Site Assessment for the Janus Solar Project, Colusa County, California

1.0 Introduction

Janus Solar PV, LLC, a subsidiary of RWE Solar Development, LLC, seeks to develop the Janus Solar Project (Janus Solar or Project), a photovoltaic solar electrical generating facility, in Colusa County, California. Janus Solar will generate 80 megawatts of renewable energy and will include up to 80 megawatts of battery energy storage. The Janus Solar Site is located on private property currently used for grazing. The Project Site includes three parcels with Assessor Parcel Numbers 018-050-005-000, 018-050-006-000, and 018-050-013-000, which are 630.5, 255.7, and 137.7 acres in size, respectively, for a total area of approximately 1,024 acres, as shown on Figure 1.

This technical memorandum provides the results of the Land Evaluation and Site Assessment (LESA) Model for the Janus Solar Project. The analysis concludes that the conversion of 1,024 acres of agricultural land for solar energy generation by the Project **will not result in a significant loss of farmland and will not have a significant impact on agricultural land use**.

2.0 Land Evaluation and Site Assessment Model

The LESA Model is an approach for rating the relative quality of land resources based upon specific measurable features. The LESA Model was first developed by the federal Natural Resource Conservation Service (NRCS) in 1981. It was subsequently adapted in 1990 by the California Department of Conservation to evaluate land use decisions that affect the conversion of agricultural lands in California (Public Resources Code Section 21095). The formulation of the LESA Model is intended to provide lead agencies under the California Environmental Quality Act with a methodology to ensure that agricultural land conversions are quantitatively and consistently considered in the environmental review process. CEQA Guidelines Appendix G indicates that lead agencies may refer to the LESA model “in determining whether impacts to agricultural resources are significant environmental effects.”

The following sections align with the LESA Model worksheets published by the NRCS. Each section is built on the information in the previous section and results in a final score that is the basis for the final determination. The scores for each section are derived from the tables within the LESA manual.

Tetra Tech, Inc.
17885 Von Karman Avenue, Suite 500, Irvine, CA 92614
Tel 949.809.5000 Fax 949.809.5010 tetratech.com

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Land Capability Classification and Storie Index Scores

The Land Capability Classification (LCC) indicates the suitability of soils for most kinds of crops. Soils are rated from Class I to Class VIII, with soils having the fewest limitations receiving the highest rating. Subclasses designated with a lower-case letter (identified as e, w, s, or c) are typically used in conjunction with the roman numerals to further describe soil limitations. The letter “e” indicates that the main limitation of the soil is erosion; “w” indicates that the presence of water either within or on the soil causes limitation in plant growth; “s” indicates that the soil is shallow, droughty, or stony; and “c” indicates that the limitation is a climate that is generally too cold or hot for many plants. The LCC has separate scales used independently for irrigated and non-irrigated lands.

The NRCS supplied Storie Index provides a numeric rating (based upon a 100-point scale) of the relative degree of suitability or value of a given soil for intensive agriculture use. The rating is based only on soil characteristics, such as depth, texture of the surface soil, density of the subsoil, drainage, salts and alkalinity, and relief. Other factors, such as availability of water for irrigation and climate are not considered in the Storie Index.

Table 1. Land Capability Classification and Storie Index Scores

A	B	C	D	E	F	G	H
Soil Map Unit[1]	Project Acres	Proportion of Project Area	LCC[1] (irrigated)	LCC Rating[2] (irrigated)	LCC Score (C x E)	Storie Index[1]	Storie Index Score (C x G)
102	410.5	0.40	IIs	80	32.1	2	0.8
200	6.5	0.01	IIIw	60	0.4	4	0.0
210	30.6	0.03	I	100	3.0	1	0.0
212	47.3	0.05	IIIe	70	3.2	3	0.1
213	277.3	0.27	IVe	50	13.5	4	1.1
230	251.9	0.25	IIIe	70	17.2	1	0.2
Totals	1024.1	1		LCC Total Score	69.4	Storie Index Total Score	2.3

[1] The Soil Map Unit information and acreage, LCC and Storie Index information were determined from the current soil survey information available at the U.S. Department of Agriculture Natural Resources Conservation Service website: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.

[2] The LCC Rating for irrigated land was determined from the LCC Point Rating Table 2 from the California Agricultural Land Evaluation and Site Assessment Instruction Manual (CDC 1997).

Project Size Scores

The Project Size rating recognizes the role that farm size plays in the viability of commercial agricultural operations. In general, larger farming operations can provide greater flexibility in farm management and marketing decisions. Larger operations tend to have greater impacts upon the local economy through direct employment. In terms of agricultural productivity, the size of the farming operation can be considered not just from its total acreage, but the acreage of different quality lands that comprise the operation. Lands with higher quality soils lend themselves to greater diversity in crop selection and the potential for greater economic return per acre unit. The Project Size rating is determined by summing the acres in a project that fall within one of three consolidated LCC categories.

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Under the Project Size Score rating (Table 2), relatively fewer acres of high-quality soils are required to achieve a maximum Project Size Score.

Table 2. Project Size Scores

	LCC Class I-II	LCC Class III	LCC Class IV-VIII
Total Acres	441.1	305.7	277.3
Project Size Scores[1]	100	100	80
Highest Project Size Score	100		

[1] Project Size Score was determined from the Project Size Scoring Table from the California Agricultural Land Evaluation and Site Assessment Instruction Manual (CDC 1997).

Water Resources Availability

The Water Resources Availability rating for the Project is based upon identifying the various sources that may supply the Project area, and then determining whether different restrictions in supply are likely to take place in years that are characterized as being periods of drought and non-drought. Table 3 summarizes the limited water availability in the Project area.

The Water Resources Availability Score is scored on a scale of 1–100.

Table 3. Water Resources Availability

A	B	C	D	E
Project Portion	Water Source	Proportion of Project Area	Water Availability Score[1]	Weighted Availability Score (C x D)
All	None	1	20	20
		Total Water Resource Score		20

[1] Water Resources Availability Score was determined from the scoring table from the California Agricultural Land Evaluation and Site Assessment Instruction Manual (CDC 1997).

Surrounding Agricultural Land Rating

The Surrounding Agricultural Land Rating is designed to provide a measurement of the level of agricultural land use for lands within the Zone of Influence of the Project area. The LESA Model rates the potential significance of the conversion of an agricultural parcel that has a large proportion of surrounding land in agricultural production more highly than one that has a relatively small percentage of surrounding land in agricultural production.

The Surrounding Protected Resource Land Rating is essentially an extension of the Surrounding Agricultural Land Rating and is scored in a similar manner. Protected resource lands are those lands with long term use restrictions that are compatible with or supportive of agricultural uses of land including: publicly owned lands maintained as park, forest, or watershed resources; Williamson Act contracted lands; and lands with natural resource easements that restrict the conversion of such land to urban or industrial uses.

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The Zone of Influence is the amount of surrounding lands up to a minimum of one-quarter mile from the project boundary. Table 4 summarizes the findings for the Project.

Table 4. Surrounding Agricultural Land Rating

A	B	C	D	E	F	G
Zone of Influence					Surrounding Agricultural Land Score[2]	Surrounding Protected Resource Land Score[2]
Total Acres	Acres in Agriculture[1]	Acres of Protected Resource Land[1]	Percent in Agriculture (B/A)	Percent Protected Resource Land (C/A)		
1479.90	1479.9	1479.9	100%	100%	100	100

[1] Acres and Protected Resource designation were determined based on data from Colusa County Parcels Map (County of Colusa 2021).
[2] Score was determined from the scoring table from the California Agricultural Land Evaluation and Site Assessment Instruction Manual (CDC 1997).

Final LESA Score Sheet

The LESA Model is weighted so that 50 percent of the total LESA score of a given project is derived from the Land Evaluation factors, and 50 percent from the Site Assessment factors. Table 5 summarizes the Final LESA Score.

Table 5. Final LESA Score Sheet

	Factor Scores	Factor Weight	Weighted Factor Scores
Land Evaluation Factors			
Land Capability Classification	69.43	0.25	17.36
Storie Index	2.32	0.25	0.58
Land Evaluation Subtotal		0.5	17.94
Site Assessment Factors			
Project Size	100	0.15	15.00
Water Resource Availability	20	0.15	3.00
Surrounding Agricultural Land	100	0.15	15.00
Protected Resource Land	100	0.05	5.00
Site Assessment Total		0.5	38.00
		Final LESA Score	**55.94**

3.0 Final Result

According to the California Agricultural LESA Model Instruction Manual, a final LESA score ranging from 40–59 points is considered significant only if both the land evaluation and site assessment weighted factor subscores are each greater than 20 points (CDC 1997). The final LESA score for the Project is 55.94, and the land evaluation score is below 20 points; such that the Project will not have a significant impact on agricultural land use on the Project site or Zone of Influence (Tables 5 and 6).

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Table 6. LESA Model Significance Determination

Total LESA Score	Scoring Decision
0–39 Points	Not considered significant
40–59 Points	Considered significant *only* if both the Land Evaluation and Site Assessment (found in Table E from the California Agricultural Land Evaluation and Site Assessment Instruction Manual [CDC 1997]) weighted factor subscores are each *greater* than or equal to 20 points.
60–70 Points	Considered significant *unless* either of the Land Evaluation and Site Assessment weighted factor subscores is *less* than 20 points.
80–100 Points	Considered significant

4.0 References

California Department of Conservation (CDC). 1997. *California Agricultural Land Evaluation and Site Assessment Instruction Manual*. Available online at: https://www.conservation.ca.gov/dlrp/Pages/qh_lesa.aspx. Accessed April 2020.

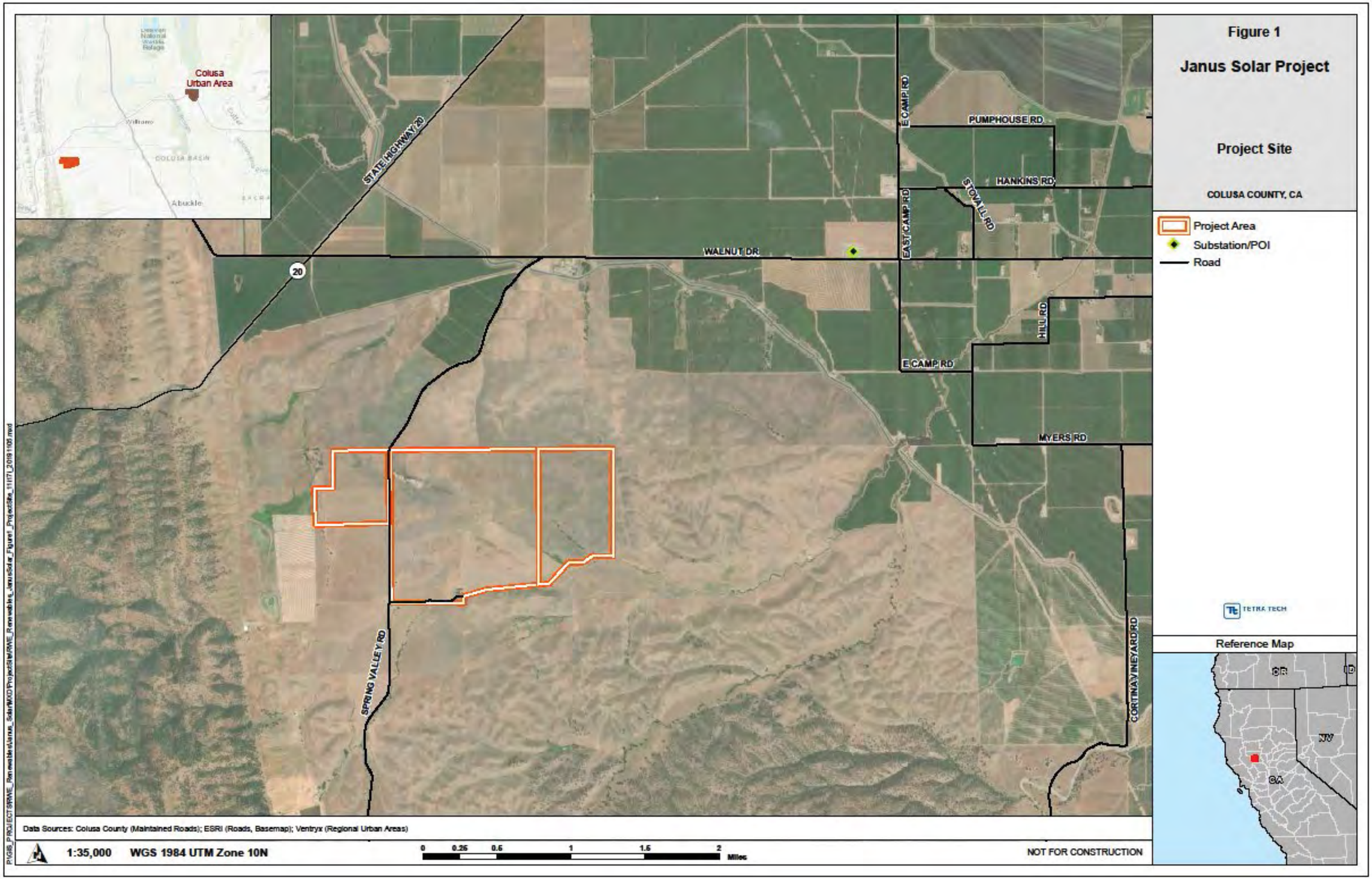
County of Colusa. 2021. Parcels Map. Available online at: https://colusacountydpw.maps.arcgis.com/apps/webappviewer/index.html?id=ba6fd932ef964ce7b9f17e6fdfd2f6f2. Accessed January 2021.

Natural Resources Conservation Service. 2021. Web Soil Survey. Available online at: https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx. Accessed January 2021.

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FIGURE

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APPENDIX C
AIR QUALITY AND GREENHOUSE GAS REPORT

AIR QUALITY AND GREENHOUSE GAS TECHNICAL REPORT

Janus Solar Project

Colusa County, California



August 24, 2021

RWE

RWE Solar Development, LLC

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APPENDICES

Appendix A. Detailed CalEEMod Output

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
Applicant	Janus Solar PV, LLC
AQMP	Air Quality Management Plan
ATCM	air toxics control measures
BCAQMD	Butte County Air Quality Management District
BESS	battery energy storage system
BSA	Broader Sacramento Area
CAA	Clean Air Act
CAAQS	California Ambient Air Quality Standards
CalEEMod	California Emissions Estimator Model
CARB	California Air Resources Board
CCAA	California Clean Air Act
CCAPCD	Colusa County Air Pollution Control District
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CH_4	methane
CO	carbon monoxide
CO_2	carbon dioxide
$CO2_e$	CO_2 equivalent
EA	Exclusive Agriculture
EPA	U.S. Environmental Protection Agency
FA	Foothill Agriculture
gen-tie	generation tie
GHG	Greenhouse Gas
GWP	global warming potential
HAP	hazardous air pollutants
HFC	hydrofluorocarbon
Janus Solar	Janus Solar Project
kV	kilovolt

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lbs/day	pounds per day
µg/m^3	microgram per cubic meter
MT	metric tons
NAAQS	National Ambient Air Quality Standards
N_2O	nitrous oxide
NO_2	nitrogen dioxide
NO_x	Nitrogen oxides
NOA	naturally occurring asbestos
NSVAB	Northern Sacramento Valley Air Basin
NSVPA	Northern Sacramento Valley Planning Area
O_3	ozone
O&M	operations and maintenance
PFC	perfluorocarbons
PG&E	Pacific Gas and Electric Company
PM	particulate matter
$PM_{2.5}$	fine particulate matter equal to or less than 2.5 microns
PM_{10}	fine particulate matter equal to or less than 10 microns
Project	Janus Solar Project
PV	photovoltaic
ROG	reactive organic gases
ROW	right of way
RPW	Renewable Portfolio Standard
SVAB	Sacramento Valley Air Basin
SB	Senate Bill
SF_6	sulfur hexafluoride
SO_2	sulfur dioxide
TAC	toxic air contaminants
USBR	United States Bureau of Reclamation

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1.0 INTRODUCTION

1.1 PURPOSE AND SCOPE

Tetra Tech has prepared an air quality analysis report to evaluate potential air quality and greenhouse gas (GHG) impacts associated with the proposed solar project. Janus Solar PV, LLC (Applicant), seeks to develop the Janus Solar Project (Janus Solar or Project), a photovoltaic (PV) solar electrical generating facility, in Colusa County, California. Janus Solar would generate 80 megawatts of renewable energy and would include up to 80 megawatts of battery energy storage system (BESS).

Air quality impacts from grading and construction sources were analyzed based on the equipment used, length of time for a specific construction task, equipment power type (gasoline or diesel engine), equipment emission factors established by the U.S. Environmental Protection Agency (EPA; AP-42 handbooks), horsepower, load factor, and percentage of time in use. Exhaust and dust emissions from worker commutes and travel were calculated based on available information regarding these activities. Fugitive dust (fine particulate matter equal to or less than 10 microns [PM_{10}] and fine particulate matter equal to or less than 2.5 microns [$PM_{2.5}$]) emissions would result from grading operations and vehicles traveling on paved and unpaved roads. These emissions were calculated based on construction information available and provided to Tetra Tech. Motor vehicle pollutant emissions associated with the Project were estimated for future conditions, utilizing information on facility operations. The California Emissions Estimator Model (CalEEMod; CAPCOA 2021) was used to calculate the emissions associated with construction activities, vehicle trips to and from the Project site, and operations and maintenance (O&M) activities. Emissions associated with the emergency engine were also quantified using CalEEMod. The total Project construction and operational emissions were compared to the Butte County Air Quality Management District (BCAQMD) threshold criteria, and a determination of significance was made.

A discussion of GHGs and their potential effects on global climate change is included in this analysis. Emissions of carbon dioxide (CO_2), a key GHG identified in Assembly Bill (AB) 32, and other major GHGs such as methane (CH_4) and nitrous oxide (N_2O) from direct and indirect project-related sources were calculated. Tetra Tech calculated the construction related GHG emissions commensurate with available project-specific information. Standard measures for construction activities recommended by the BCAQMD were identified and incorporated as part of the Project's standard conditions. Potential GHG impacts and benefits associated with the proposed solar project were assessed.

1.2 PROJECT DESCRIPTION

The Project consists of constructing and operating a PV solar electricity generating facility, a BESS, the generation tie (gen-tie) line, and associated infrastructure that would produce up to 80 megawatts of alternating current energy at the point of electrical grid interconnection on approximately 1,024 acres of land, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, only approximately 768 acres of the 1,024-acre site would be used for the Project. The proposed BESS would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. Up to 5 acres of the solar facility site would be dedicated to the BESS. The BESS would be located adjacent to the on-site substation and contained within steel cabinets or housings. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4.1 miles northeast of the Project site.

The solar facility would include arrays of solar PV modules (or panels) and support structures, direct current electricity to alternating current electricity power inverters and transformers or power conditioning stations, and an on-site substation. The O&M facility would include office space, storage, and sanitary facilities. The sanitary facilities include portable toilets on site during construction, operations, and

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decommissioning. Water would be trucked to the site. Other solar facility components would include access roads, perimeter fences, telecommunications infrastructure, a meteorological data collection system, signage, lighting, and stormwater facilities. Construction is scheduled to begin by the end of 2022.

Internal service roads would be built to access the Project, for ingress and egress to the Project Site, to individual Project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would be graveled and provide access to the inverter equipment pads and substations.

To interconnect the Project with the electrical grid, the Applicant would construct a new, 4.1-mile-long overhead, 60 kilovolt (kV) gen-tie line, partially located on Colusa County's right-of-way (ROW) on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation (USBR), from the Project Site to the point of interconnection (POI) at the Cortina Substation. Figure 1 shows the Project site.

One main, temporary, construction laydown yard is included in the Project. The laydown yard is 3 acres in size, located within the Project Site. The laydown yard would be graded with a gravel surface and temporarily fenced to provide storage for supplies, vehicles, and equipment during construction.

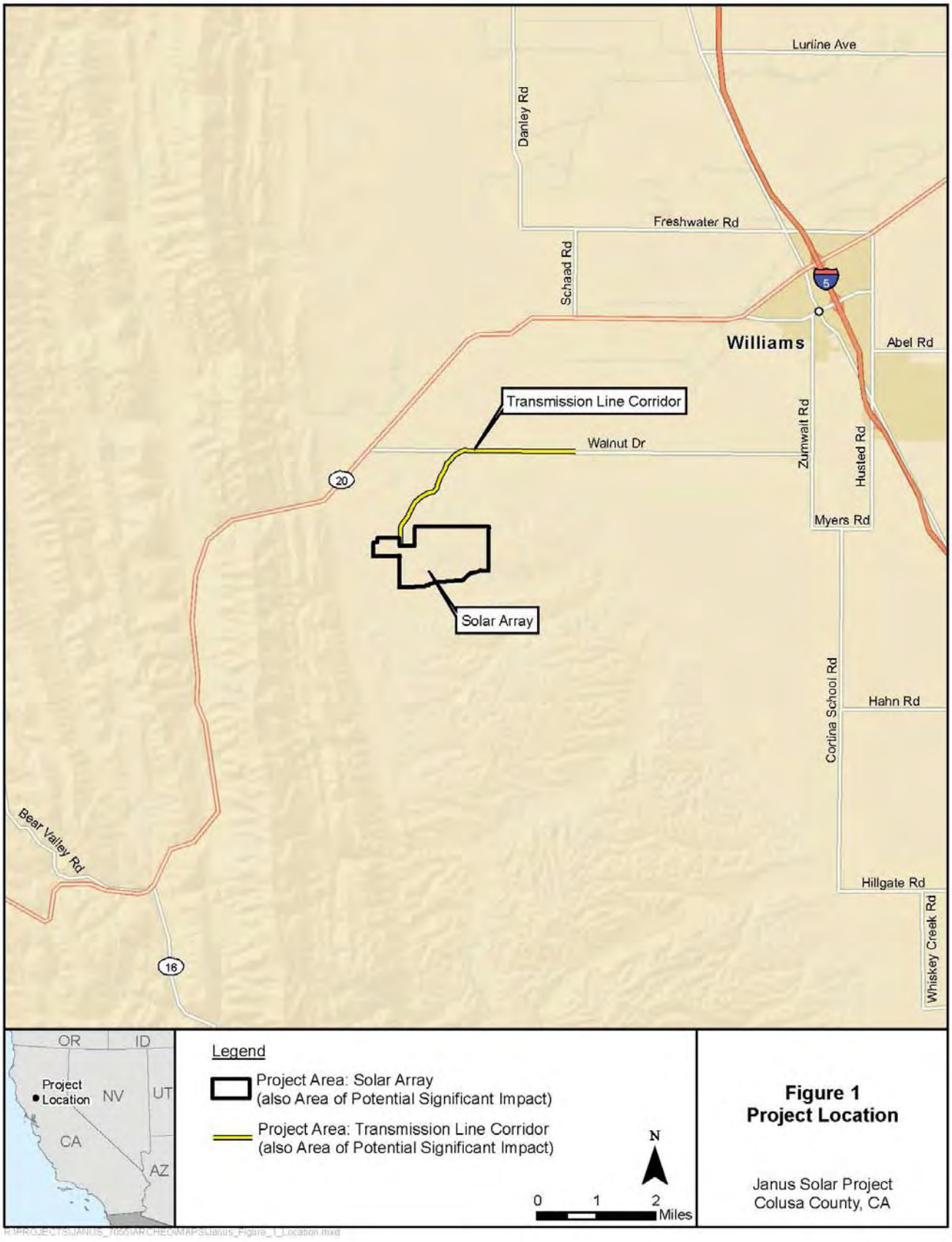
1.3 REGIONAL AND LOCAL SETTING

The Project is approximately 6.5 miles southwest of the City of Williams. State Highway 20 runs about one mile from the Project site, north and west. The proposed Project would be located on three parcels totaling 1,023.9 acres of private property currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 4.1 miles northeast of the Project site.

The Project site consists of rangeland designated as Agriculture Upland in the Colusa County General Plan and zoned Foothill Agriculture (FA) by Colusa County. The gen-tie line from the Project site intersects land designated as Agriculture Upland and Agriculture General and zoned as FA and Exclusive Agriculture (EA). The Project site has also been deemed as Farmland of Local Importance by the California Department of Conservation. However, the Project site is not considered to be Prime or Unique Farmland.

The surrounding land use is rural. Properties are currently being used for cattle grazing, agriculture, and open space. The closest residence is approximately 100 feet to the south of the Project site.

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2.0 AIR QUALITY

2.1 ENVIRONMENTAL SETTING

2.1.1 Climate and Topography

The California Air Resources Board (CARB) divides the state into air basins that share similar meteorological and topographical features. Colusa County is located in the Sacramento Valley Air Basin (SVAB) which includes Sutter, Yuba, Colusa, Butte, Glenn, Tehama, Shasta, Placer, Solano, Yolo, and Sacramento counties. The northern portion of the SVAB (NSVAB) includes Butte, Colusa, Glenn, Shasta, Sutter, Tehama, and Yuba counties and is bounded on the north and west by the Coastal Mountain Range and on the east by the southern end of the Cascade Mountain Range and the northern end of the Sierra Nevada. These mountain ranges reach heights of 6,000 feet above mean sea level, with individual peaks rising much higher. The mountains form a substantial physical barrier to locally created pollution as well as to pollution transported northward on prevailing winds from the Sacramento metropolitan area (SVAQEEP 2015). Colusa County's topography and meteorology have the potential to cause potentially adverse air quality conditions.

Colusa's climate is classified as warm and temperate. The rain in Colusa falls mostly in the winter, with relatively little rain in the summer. The Köppen-Geiger climate classification is Csa (C= warm, temperate; s=steppe; a=hot summer). Prevailing winds in the area are generally from the south and southwest. Sea breezes flow over the San Francisco Bay Area and into the Sacramento Valley, transporting pollutants from the large urban areas. Colusa County has on average 17.84 inches of precipitation annually with the most rainfall occurring during the winter months (NOAA NCDC normals 1981-2010).

2.1.2 Pollutants and Effects

The Clean Air Act (CAA) requires EPA to set National Ambient Air Quality Standards (NAAQS) for six common air pollutants. EPA calls these "criteria" air pollutants because it regulates them by developing health-based (primary) or environmentally based (secondary) standards. These pollutants are summarized below.

Ozone (O_3) is a secondary pollutant that is formed from the reaction of nitrogen oxides and volatile organic compounds in the presence of sunlight. Ozone exists naturally in the stratosphere, shielding Earth from harmful ultraviolet radiation. However, at ground-level, ozone causes adverse health effects and is a major component of smog. High concentrations have been tied to respiratory ailments and cardiovascular disease, as well as damage to natural ecosystems, agricultural crops, and materials such as rubber, paint, and plastics. In the Northern Sacramento Planning Area (NSVPA), ozone can be caused by stationary source emissions, such as from internal combustion engines or boilers, mobile sources such as cars, trucks, and trains, or area sources such as consumer products or wildfires. The NSVPA districts also experience transport ozone from the Broader Sacramento Area (BSA).

Reactive organic gases (ROG) are composed of hydrocarbon compounds that contribute to the formation of smog through atmospheric chemical reactions. ROG are emitted from fuel combustion and industrial and agricultural processes. Compounds that make up ROG are often evaluated as part of a toxic risk assessment under AB 2588 provisions.

Nitrogen Oxides (NO_x) are a family of gaseous nitrogen compounds that result primarily from the combustion of fossil fuels. It is a precursor to the formation of ozone and particulate matter, and nitrogen dioxide (NO_2) is regulated directly under the NAAQS and California Ambient Air Quality Standards (CAAQS).

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Particulate Matter (PM) is comprised of solid particles and liquid droplets, made up of acids, organic chemicals, metals, and soil or dust particles. Particles that are 10 micrometers in diameter or smaller are a potential human health concern because they can enter the lungs, which can affect the heart and cause adverse health effects. They can be emitted directly to the atmosphere as well as formed in the atmosphere by chemical reactions among precursors. Particulate matter can be categorized based on their size:

Inhalable coarse particles ($PM_{2.5}$-PM_{10}) are between 2.5 and 10 micrometers in diameter. Sources include roads, farming activities, windblown dust as well as combustion sources.

Fine particles ($PM_{2.5}$) are 2.5 micrometers in diameter or smaller, generally emitted by combustion sources like vehicles, power generation, industrial processes and wood burning.

Carbon Monoxide (CO) is an odorless, colorless gas formed by the incomplete combustion of fuels emitted directly into the air. The main source of CO in the Valley is on-road motor vehicles. Therefore, CO problems tend to be localized with nonattainment areas designated in urban areas rather than the entire basin. With the introduction of new automotive emission controls and fleet turnover, emissions from motor vehicles have been declining.

Sulfur Dioxide (SO_2) is a colorless gas formed by the combustion of fossil fuels that contain sulfur. The Valley is in attainment of both the Federal and California standards for SO_2. The use of low-sulfur fuel has minimized problems with this pollutant.

2.1.3 Sensitive Receptors

Sensitive receptors are segments of the population most susceptible to poor air quality (i.e. children, the elderly, and those with pre-existing serious health problems related to respiratory distress). Land uses often identified as sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities.

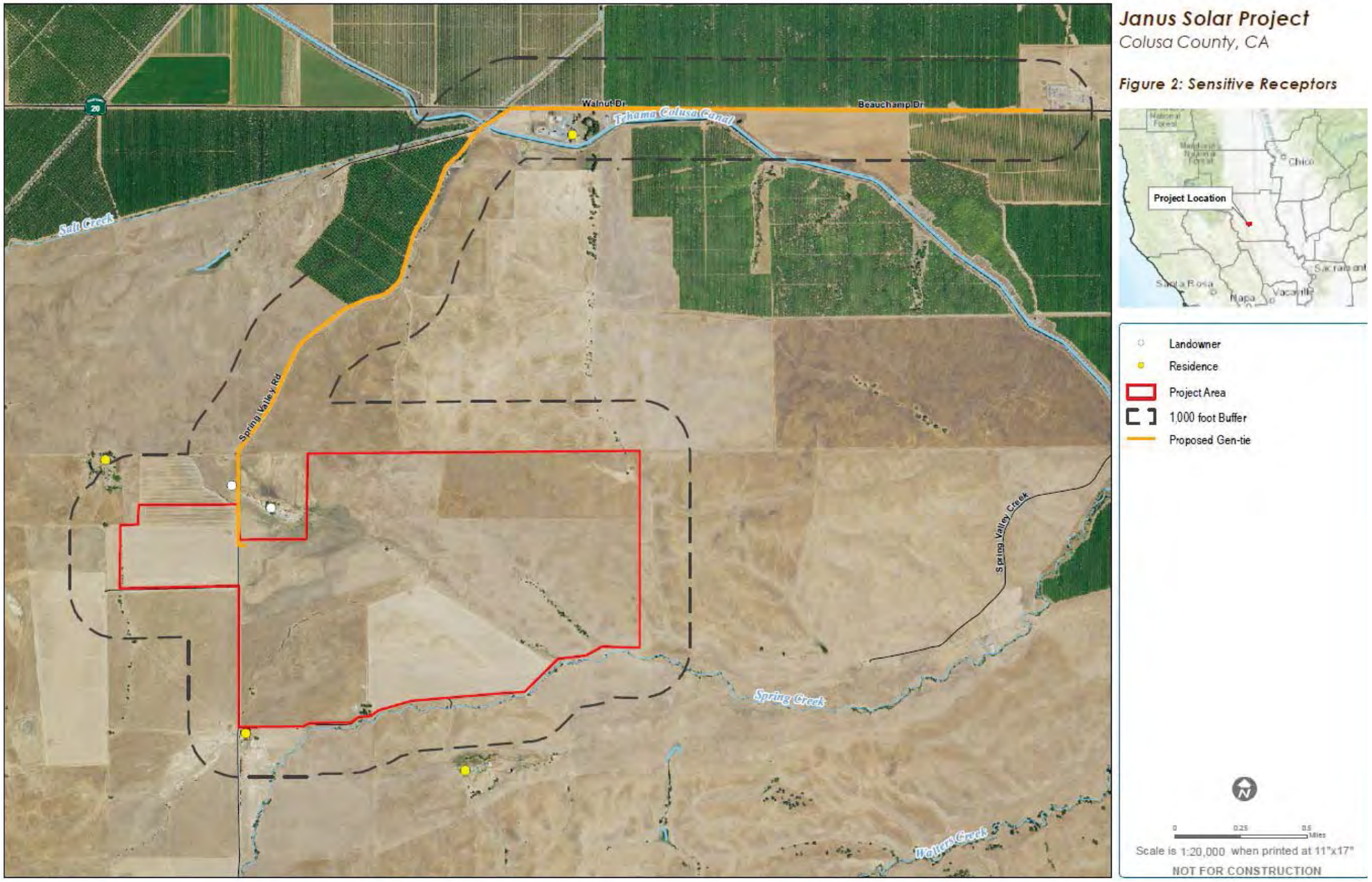
Land use in the area is mostly agricultural interspersed with sparse rural residential. The nearest residence is 100 feet south of the Project. A second residence is located about 430 feet from the generation tie line on Walnut Road.

The residence near the north side of the Project area is owned by the landowner leasing the parcels for the solar farm. Some agricultural buildings are also located to the west of the Project. The remaining residences and other sensitive receptors are located more than 1,000 feet from the site. The city of Williams is located approximately 6 miles from the site and a daycare is located 5.8 miles from the site. To the east, the nearest residence is just under two miles from the nearest site boundary.

The greatest potential for exposure to air pollutants would occur during construction, when the ground would be disturbed from grading and delivery of materials. The construction emissions presented in this analysis are based on worst-case conditions, assuming maximum construction activity would occur. In reality, exposure to emissions would vary substantially throughout construction, and would depend on the staging of the work being conducted, location of work relative to receptors, and weather conditions. The exposure is below significance thresholds and will be temporary.

An aerial map showing the 1,000-foot buffer and nearby sensitive receptors is provided in Figure 2.

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2.2 REGULATORY SETTING

Ambient air quality standards are the levels of air quality considered safe, with an adequate margin of safety, to protect the public health and safety. They are designed to protect those people most susceptible to respiratory distress (i.e., sensitive receptors), such as asthmatics, the elderly, very young children, people already weakened by other disease or illness, and people engaged in strenuous work or exercise. Healthy adults can tolerate occasional exposure to air pollutant concentrations considerably above these minimum standards before adverse effects are observed. Recent research suggests however, that long-term exposure to air pollution at levels that meet air quality standards may nevertheless have adverse health effects. For example, ozone exposure even at levels close to the ambient air quality standard may lead to adverse respiratory health.

The following discussion describes the regulatory authority of the federal, state and local jurisdictions. The federal CAA, the California Clean Air Act (CCAA), and the Air Quality Management Plan (AQMP), prepared and adopted by the Colusa County Air Pollution Control District (CCAPCD), regulate air quality in the air basin. Federal and state standards are shown in Table 1, State and Federal Air Quality Standards.

2.2.1 Federal Regulations

2.2.1.1 Criteria Air Pollutants

The federal CAA (42 United States Code Section 7401-7671q) is a comprehensive Federal law that regulates air emissions from area, stationary, and mobile sources and requires the adoption of the NAAQS to protect public health and welfare from the effects of air pollution. The Federal CAA Amendments of 1990 required that the EPA review all National Ambient Air Quality Standards with respect to health impacts and propose modifications or new rules as appropriate. In addition, the amendments of the 1990 federal CAA are associated with the attainment and maintenance of air quality standards, permits and enforcement, toxic air pollutants, acid deposition, stratospheric ozone protection and motor vehicles and fuels.

Current NAAQS are assigned to SO_2, CO, NO_2, O_3, PM_{10}, $PM_{2.5}$, and lead. These pollutants are designated criteria pollutants.

2.2.1.2 Hazardous Air Pollutants

The 1977 federal CAA amendments required the EPA to identify National Emission Standards for hazardous air pollutants (HAPs) to protect public health and welfare. HAPs include certain volatile organic chemicals, pesticides, herbicides, and radionuclides that present a tangible hazard, based on scientific studies of exposure to humans and other mammals. The 1990 federal CAA Amendments, which expanded the control program for HAPs, identified 189 substances and chemical families as HAPs. Over the years, the list has been modified. Currently, there are 187 federally regulated HAPs.

2.2.2 State Regulations

2.2.2.1 Criteria Air Pollutants

The CCAA, passed by the California Legislature and signed into law by the Governor in 1988, assigns state-specific ambient air quality standards. The California standards are, in most cases, more stringent than federal standards. The goal of the CCAA is to attain state air quality standards by the earliest practical date. Because California established Ambient Air Quality Standards several years before the federal action and because of unique air quality problems introduced by the restrictive dispersion meteorology in much of California, there can be a considerable difference between state and national

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clean air standards. Those standards currently in effect in California are shown on Table 1, State and Federal Ambient Air Quality Standards.

The CCAA requires each air pollution control district of an air basin designated as nonattainment of state ambient air quality standards to prepare and submit a plan for attaining and maintaining state standards. After further review of the relationship between fine particulate matter and human health effects, the CARB adopted new state standards on June 20, 2002 for $PM_{2.5}$ that are more stringent that the federal standards. No specific control programs are in place to achieve this much more stringent standard. However, it does represent an air quality goal to dramatically reduce the adverse health effects from small-particle air pollution.

2.2.2.2 Toxic Air Contaminants

The state Air Toxics Program was established in 1983 under AB 1807 (Tanner). The California Toxic Air Contaminants (TAC) list identifies more than 700 pollutants, of which carcinogenic and noncarcinogenic toxicity criteria have been established for a subset of these pollutants pursuant to the California Health and Safety Code. In accordance with AB 2728, the state list includes the (federal) HAPs. The Air Toxics "Hot Spots" Information and Assessment Act of 1987 (AB 2588) seeks to identify and evaluate risk from air toxics sources. TAC emissions from individual facilities are quantified and prioritized. "High-priority" facilities are required to perform a health risk assessment, and if specific thresholds are exceeded, facilities are required to communicate the results to the public in the form of notices and public meetings.

In 2000, CARB approved a comprehensive Diesel Risk Reduction Plan to reduce diesel emissions from both new and existing diesel-fueled vehicles and engines. The regulation is anticipated to result in an 80 percent decrease in statewide diesel health risk in 2020 compared with the diesel risk in 2000. In 2020, CARB adopted the Advanced Clean Truck Regulations that requires truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California will be zero-emission.

Additional regulations apply to new trucks and diesel fuel, including the On-Road Heavy Duty Diesel Vehicle (In-Use) Regulation, On-Road Heavy Duty (New) Vehicle Program, In-Use Off-Road Diesel Vehicle Regulation, and New Off-Road Compression-Ignition (Diesel) Engines and Equipment program. These regulations and programs have timetables by which manufacturers must comply and existing operators must upgrade their diesel-powered equipment. Several Airborne Toxic Control Measures reduce diesel emissions, including In-Use Off-Road Diesel-Fueled Fleets (13 California Code of Regulations [CCR] 2449 et seq.) and In-Use On-Road Diesel-Fueled Vehicles (13 CCR 2025).

California Health and Safety Code Section 41700

Section 41700 of the Health and Safety Code states that a person shall not discharge from any source whatsoever quantities of air contaminants or other material that cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public; or that endanger the comfort, repose, health, or safety of any of those persons or the public; or that cause, or have a natural tendency to cause, injury or damage to business or property. This section also applies to sources of objectionable odors.

Table 1. State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3, 5]	Secondary[3, 6]	Method[7]
Ozone (O_3)	1 Hour	0.09 ppm (180 µg/m^3)	Ultraviolet Photometry	—	Same as Primary Standard	Ultraviolet Photometry
	8 Hour	0.070 ppm (137 µg/m^3)		0.075 ppm (147 µg/m^3)		
Respirable	24 Hour	50 µg/m^3	Gravimetric or Beta	150 µg/m^3	Same as	Inertial Separation

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Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3, 5]	Secondary[3, 6]	Method[7]
Particulate Matter (PM_{10})	Annual Arithmetic Mean	20 µg/m^3	Attenuation	—	Primary Standard	and Gravimetric Analysis
Fine Particulate Matter ($PM_{2.5}$)	24 Hour	—	—	35 µg/m^3	Same as Primary Standard	Inertial Separation and Gravimetric Analysis
	Annual Arithmetic Mean	12 µg/m^3	Gravimetric or Beta Attenuation	12 µg/m^3	15 µg/m^3	
Carbon Monoxide (CO)	1 Hour	20 ppm (23 mg/m^3)	Non-Dispersive Infrared Photometry (NDIR)	35 ppm (40 mg/m^3)	—	Non-Dispersive Infrared Photometry (NDIR)
	8 Hour	9.0 ppm (10mg/m^3)		9 ppm (10 mg/m^3)	—	
	8 Hour (Lake Tahoe)	6 ppm (7 mg/m^3)		—	—	
Nitrogen Dioxide (NO_2)[8]	1 Hour	0.18 ppm (339 µg/m^3)	Gas Phase Chemilumine-scence	100 ppb (188 µg/m^3)	—	Gas Phase Chemiluminescence
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)		0.053 ppm (100 µg/m^3)	Same as Primary Standard	
Sulfur Dioxide (SO_2)[9]	1 Hour	0.25 ppm (655 µg/m^3)	Ultraviolet Fluorescence	75 ppb (196 µg/m^3)	—	Ultraviolet Fluorescence; Spectrophotometry (Pararosaniline Method)
	3 Hour	—		—	0.5 ppm (1300 µg/m^3)	
	24 Hour	0.04 ppm (105 µg/m^3)		0.14 ppm (365 µg/m^3)[9]	—	
	Annual Arithmetic Mean	—		0.30 ppm (for certain areas)[9]	—	
Lead (Pb)[10, 11]	30 Day Average	1.5 µg/m^3	Atomic Absorption	—	—	—
	Calendar Quarter	—		1.5 µg/m^3 (for certain areas)[9]	Same as Primary Standard	High Volume Sampler and Atomic Absorption
Visibility Reducing Particles[12]	8 Hour	See footnote 12	Beta Attenuation and Transmittance through Filter Tape	**No National Standards**		
Sulfates (SO_4)	24 Hour	25 µg/m^3	Ion Chromatography			
Hydrogen Sulfide	24 Hour	0.03 ppm (42 µg/m^3)	Ultraviolet Fluorescence			
Vinyl Chloride[10]	24 Hour	0.01 ppm (26 µg/m^3)	Gas Chromatography			

Source: California Air Resources Board (http://www.arb.ca.gov/research/aaqs/aaqs2.pdf, updated 05/04/16), and U.S. Environmental Protection Agency (http://www.epa.gov/air/criteria.html, accessed April 2021)

1 *California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1 and 24 hour), nitrogen dioxide, suspended particulate matter (PM_{10}, and $PM_{2.5}$) and visibility reducing particles, are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.*

2 *National standards (other than ozone, particulate matter, and those based on annual arithmetic mean) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest eight-hour concentration in a year, averaged over three years, is equal to or less than the standard. For PM_{10}, the 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m^3 is equal to or less than one. For $PM_{2.5}$, the 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the EPA for further clarification and current national policies.*

3 *Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based upon a reference temperature of 25°C and a reference pressure of 760 torr. The torr (symbol: Torr) is a non-SI unit of pressure with the ratio of 760 to 1 standard atmosphere, chosen to be roughly equal to the fluid pressure exerted by a millimeter of mercury, i.e., a pressure of 1 Torr is approximately equal to one millimeter of mercury. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.*

4 *Any equivalent procedure which can be shown to the satisfaction of the CARB to give equivalent results at or near the level of the air quality standard may be used.*

5 *National Primary Standards: The levels of air quality necessary, with an adequate margin of safety to protect public health.*

6 *National Secondary Standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.*

7 *Reference method as described by the EPA. An "equivalent method" of measurement may be used but must have a "consistent relationship to the reference method" and must be approved by the EPA.*

8 *To attain the 1-hour national standard, the 3-year average of the annual 98th percentile of the 1-hour daily maximum*

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Pollutant	Averaging Time	California Standards[1]		Federal Standards[2]		
		Concentration[3]	Method[4]	Primary[3, 5]	Secondary[3, 6]	Method[7]
		concentrations at each site must not exceed 100 ppb. Note that the national 1-hour standard is in units of parts per billion (ppb). California standards are in units of parts per million (ppm). To directly compare the national 1-hour standard to the California standards the units can be converted from ppb to ppm. In this case, the national standard of 100 ppb is identical to 0.100 ppm.				
9		*On June 2, 2010, a new 1-hour SO_2 standard was established and the existing 24-hour and annual primary standards were revoked. To attain the 1-hour national standard, the 3-year average of the annual 99th percentile of the 1-hour daily maximum concentrations at each site must not exceed 75 ppb. The 1971 SO_2 national standards (24-hour and annual) remain in effect until one year after an area is designated for the 2010 standard, except that in areas designated nonattainment for the 1971 standards, the 1971 standards remain in effect until implementation plans to attain or maintain the 2010 standards are approved.*				
10		*CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure for adverse health effects that are determined. These actions allow implementing control measures at levels below the ambient concentrations specified for these pollutants.*				
11		*The national standard for lead was revised on October 15, 2008 to a rolling 3-month average. The 1978 lead standard (1.5 $\mu g/m^3$ as a quarterly average) remains in effect until one year after an area is designated for the 2008 standard, except that in areas designated nonattainment for the 1978 standard, the 1978 standard remains in effect until implementation plans to attain or maintain the 2008 standard are approved.*				
12		*In 1989, the ARB converted both the general statewide 10-mile visibility standard and the Lake Tahoe 30-mile visibility standard to instrumental equivalents, which are "extinction of 0.23 per kilometer" and "extinction of 0.07 per kilometer" for the statewide and Lake Tahoe Air Basin standards, respectively.*				

2.2.3 Local Regulations

2.2.3.1 Colusa County Air Pollution Control District

The CCAPCD manages air quality within the Colusa County portion of the SVAB for attainment and permitting purposes. In Colusa County, the CCAPCD adopts and enforces controls on stationary sources of air pollutants through its permit and inspection programs. The CCAPCD develops regulations to improve air quality and protect the health and welfare of Colusa County residents and their environment. The district also monitors air quality, prepares clean air plans, responds to citizen complaints concerning air quality and regulates agricultural burning.

CCAPCD regulations include permit requirements, emissions limits for specific source categories, requirements for open burning, and air toxics control measures (ATCM) for several source categories including stationary compression ignition engines. An emergency generator is the only stationary source proposed for the Project and it will be registered as portable equipment. CCAPCD regulates nuisance conditions in Rule 200, which states that “no person shall discharge from any non-vehicular source such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. No other CCAPCD rules are applicable to the Project.

2.2.3.2 Colusa County Plan

Colusa County adopted a comprehensive update to their General Plan on July 31, 2012 (Colusa County, 2012). The General Plan details the County’s guiding principles for a variety of planning topics and is the roadmap for future development in the county. The Conservation Element addresses the conservation, development and utilization of natural resources which includes forests, soils, rivers and other waters, wildlife, and minerals. Energy conservation, air quality, and the preservation of cultural and historical resources are also addressed in the conservation element

The Colusa County General Plan contains several goals, policies, and actions relative to air quality. Following is a summary of goals policies and actions potentially applicable to the Project.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Goal CON-2: Conserve, protect, and enhance energy, air, and mineral resources.

Objective CON-2A: Use Energy Efficiently and Encourage the Use of Renewable and Sustainable Sources of Energy

- Policy CON 2-2: Encourage the development of large---scale commercial energy projects that utilize renewable sources such as solar, wind, biomass, and agricultural byproducts.
- Policy CON 2-3: Allow commercial alternative energy facilities, including solar, wind and biomass in the Agriculture General, Agriculture Upland, Industrial, Forest, and Resource Conservation land use designations with a Conditional Use Permit.

Objective CON-2B: Minimize Air Pollutant Emissions and Improve Air Quality to Protect Public Health

- Policy CON 2-15: Improve air quality through continuing to require a compact development pattern that focuses growth in and around existing communities, locating new housing near places of employment, encouraging alternative modes of transportation, and requiring projects to mitigate significant air quality impacts to the extent feasible.
- Action CON 2-E: Refer development, infrastructure, and planning projects to the Colusa County Air Pollution Control District (APCD) for review. Require project applicants to prepare air quality analyses to address APCD and General Plan requirements, which include analysis and identification of:
    - Air pollutant emissions associated with the project during construction, project operation, and cumulative conditions.
    - Significant air quality impacts associated with the project for construction, project operation, and cumulative conditions.
    - Mitigation measures to reduce significant impacts to less than significant or the maximum extent feasible where impacts cannot be mitigated to less than significant.
- Action CON 2-F: Coordinate with the APCD to develop:
    - Thresholds for criteria pollutants associated with construction activities, and
    - A list of standard best management practices (BMPs) to be implemented during construction activities.
- Action CON 2-G: Continue to implement measures and strategies contained in the Northern Sacramento Valley Air Quality Attainment Plan.

The renewable energy project meets Goal CON-2, Policies CON 2-2 and 2-3, Actions CON 2-E, CON-2F, and CON-2G. The Project's emissions analysis for construction and operation will comply with the Colusa County General Plan as demonstrated in Section 2.5.

2.3 REGIONAL AND LOCAL AIR QUALITY CONDITIONS

2.3.1 Colusa County Attainment Status

In an effort to protect human health and welfare, the CARB and EPA have established Ambient Air Quality Standards, described in Table 2. Areas are considered in "attainment" if standards are met and "nonattainment" if they are not met. For ozone, nonattainment status is further classified as marginal, moderate, serious, severe, or extreme.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Table 2. Colusa County Attainment Status

Pollutant	Designation/Classification	
	Federal Standards	State Standards
Ozone (1-Hour)	No federal standard	Attainment
Ozone (8-Hour)	Attainment/Unclassified	Attainment
NO_2	Attainment/Unclassified	Attainment
CO	Attainment/Unclassified	Attainment/Unclassified
PM_{10}	Attainment/Unclassified	Nonattainment
$PM_{2.5}$	Attainment/Unclassified	Attainment
SO_2	Attainment/Unclassified	Attainment
Lead	Attainment/Unclassified	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified

Source: CARB 2021a

2.3.2 Local Ambient Air Quality

Table 3 summarizes the most recent air quality data from 2017 through 2019 with the number of days exceeding the ambient air quality standards.

Table 3. Local Ambient Air Quality Monitoring Data for the Years 2017-2019

Averaging Period	2017	2018	2019
Ozone (O_3) – *Sunrise Blvd, Colusa, California Monitoring Station (AQS Site ID: 06-011-1002)*			
1-hour Maximum Concentration (ppm)	0.075	0.073	0.062
Number of days exceeding CAAQS = **0.09 ppm**	0	4	0
8-hour Maximum Concentration	0.068	0.062	0.055
Number of days exceeding CAAQS = **0.070 ppm**	0	0	0
Number of days exceeding NAAQS = **0.070 ppm**	0	0	0
Nitrogen Dioxide (NO_2) – *Yuba City, California Monitoring Station (AQS Site ID: 06-101-0003)*			
1-hour Maximum Concentration (ppb)	49	51	45
Number of days exceeding CAAQS = **180 ppb**	0	0	0
Number of days exceeding NAAQS = **100 ppb**	0	0	0
Annual Average Concentration (ppm) (**53 ppb**)	7	7	6
Carbon Monoxide (CO) – *Chico, California Monitoring Station (AQS Site ID: 06-007-0008)*			
1-hour Maximum Concentration (ppm)	1.9	20.7	1.6
Number of days exceeding CAAQS = **20 ppm**	--	--	--
Number of days exceeding NAAQS = **35 ppm**	0	0	0
8-hour Maximum Concentration	1.4	12.8	1.3
Number of days exceeding CAAQS = **9.0 ppm**	--	--	--
Number of days exceeding NAAQS = **9.0 ppm**	0	0	0
Coarse Particulate Matter (PM_{10}) – *Sunrise Blvd, Colusa, California Monitoring Station (AQS Site ID: 06-011-1002)*			
24-hour Maximum Concentration ($\mu g/m^3$)	148	275	120
Number of days exceeding CAAQS = **50 $\mu g/m^3$**	33	66	45

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Averaging Period	2017	2018	2019
Number of days exceeding NAAQS = **150 µg/m³**	0	2	0
Annual Average Concentration (state method) (µg/m³) (**20 µg/m³**)	26	32	28
Fine Particulate Matter ($PM_{2.5}$) – *Sunrise Blvd, Colusa, California Monitoring Station (AQS Site ID: 06-011-1002)*			
24-hour Maximum Concentration (µg/m³)	45	113	27
Number of days exceeding NAAQS = **35 µg/m³**	8	-	0
Annual Average Concentration (µg/m³) (**12 µg/m³**)	8	-	7
Sulfur Dioxide (SO_2) – *Sacramento Del Paso Manor, California Monitoring Station (AQS Site ID: 06-067-0006)*			
1-hour Maximum Concentration (ppm)	0.0073	0.0036	0.004
Number of days exceeding NAAQS = **0.075 ppm**	0	0	0
24-hour Maximum Concentration (ppm)	0.0059	0.0011	0.0011
Number of days exceeding NAAQS = **0.14 ppm**	0	0	0
Annual Average Concentration (ppm) (**0.03 ppm**)	0.00185*	0.00037	0.00038

*Does not satisfy minimum completeness
µg/m³ – microgram per cubic meter; CAAQS – California ambient air quality standards; NAAQS – National ambient air quality standards; ppb – parts per billion; ppm – parts per million
Sources: CARB 2021b; EPA 2021

2.4 SIGNIFICANCE CRITERIA AND METHODOLOGY

2.4.1 Thresholds of Significance

2.4.1.1 California Environmental Quality Act Guidelines

The State of California has developed guidelines to address the significance of air quality impacts based on Appendix G of the California Environmental Quality Act (CEQA) Guidelines (CEQA 2020), which indicates that a project has significant air quality impact if the following occurs:

1. Conflict with or obstruct implementation of the applicable air quality plan;
2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard;
3. Expose sensitive receptors to substantial pollutant concentrations; and
4. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

2.4.1.2 Colusa County Air Pollution Control District

CCAPCD has not developed air quality thresholds of significance. Action CON-2F states the County should coordinate with CCAPCD to develop thresholds associated with construction activities and to develop best BMPs to be implemented during construction. CCAPCD has not yet developed these but has recommended using significance thresholds adopted by the BCAQMD due to their proximity in the SVAB. The BCAQMD Guidelines for Addressing Air Quality and Greenhouse Gas Impacts for Projects Subject to CEQA (BCAQMD Guidelines) were issued in 2014 (BCAQMD 2014). The BCAQMD Guidelines have air quality thresholds of significance for criteria pollutants and TACs (see Table 4).

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Table 4. BCAQMD Air Quality Thresholds of Significance – Criteria Pollutants

Phase	NO_X	ROG	PM_{10}
Construction	137 lb/day	137 lb/day	80 lb/day
Operational	25 lb/day	25 lb/day	80 lb/day
	4.5 tpy	4.5 tpy	None

The BCAQMD Guidance outlines screening criteria for different types and sizes of projects. For projects that do not meet the screening-criteria and require further evaluation, BCAQMD requires that criteria air pollutants and GHG emissions that may occur during the construction and operational phases be quantified through the latest version of CalEEMod or another acceptable modeling approach. The proposed solar project is not one of the project "types" listed in the screening guidance. Therefore, to evaluate impacts of the project under CEQA, CalEEMod was used to quantify emissions for comparison to air quality thresholds of significance.

For non-stationary source greenhouse gas emissions, the BCAQMD guidance recommends compliance with Qualified Greenhouse Gas Reduction Strategy, Lead Agency's threshold, or consistency with goals of AB 32.

Recommended significance thresholds for TACs include mitigating below the following levels within a zone of influence of 1,000-foot radius from the source:

- Increased cancer risk of > 10 in one million;
- Chronic or acute Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute)
- Ambient Diesel $PM_{2.5}$ increase > 0.3 $\mu g/m^3$ annual average

There is a potential for odor from construction equipment during construction. Any odorous impacts from construction will be temporary in nature and will be minimized by the use of Tier 4 equipment.

2.4.2 Approach and Methodology

Air pollutant emissions associated with the Project would occur over the short term (i.e., 11 months) from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust from soil disturbance activities. Construction activities would produce combustion emissions from construction equipment engines and motor vehicles transporting the construction crew, equipment, and materials. Exhaust emissions from construction activities would vary daily as activity levels change. Emissions quantification related to construction activities is necessary for comparison to the BCAQMD significance thresholds. In addition, the emissions documentation must include the quantification methodology used, including emission factors, emission factors sources, assumptions, and sample calculations where necessary. Because the emission calculation tool CalEEMod was used, the emissions calculation assumption section presents the general assumptions for the specific inputs and settings used for the air quality analysis.

Once constructed, the Project would operate seven days per week and 365 days per year. Only occasional, on-site maintenance is expected to be required following commissioning. Operations and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment. On intermittent occasions, the additional workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. However, due to the self-operating nature of the facilities, such actions would likely occur infrequently. The expected maintenance would generate little traffic during operations. O&M vehicles would include light duty trucks (e.g., pickup, flatbed) and other light equipment

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

for maintenance and module washing. Heavy equipment would not be utilized during normal operation other than water trucks delivering water to the facility.

Minimal water would be required for panel washing activities and general maintenance. The need for panel washing would be infrequent (e.g., months to years between washings) and determined based on operating considerations, including actual soiling of the PV panels and any expected benefit from cleaning.

2.4.2.1 Construction

The Project Owner's construction schedule and anticipated construction equipment and vehicles were used to determine emissions. The construction will occur in the following five main phases shown in Table 5.

Table 5. Construction Schedule

Phase	Duration (days)
Preparation	9
Excavation	23
Utilities/Sub-grade	23
Construction	233
Paving	17

The main construction processes are anticipated to occur during a period of approximately 10 months and would begin in late 2022. Project construction would consist of five major stages (see Table 6). The first stage would include mobilization, site preparation, fencing, and laydown. The second stage would involve excavation, trenching and trench backfill. Because the facility has been designed to use flat areas of the site, grading would be minimal. The third stage includes installation of cables and utilities. The fourth stage includes construction of the inverters, PV modules, and BESS units, and also includes commissioning and testing. The final stage includes road paving.

Water for dust control and other construction needs would likely be trucked to the site, which this assessment conservatively assumes.

Table 6. Construction Scenario Assumptions

Construction Phase	Equipment			Average / Peak Daily Worker Vehicle Round Trips*	Average / Peak Daily Vendor / Haul Truck Round Trips*
	Equipment Type	Quantity	Usage Hours		
Preparation	Tractors/Loaders/Backhoes	4	8	50 / 50	10 / 20
	Plate Compactors	2	8		
	Crawler Tractors	2	8		
	Dumpers/Tenders	5	8		
	Forklifts	2	8		
	Generator Sets	4	8		
	Graders	2	8		
	Scrapers	2	8		
	Skid Steer Loaders	4	8		
	Water Trucks	8	8		

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Construction Phase	Equipment			Average / Peak Daily Worker Vehicle Round Trips*	Average / Peak Daily Vendor / Haul Truck Round Trips*
	Equipment Type	Quantity	Usage Hours		
Excavation	Tractors/Loaders/Backhoes	4	8	50 / 0	10 / 20
	Plate Compactors	2	8		
	Crawler Tractors	2	8		
	Dumpers/Tenders	5	8		
	Forklifts	2	8		
	Generator Sets	4	8		
	Graders	2	8		
	Scrapers	2	8		
	Skid Steer Loaders	2	8		
	Water Trucks	8	8		
Utilities/Sub-grade	Tractors/Loaders/Backhoes	4	8	100 / 100	10 / 20
	Plate Compactors	2	8		
	Crawler Tractors	2	8		
	Dumpers/Tenders	5	8		
	Forklifts	2	8		
	Generator Sets	4	8		
	Graders	2	8		
	Scrapers	2	8		
	Skid Steer Loaders	2	8		
	Water Trucks	8	8		
Construction	Tractors/Loaders/Backhoes	7	8	150 / 200	10 / 30
	Bore/Drill Rigs	10	8		
	Cement and Mortar Mixers	10	8		
	Forklifts	5	8		
	Concrete/Industrial Saws	3	8		
	Plate Compactors	1	8		
	Cranes	1	8		
	Dumpers/Tenders	5	8		
	Excavators	2	8		
	Generator Sets	4	8		
	Pavers	1	8		
	Paving Equipment	1	8		
	Skid Steer Loaders	2	8		
	Trenchers	10	8		
	Rollers	1	8		
	Water Trucks	2	8		
Paving	Rollers	1	8	20 / 20	2 / 5

2.4.2.2 Operation

Emissions from facility operations results from 3 workers per day commuting to and from the site, visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment.

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2.4.2.3 Emission Calculation Assumptions

On-Road Equipment Assumptions

1. Trip lengths reflect that trips would be between the Janus Solar facilities and major commercial centers and ports.
2. Exhaust emissions for on-road equipment were calculated using CalEEMod for years 2022 and 2023.
3. All on-road construction equipment emissions were determined using on-road emission factors; none were estimated using off-road emission factors.
4. Fugitive dust emissions were estimated for both paved roads and unpaved roads, where applicable.

A summary of on-road equipment and the number of trips is provided in Table 6.

Off-Road Equipment Assumptions

1. Exhaust emissions were calculated using the CalEEMod for years 2022 and 2023.
2. Fugitive dust emissions were estimated for grading activities and truck loading using CalEEMod.

A list of the types and quantity of construction equipment is provided in Table 6.

2.4.2.4 Construction Information and Assumptions

Construction-related emissions are based on the following:

1. The site total acreage inside the proposed fence-line is approximately 1,024 acres. Approximately 13 acres will require excavation and grading.
2. Mobilization of the construction equipment may occur in the open spaces of the shared facilities area. Equipment and vehicle travels may also occur within the 1,024-acre Project site and the shared facilities area during the construction period.
3. Construction activity is expected to last for approximately of 10 months.

2.4.2.5 Combustion

Combustion emissions during construction will result from the following:

1. Exhaust from the on-site diesel construction equipment;
2. Exhaust from on-site water trucks used to control construction dust emissions;
3. Exhaust from pickup trucks and diesel trucks used to transport workers and materials around the Project site;
4. Exhaust from diesel trucks used to deliver equipment and materials; and
5. Exhaust from automobiles used by workers to commute to and from the Project site.

2.4.2.6 Fugitive Dust

Fugitive dust emissions during construction will result from:

1. Dust entrained during mobilization and construction at the construction site; and
2. Dust entrained during off-site travel on paved and unpaved surfaces;

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2.5 SIGNIFICANCE CRITERIA AND METHODOLOGY

2.5.1 Would the Project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The Project would not conflict with existing land uses or result in population growth. CCAPCD Rule 200 (nuisance conditions) is applicable to the Project. In addition, the Project would not result in a long-term increase in the number of trips or increase the overall vehicle miles traveled in the area. Vendor truck and worker vehicle trips would be generated during the proposed construction activities but would be limited after construction is completed.

During construction, unmitigated NO_x emissions would exceed the BCAQMD daily and annual significance thresholds. However, mitigated NO_X emissions would fall below the BCAQMD significance thresholds. Both unmitigated and mitigated ROG emissions are below the annual threshold of significance. Both unmitigated and mitigated PM_{10} emissions are below the daily threshold of significance.

Unmitigated and mitigated daily operational emissions are below significance thresholds for all pollutants. During the longer-term operational phase, the Project would have routine inspection and maintenance activities that would result in a net increase in emissions although, the increase in emissions would not exceed any significance threshold. Construction and operational emissions are summarized in Tables 7, 8, and 9.

As previously discussed, the renewable energy project meets Goal CON-2, Policies CON 2-2 and 2-3, Actions CON 2-E, CON-2F, and CON-2G of the Colusa County General Plan.

2.5.2 Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for O_3 precursors)?

2.5.2.1 Construction Emissions

Less Than Significant Impact. Construction emissions are summarized in Tables 7 and 8. The Project area is non-attainment for the California AAQS for PM_{10}. The CCAPCD has requested that the Project use BCAQMD annual and daily significance thresholds to address pollution sources associated with general construction activities, such as the operation of on-site construction equipment, fugitive dust from site grading activities, and travel by construction workers. Based on these recommended thresholds, the proposed Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day (lbs/day) of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation. BCAQMD also specifies daily and annual significance thresholds for NO_X and ROG emissions from construction. Emissions for both are below significance thresholds. Detailed emissions calculations are provided in Appendix A.

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Table 7. Estimated Maximum Annual Construction Criteria Air Pollutant Emissions

Max. Rolling 12-month	Emissions (tons per year)					
	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Unmitigated	2.31	18.56	21.49	0.06	3.01	0.57
Mitigated	0.94	4.45	25.68	0.06	2.23	0.57
BCAQMD Threshold	*4.5*	*4.5*	--	--	--	--
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Table 8. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions

Max. Rolling 12-month	Emissions (lbs/day)					
	ROG	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
Unmitigated	18.64	170.05	178.55	0.59	27.37	11.95
Mitigated	8.29	62.59	207.69	0.59	21.41	6.40
BCAQMD Threshold	*137*	*137*	--	--	*80*	--
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

2.5.2.2 Operational Emissions

Less Than Significant Impact. Project operational emissions were estimated using CalEEMod to include potential area, energy, mobile, off-road, and stationary source emissions. This included solvent emissions from paints and primers, water trucks, potential emergency generator emissions, and vehicle emissions from maintenance vehicles. Table 9 presents the maximum daily operational emissions in pounds per day with a comparison to BCAQMD thresholds. Operational emissions would be well below the BCAQMD thresholds of significance for all pollutants. Detailed emissions calculations are provided in Appendix A.

Table 9. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Emission Source	ROG	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
	lbs/day					
Area, Energy, Mobile, Off-road, Stationary	14.26	13.09	20.07	0.04	2.36	1.00
BCAQMD Threshold	*25*	*25*	--	--	*80*	--
Threshold Exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Emissions data for Colusa County provided by CARB (CEPAM 2019SIP v1.02) were used for comparison with potential Project emissions. A summary of annual and daily emissions in Colusa County are provided Tables 10 and 11. A comparison of the Project annual PM_{10} emissions to the lowest annual PM_{10} emissions over the past 10 years shows potential construction PM_{10} to be 0.048 percent of total county annual emissions and operational emissions to be 0.00086% of the total county annual emissions.

A comparison of county-wide daily emissions (tons per day) with Project construction and operational emissions using the lowest daily Colusa County PM_{10} emissions over the past 10 years shows construction emissions would be 0.086 percent of the county daily emissions and operational emissions would be 0.0079 percent of the county total daily emissions.

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The Project area is non-attainment for the California AAQS for PM_{10}. CCAPCD requires the use of the BCAQMD's daily and annual significance thresholds for to address pollution sources associated with general construction activities, such as the operation of on-site construction equipment, fugitive dust from site grading activities, and travel by construction workers. Although the Project site is located in a region that is in non-attainment for PM_{10}, the cumulative emissions associated with the Project would not be considerable as the emissions would fall below BCAQMD thresholds. Under this condition, the Project would not make a cumulatively considerable contribution during construction or operations. Therefore, impacts would be less than significant. Additionally, the Project would not conflict with the CCAPCD PM_{10} attainment plans, which address cumulative emissions in Colusa County and account for emissions associated with construction activity.

The comparison of the Project emissions to the area source county emissions shows that the projected PM_{10} emissions from construction and operation of the Project will be a small fraction of the county emissions. Therefore, the Project would not interfere with attainment progress for the CAAQS for PM_{10} in the County.

Table 10. Colusa County Historical Region-Wide Annual Pollutant Emissions

Year / Source Type*		Emissions (tons/year)					
		NO_x	CO	ROG	SO_x	PM_{10}	$PM_{2.5}$
2010	Point	555.6	182.7	74.6	12.8	406.8	116.3
	All other	4,247.1	8,896.3	21,136.3	55.1	4,622.6	1,157.4
2011	Point	457.7	267.8	81.4	121.0	363.3	123.5
	All other	4,029.3	8,436.4	20,495.4	51.6	4,556.3	1,126.7
2012	Point	424.1	245.0	76.0	101.2	389.9	133.5
	All other	5,194.8	129,909.8	28,968.2	879.1	16,443.5	11,164.4
2013	Point	448.2	192.0	89.9	116.2	378.7	127.8
	All other	3,668.5	6,625.1	20,353.6	33.6	4,422.5	983.2
2014	Point	397.5	223.4	80.8	101.6	312.6	96.6
	All other	3,539.0	6,438.5	20,288.7	33.9	4,424.5	979.0
2015	Point	345.2	189.6	91.6	23.3	280.0	110.2
	All other	3,611.1	16,218.4	20,944.5	142.6	5,508.7	1,883.1
2016	Point	348.5	341.1	115.9	28.6	366.1	167.4
	All other	3,167.7	5,741.5	20,143.4	32.3	4,389.3	926.6
2017	Point	315.6	188.8	75.6	24.0	298.5	108.4
	All other	3,018.7	5,170.0	20,038.2	28.2	4,347.4	886.7
2018	Point	308.4	184.8	76.3	23.1	301.3	107.6
	All other	3,107.0	19,465.1	21,019.7	132.8	5,773.4	2,092.5
2019	Point	308.4	185.5	77.0	23.2	304.6	107.8
	All other	3,017.8	19,327.3	20,985.1	132.7	5,771.1	2,090.1
2020	Point	313.8	192.5	68.9	23.0	273.8	102.1
	All other	2,896.8	19,214.5	20,905.0	132.7	5,747.9	2,077.9
Project Construction		4.45	25.68	0.94	0.06	2.23	0.65
Project Operation		0.65	0.68	2.05	0.003	0.04	0.02

* All other sources include stationary aggregated, areawide, on-road mobile, other mobile, and biogenic.

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Table 11. Colusa County Historical Region-Wide Daily Pollutant Emissions

Year / Source Type*		Emissions (tons/day)					
		NO_x	CO	ROG	SO_x	PM_{10}	$PM_{2.5}$
2010	Point	1.52	0.50	0.20	0.04	1.11	0.32
	All other	11.64	24.37	57.91	0.15	12.66	3.17
2011	Point	1.25	0.73	0.22	0.33	1.00	0.34
	All other	11.04	23.11	56.15	0.14	12.48	3.09
2012	Point	1.16	0.67	0.21	0.28	1.07	0.37
	All other	14.23	355.92	79.37	2.41	45.05	30.59
2013	Point	1.23	0.53	0.25	0.32	1.04	0.35
	All other	10.05	18.15	55.76	0.09	12.12	2.69
2014	Point	1.09	0.61	0.22	0.28	0.86	0.26
	All other	9.70	17.64	55.59	0.09	12.12	2.68
2015	Point	0.95	0.52	0.25	0.06	0.77	0.30
	All other	9.89	44.43	57.38	0.39	15.09	5.16
2016	Point	0.95	0.93	0.32	0.08	1.00	0.46
	All other	8.68	15.73	55.19	0.09	12.03	2.54
2017	Point	0.86	0.52	0.21	0.07	0.82	0.30
	All other	8.27	14.16	54.90	0.08	11.91	2.43
2018	Point	0.84	0.51	0.21	0.06	0.83	0.29
	All other	8.51	53.33	57.59	0.36	15.82	5.73
2019	Point	0.84	0.51	0.21	0.06	0.83	0.30
	All other	8.27	52.95	57.49	0.36	15.81	5.73
2020	Point	0.86	0.53	0.19	0.06	0.75	0.28
	All other	7.94	52.64	57.27	0.36	15.75	5.69
Project Construction		0.031	0.104	0.004	0.0003	0.011	0.003
Project Operation		0.007	0.010	0.007	0.00002	0.001	0.0005

* All other sources include stationary aggregated, areawide, on-road mobile, other mobile, and biogenic.

2.5.3 Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The Project consists of construction of a solar energy facility that may have the potential to affect nearby sensitive receptors. As shown in Figure 2, there are only two sensitive receptors (residences) located within 1,000 feet of the Project boundary. The sensitive receptors are residences to the south of the Project and south of the proposed gen-tie line. There are no schools, daycare centers, hospitals, or other sensitive receptors in the Project vicinity. Diesel particulate matter will be minimized by using Tier 4 engines and good operational practices as noted below. Construction emissions will be temporary in nature. Operational emissions will be minimal and will occur intermittently for Project maintenance.

The nearest population center, the City of Williams, is located approximately 6.5 miles northeast of the site. Sensitive receptors in Williams and their distances to the site include:

- Liz Kidz Daycare – located 5.8 miles northeast of the Project boundary;
- Williams Elementary Scholl located 6.4 miles from the Project boundary; and

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- Mid Valley High School located 6.4 miles from the Project boundary.

In addition to the large distance from the Project to sensitive receptors, mitigated pollutant impacts during construction and operation would not result in emissions of criteria pollutants in excess of established BCAQMD thresholds.

The Project proposes to limit diesel particulate matter from construction activities using the following mitigation measures:

- Install diesel particulate filters or implement other CARB-verified diesel emission control strategies.
- All on- and off-road diesel equipment shall not idle for more than five minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the five-minute idling limit.
- All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work.
- Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

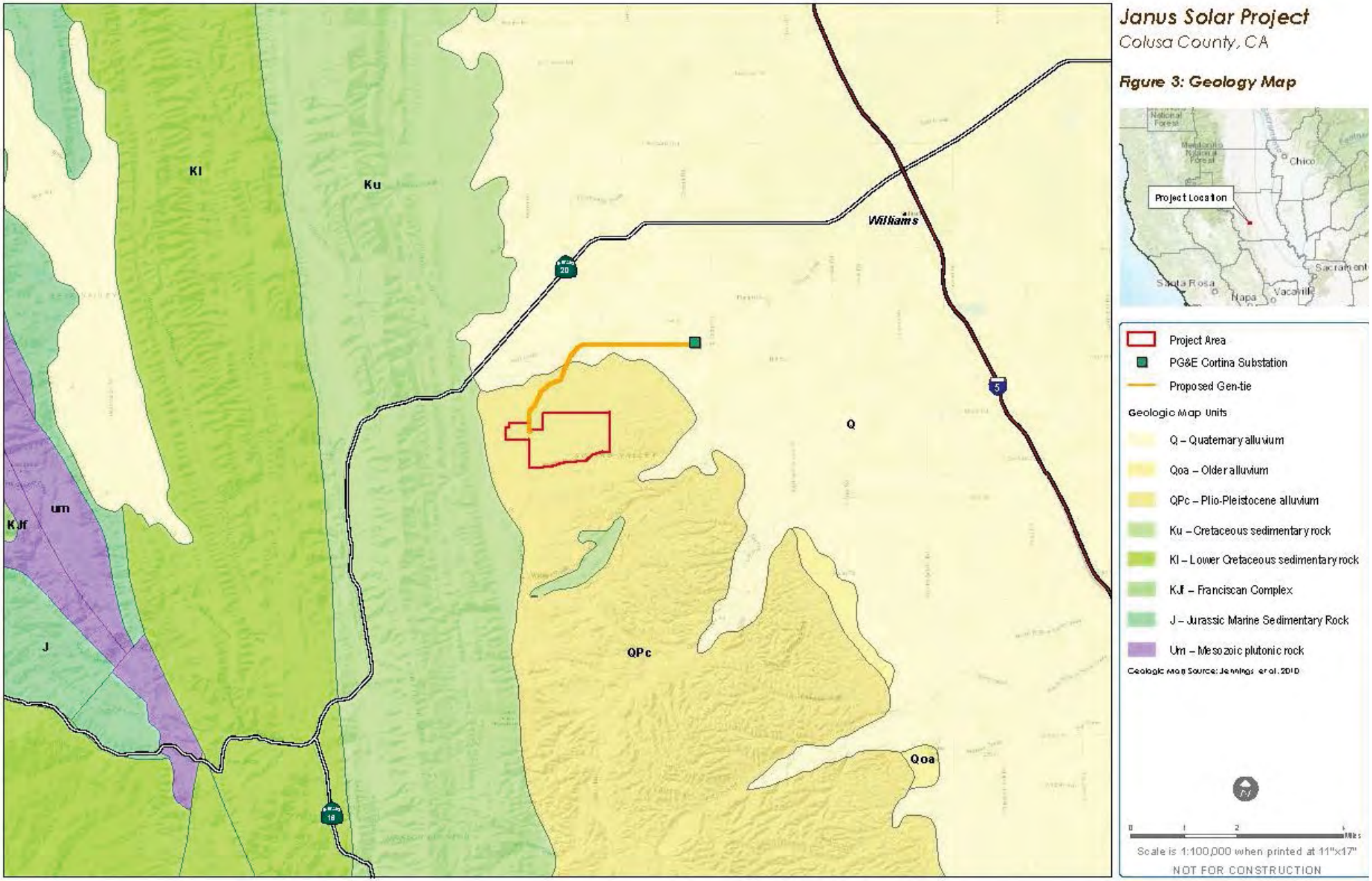
In addition to the above mitigation measures, the Project will use ultra-low sulfur diesel fuels (<=15 parts per million by weight sulfur).

Based on the temporary nature and the time frame for construction, these measures will reduce construction emissions and impacts to levels that are in compliance with the CCAPCD air quality regulations.

BCAQMD also identifies significance thresholds for TACs that are based on localized impacts. These include a maximum incremental lifetime cancer risk greater than 10 in a million, a chronic and acute hazard index (i.e., ratio of concentrations to Reference Exposure Levels [RELs]) of one or more, and an annual diesel particulate matter concentration of 0.3 µg/m^3. The primary TAC emitted from construction activities is diesel PM (as $PM_{2.5}$); however, because emissions of TACs from diesel-powered construction equipment are expected to be minimal, intermittent, and of short duration, the Project is not expected to substantially increase ambient concentrations of TACs regionally or locally. As discussed in Section 2.1.3, there are only two residences within 1,000 feet of the Project and no other sensitive receptors in the 1,000-foot radius from the Project boundaries. Therefore, the Project would not expose sensitive receptors to substantial pollutant concentrations. As such, localized impacts to off-site sensitive receptors would be less than significant.

Another potential TAC that may impact sensitive receptors is natural occurring asbestos (NOA). NOA has been identified by the CARB as a toxic air contaminant. Serpentine and ultramafic rocks, which may contain NOA, are found in certain mountainous areas of Colusa County. A review of geologic formations within the Project site indicates no ultramafic rocks present (California Department of Conservation 2021). Figure 3 presents a geologic map of the Project area showing the location of ultramafic (serpentine rock).

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2.5.4 Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The land use surrounding the Project site is rural. Properties are currently being used for cattle grazing, agriculture, and open space. The closest residence is approximately 100 feet to the south of the Project site, and the next closest residence is approximately 400 feet south of the proposed gen-tie line. During Project-related construction activities, various diesel-powered vehicles and equipment could create minor odors. These odors are not likely to be noticeable beyond the immediate vicinity and would be temporary and short-lived. Therefore, construction odor impacts would be less than significant. The Project will include portable toilets on site during construction, operations, and decommissioning. The portable toilets will be regularly maintained and cleaned by a third-party service. Therefore, odor from the use of portable toilets is not anticipated to impact nearby residences.

Long-term odors are associated typically with industrial projects involving use of chemicals, solvents, petroleum products, and other strong-smelling elements used in manufacturing processes. Odors are also associated with such uses as sewage treatment facilities and landfills. The Project involves no elements related to these types of uses. Therefore, no long-term odor impacts would occur with Project implementation.

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3.0 GREENHOUSE GAS EMISSIONS

3.1 ENVIRONMENTAL SETTING

3.1.1 The Greenhouse Effect

Certain gases in the Earth's atmosphere, classified as GHGs, play a critical role in determining the earth's surface temperature. A GHG is any gas in the atmosphere that absorbs infrared radiation. As solar radiation enters the earth's atmosphere, a portion of the radiation is absorbed by the earth's surface, and a portion is reflected back through the atmosphere into space. The absorbed radiation is eventually emitted from the earth into the atmosphere, not as solar radiation, but as infrared radiation. Most solar radiation passes through GHGs; infrared radiation is selectively absorbed or "trapped" by GHGs as heat and then reradiated back toward the earth's surface, warming the lower atmosphere and the earth's surface. This phenomenon, known as the "greenhouse effect," is beneficial for maintaining a habitable climate on the earth. As the atmospheric concentrations of GHGs rise, however, the average temperature of the lower atmosphere gradually increases, thereby increasing the potential for indirect effects such as a decrease in precipitation as snow, a rise in sea level, and changes to plant and animal species and habitat.

Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (about one day), GHGs have long atmospheric lifetimes (one year to several thousand years). GHGs persist in the atmosphere long enough to be dispersed globally. Although the exact lifetime of any particular GHG molecule depends on multiple variables and cannot be pinpointed, scientific evidence reveals that more CO_2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. Of the total annual human-caused CO_2 emissions, approximately 54 percent is sequestered through ocean uptake, uptake by northern hemisphere forest regrowth, and other terrestrial sinks within a year, whereas the remaining 46 percent of human-caused CO_2 emissions remains stored in the atmosphere. The quantity of GHGs that it takes to ultimately result in climate change is not known precisely, although scientific evidence strongly indicates no single project would be expected to contribute measurably to a noticeable incremental change in the global average temperature.

3.1.2 Greenhouse Gases and Global Warming Potential

GHGs are emitted by natural processes and human activities. Natural GHG sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Human activities known to emit GHGs include industrial manufacturing, utilities, transportation, residential, and agricultural activities. The GHGs that enter the atmosphere because of human activities are CO_2, CH_4, N_2O, fluorinated carbons (hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6).

CO_2 is an odorless, colorless gas with both natural and anthropogenic sources. Examples of natural sources are respiration of bacteria, plants, and animals, evaporation from oceans, and decomposition of organic matter. Human activities that emit CO_2 include burning coal, oil, natural gas, and wood.

CH_4 is a flammable gas that is the main component of natural gas. When burned in the presence of oxygen, CO_2 and water are released. There are no direct health effects from exposure to CH_4. Sources of CH_4 include decay or organic material, natural gas fields, cattle, and landfills.

N_2O is a colorless gas that can cause euphoria, dizziness, and slight hallucinations when exposed to higher concentrations. Sources include agricultural sources (e.g. microbial processes in soil and water, fertilizer) and industrial processes (e.g. fossil fuel-fired power plants, vehicle emissions, nylon production).

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Fluorinated Gases are synthetic and emitted from a variety of industrial processes.

HFCs are man-made chemicals used as a substitute for CFCs (chlorofluorocarbons) for automobile air conditioners and refrigerants.

PFCs are very stable and do not break down through the chemical processes in the lower atmosphere and they have long lifetimes (between 10,000 and 50,000 years). The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.

SF_6 is an inorganic, colorless, odorless, nontoxic, nonflammable gas used for insulation in electric power transmission and distribution equipment, semiconductor manufacturing, the magnesium industry, and as a tracer gas for leak detection.

Global Warming Potential

The Intergovernmental Panel on Climate Change developed the global warming potential (GWP) concept to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP of a GHG is defined as the ratio of the time-integrated radiative forcing from the instantaneous release of one kilogram of a trace substance relative to that of one kilogram of a reference gas. The reference gas used is CO_2. Therefore, GWP-weighted emissions are measured in metric tons (MT) of CO_2 equivalent (CO_2e). It was assumed that the GWP for CH_4 is 25 (which means that emissions of 1 MT of CH_4 are equivalent to emissions of 25 MT of CO_2), the GWP for N_2O is 298, and the GWP for SF_6 is 22,800 based on the Intergovernmental Panel on Climate Change Fourth Assessment Report (IPCC 2007). These GWPs have been adopted by the EPA into 40 CFR 98 *Mandatory Greenhouse Gas Reporting*.

3.2 REGULATORY SETTING

3.2.1 Federal Regulations

The U.S. Supreme Court ruled on April 2, 2007, that CO_2 is an air pollutant as defined under the CAA, and that the EPA has the authority to regulate emissions of GHGs. Responding to the mounting issue of climate change, the EPA has taken actions to regulate, monitor, and potentially reduce GHG emissions.

Mandatory Greenhouse Gas Reporting Rule

On September 22, 2009, the EPA issued a final rule for mandatory reporting of GHGs from large GHG emissions sources in the United States. In general, this national reporting requirement will provide the EPA with accurate and timely GHG emissions data from facilities that emit 25,000 metric tons or more of CO_2 per year. This publicly available data allows the reporters to track their own emissions, compare them to similar facilities, and help identify cost effective opportunities to reduce emissions in the future. Reporting is at the facility level, except that certain suppliers of fossil fuels and industrial GHGs along with vehicle and engine manufacturers report at the corporate level. An estimated 85 percent of the total United States GHG emissions, from approximately 10,000 facilities, are covered by this final rule.

Endangerment and Cause or Contribute Findings for Greenhouse Gases under the Clean Air Act

On December 7, 2009, the EPA adopted its Proposed Endangerment and Cause or Contribute Findings for Greenhouse Gases under the CAA (Endangerment Finding). The Endangerment Finding is based on Section 202(a) of the CAA, which states that the Administrator (of EPA) should regulate and develop standards for "emission[s] of air pollution from any class of classes of new motor vehicles or new motor vehicle engines, which in [its] judgment cause, or contribute to, air pollution which may reasonably be anticipated to endanger public health or welfare." The rule addresses Section 202(a) in two distinct findings. The first addresses whether the concentrations of the six key GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) in the atmosphere threaten the health and welfare of current and future generations. The

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second addresses whether the combined emissions of GHGs from new motor vehicles and motor vehicle engines contribute to atmospheric concentrations of GHGs and therefore the threat of climate change.

The Administrator found that atmospheric concentrations of GHGs endanger the public health and welfare within the meaning of Section 202(a) of the CAA. The evidence supporting this finding consists of human activity resulting in “high atmospheric levels” of GHG emissions, which are most likely responsible for increases in average temperatures and other climatic changes. Furthermore, the observed and projected results of climate change (e.g., higher likelihood of heat waves, wildfires, droughts, sea level rise, and higher intensity storms) are a threat to the public health and welfare. Therefore, GHGs were found to endanger the public health and welfare of current and future generations.

The Administrator also found that GHG emissions from new motor vehicles and motor vehicle engines are contributing to air pollution, which is endangering public health and welfare. EPA’s final findings respond to the 2007 U.S. Supreme Court decision that GHGs fit within the CAA definition of air pollutants. The findings do not in and of themselves impose any emission reduction requirements but rather allow the EPA to define the GHG standards proposed earlier in 2009 for new light-duty vehicles as part of the joint rulemaking with the Department of Transportation.

Various subsequent federal rulemakings limit GHG emissions from fossil fuel-fired power plants through EPA’s major stationary source permitting program and through EPA’s New Source Performance Standards. These rulemakings have been subject to court challenges and political manipulation, such that applicants for air permits are required to evaluate the current status of the regulatory requirements. These GHG rules do not apply to the activities associated with the Project.

3.2.2 State Regulations

While climate change has been a concern since at least 1988, the efforts devoted to GHG emissions reduction and climate change policy have increased dramatically in recent years. In 2002, California passed AB 1493, which requires CARB to develop and implement regulations to reduce automobile and light truck GHG emissions beginning with the 2009 model year. In June 2005, Executive Order S-3-05 was signed to reduce California’s GHG emissions to: (1) 2000 levels by 2010; (2) 1990 levels by the 2020; and (3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of AB 32, the Global Warming Solutions Act of 2006. AB 32 sets the same overall GHG emissions reduction goals while further mandating that CARB create a plan (Scoping Plan), which includes market mechanisms, and implement rules to achieve “real, quantifiable, cost-effective reductions of greenhouse gases.” Senate Bill (SB) 32 codifies the emissions reduction goal of 40% below 1990 levels by 2030.

In 2002, SB 1078 established Renewable Portfolio Standard (RPS), which required an annual increase in renewable generation by the utilities with a goal of 20 percent by 2010. SB X1-2 expanded the RPS by establishing a renewable energy target of 20 percent of the total electricity sold to retail customers in California per year by 2013, and 33 percent by 2020 and subsequent years. SB 350 further expanded the RPS by establishing a goal of 50 percent of the total electricity sold to retail customers in California per year by 2030.

SB 97 acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. CEQA requires that lead agencies consider the reasonably foreseeable adverse environmental effects of projects they are considering for approval. GHG emissions can affect the environment adversely because they contribute, cumulatively, to global climate change. Thus, GHG emissions require consideration in CEQA documents.

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3.2.3 Local Regulations

Colusa County does not have any plans or regulations specific to GHGs. The General Plan does encourage renewable energy development in their conservation element under Objective CON-2A:

Objective CON-2A: Use Energy Efficiently and Encourage the Use of Renewable and Sustainable Sources of Energy

- Policy CON 2-2: Encourage the development of large-scale commercial energy projects that utilize renewable sources such as solar, wind, biomass, and agricultural byproducts.
- Policy CON 2-3: Allow commercial alternative energy facilities, including solar, wind and biomass in the Agriculture General, Agriculture Upland, Industrial, Forest, and Resource Conservation land use designations with a Conditional Use Permit.

The Project will help the County meet their renewable energy goals in the General Plan.

3.3 SIGNIFICANCE CRITERIA AND METHODOLOGY

3.3.1 Thresholds of Significance

The State of California has developed guidelines to address the significance of greenhouse gas impacts based on Appendix G of the CEQA Guidelines, which indicates that a project has significant air quality impact if the project:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and
2. Conflict with an applicable plan, policy, or regulations adopted for the purpose of reducing the emissions of greenhouse gases.

3.3.2 Approach and Methodology

A GHG analysis is required to be included in CEQA documents for all non-exempt projects. CCAPCD and BCAQMD have not adopted GHG thresholds of significance. The BCAQMD CEQA guidance suggests compliance with Qualified Greenhouse Gas Reduction Strategy, Lead Agency's threshold, or consistency with goals of AB 32 for projects subject to CEQA.

For this Project, the major source of GHG is the combustion of fuel in construction equipment, in vehicles used to haul equipment and materials, and in vehicles used by workers commuting to and from the site.

There are three types of GHG from fuel combustion, including CO_2, CH_4 and N_2O. GHG emissions are presented as CO_2e. CO_2e is computed based on global warming equivalence. The CH_4 global warming equivalence is 25 times that of CO_2, and the N_2O global warming equivalence is 298 times that of CO_2. Mathematically, the CO_2e can be represented by the following equation:

$$CO_2e \text{ Emissions} = CO_2 \text{ Emissions} + 25 \times CH_4 \text{ Emissions} + 298 \times N_2O \text{ Emissions}$$

The CalEEMod model was used to estimate the GHG emissions during the construction phase of the proposed Project. Based on the construction schedule, and the types and quantities of construction equipment and haul trucks, the maximum CO_2e emissions were estimated. For typical diesel-fueled combustion equipment used in construction activities, the emissions factors adjusted with global warming equivalence are the following:

1. CO_2 emission factors are 22.4 pounds of CO_2e per gallon consumed;
2. CH_4 emission factors are 0.065 pounds of CO_2e per gallon consumed; and

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3. N_2O emission factors are 0.068 pounds of CO_2e per gallon consumed.

Additionally, GHG emissions are associated with fugitive emissions of SF_6 from gas-insulated switchgear equipment, such as the high voltage circuit breakers at the on-site substation. The SF_6 global warming equivalence is 22,800 times that of CO_2. The Project will have no more than two high-voltage circuit breakers, each with up to 160 pounds of SF_6 for a total of up to 320 pounds, and a maximum leak rate of 0.5 perce t per year. CO_2e resulting from SF_6 gas leakage can be represented by the following equation:

CO_2e Emissions = SF_6 gas contained in equipment (lbs) x 0.5% leak rate x 0.0004536 MT/lb x 22,800

3.4 IMPACT ANALYSIS

3.4.1 Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

3.4.1.1 Construction Emissions

Less Than Significant Impact. Construction of the Project would increase GHG generation, which can contribute to global climate change. The Project will also decrease GHG emissions by providing renewable power. This analysis is provided in response to recent heightened interest in the subject of global climate change and, specifically, in the California legislature's passage and the Governor's signing of AB 32, which is intended to control and reduce the emission of global warming gases in California; and SB 97, which directs the Office of Planning and Research and the California Resources Agency to develop CEQA Guidelines on how local agencies should analyze and, if necessary, mitigate for GHG emissions.

Construction emissions would be associated with vehicle engine exhaust from construction equipment and vehicles, equipment and material deliveries, and construction worker commuting trips. Construction-related GHG emissions are considered temporary and short term. Annual Construction Emissions are provided in Table 12.

Table 12. Estimated Annual Construction Greenhouse Gas Emissions

Construction Year	CO_2	CH_4	N_2O	CO_2e
	Metric Tons per Year			
2022	2,163.64	0.37	0.07	2,192.64
2023	3,386.44	0.55	0.09	3,428.03
Total Project Construction GHG Emissions	5,550.08	0.92	0.16	5,620.67

3.4.1.2 Operational Emissions

Less Than Significant Impact. Operation of the Project would generate GHG emissions through motor vehicle trips to and from the Project site, energy use, special maintenance activities such as panel washing, waste and wastewater generation, potential use of the emergency generator, and potential leakage from gas-insulated circuit breakers. The CalEEMod was used to calculate the annual GHG emissions based on the operational assumptions described previously. The estimated operational GHG emissions are shown in Table 13. GHG emissions from operational activities will be minimal and will not have significant impact on the environment.

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Table 13. Estimated Annual Operational Greenhouse Gas Emissions

Annual Operation	CO_2	CH_4	N_2O	SF_6	CO_2e
	Metric Tons per Year				
Total Project Operational GHG Emissions	629.44	0.18	0.008	0.000726	653.0

3.4.2 Would the project conflict with an applicable plan, policy, or regulations adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The Project will support State legislation climate goals including emissions reductions required by AB 32 and SB 32 and will help the state reach renewable portfolio standards required by SB 1078, SB XI-2, and SB 350. While GHG would be generated from construction and occasional operation and maintenance activities, the Project would result in a net reduction in GHG from the production of solar energy that would potentially replace energy generated by fossil fuels. The Project would assist in the attainment of the state's goals by using a renewable source of energy that could displace electricity generated by fossil-fuel-fired power plants, and therefore would comply with the goals and objectives of the state. The solar energy project will meet Colusa County's conservation objective CON-2A and will meet Policies CON 2-2 and 2-3.

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4.0 REFERENCES

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Appendix A. Detailed CalEEMod Output

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Janus Solar Project

Colusa County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	4.00	User Defined Unit	4.00	174,240.00	0

1.2 Other Project Characteristics

Urbanization	Rural	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	56
Climate Zone	3			**Operational Year**	2024
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage and square footage estimate based on building area (used only in operational emissions calculations).

Construction Phase - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Trips and VMT - Provided by applicant.

Grading -

Vehicle Trips - 3 permanent on-site staff.

Energy Use - Data for 'Refrigerated Warehouse-Rail' used to estimate energy use by BESS, O&M, Substation, and area lighting.

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Water And Wastewater - Water use (approx. 30 gal/day sanitary waste to septic tank, 890 gal/day for O&M) provided by applicant.

Solid Waste - 1 cu. yd./wk, and assuming density for municipal solid waste (commercial - all waste, uncompacted) of 138 lbs per cu. yd.

Construction Off-road Equipment Mitigation - Tier 4 engines will be used.

Operational Off-Road Equipment - One off-road truck per day for potential O&M activities.

Stationary Sources - Emergency Generators and Fire Pumps - 49 kW diesel powered emergency generator to be located at project substation.

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	87120	544500
tblAreaCoating	Area_Nonresidential_Interior	261360	1633500
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	20
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	20.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	11.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	16.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	26.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	7.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	19.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
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tblConstEquipMitigation	Tier	No Change	Tier 4 Final
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tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstructionPhase	NumDays	5.00	9.00
tblConstructionPhase	NumDays	8.00	23.00
tblConstructionPhase	NumDays	230.00	233.00
tblConstructionPhase	NumDays	18.00	17.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblEnergyUse	LightingElect	0.00	2.45

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblEnergyUse	NT24E	0.00	21.99
tblEnergyUse	T24E	0.00	0.42
tblLandUse	LandUseSquareFeet	0.00	174,240.00
tblLandUse	LotAcreage	0.00	4.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	5.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	4.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	2.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	7.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	4.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	6.00	8.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOperationalOffRoadEquipment	OperDaysPerYear	260.00	365.00
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	1.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblSolidWaste	SolidWasteGenerationRate	0.00	3.60
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripNumber	0.00	20.00
tblTripsAndVMT	VendorTripNumber	0.00	20.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblTripsAndVMT	VendorTripNumber	0.00	20.00
tblTripsAndVMT	VendorTripNumber	29.00	20.00
tblTripsAndVMT	VendorTripNumber	0.00	4.00
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripNumber	88.00	100.00
tblTripsAndVMT	WorkerTripNumber	83.00	100.00
tblTripsAndVMT	WorkerTripNumber	83.00	200.00
tblTripsAndVMT	WorkerTripNumber	73.00	400.00
tblTripsAndVMT	WorkerTripNumber	3.00	40.00
tblVehicleTrips	CC_TL	6.60	0.00
tblVehicleTrips	CNW_TL	6.60	0.00
tblVehicleTrips	CW_TL	14.70	20.00
tblVehicleTrips	CW_TTP	0.00	100.00
tblVehicleTrips	PR_TP	0.00	100.00
tblVehicleTrips	WD_TR	0.00	1.50
tblWater	IndoorWaterUseRate	0.00	11,000.00
tblWater	OutdoorWaterUseRate	0.00	325,000.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

2.0 Emissions Summary

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.9269	7.8289	8.1194	0.0242	0.8071	0.3342	1.1412	0.2048	0.3127	0.5175	0.0000	2,163.6374	2,163.6374	0.3728	0.0661	2,192.6408
2023	1.3786	10.7309	13.3744	0.0378	1.3760	0.4945	1.8705	0.3671	0.4629	0.8300	0.0000	3,386.4376	3,386.4376	0.5469	0.0937	3,428.0269
Maximum	**1.3786**	**10.7309**	**13.3744**	**0.0378**	**1.3760**	**0.4945**	**1.8705**	**0.3671**	**0.4629**	**0.8300**	**0.0000**	**3,386.4376**	**3,386.4376**	**0.5469**	**0.0937**	**3,428.0269**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.3626	1.9021	9.8414	0.0242	0.7697	0.0359	0.8056	0.2008	0.0352	0.2360	0.0000	2,163.6359	2,163.6359	0.3728	0.0661	2,192.6392
2023	0.5777	2.5462	15.8344	0.0378	1.3760	0.0508	1.4268	0.3671	0.0499	0.4170	0.0000	3,386.4353	3,386.4353	0.5469	0.0937	3,428.0246
Maximum	**0.5777**	**2.5462**	**15.8344**	**0.0378**	**1.3760**	**0.0508**	**1.4268**	**0.3671**	**0.0499**	**0.4170**	**0.0000**	**3,386.4353**	**3,386.4353**	**0.5469**	**0.0937**	**3,428.0246**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	59.21	76.03	-19.46	0.00	1.71	89.54	25.88	0.70	89.03	51.54	0.00	0.00	0.00	0.00	0.00	0.00

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	9-1-2022	11-30-2022	6.3170	1.6520
2	12-1-2022	2-28-2023	6.7882	1.7731
3	3-1-2023	5-31-2023	6.6835	1.7110
4	6-1-2023	8-31-2023	1.1254	0.3011
		Highest	6.7882	1.7731

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	1.9424	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.0000e-005	7.0000e-005	0.0000	0.0000	8.0000e-005
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	400.7766	400.7766	0.0648	7.8600e-003	404.7395
Mobile	3.6900e-003	8.3200e-003	0.0441	1.2000e-004	0.0116	1.0000e-004	0.0117	3.1000e-003	1.0000e-004	3.2000e-003	0.0000	10.8219	10.8219	4.4000e-004	5.1000e-004	10.9852
Offroad	0.0907	0.6073	0.5932	2.4100e-003		0.0219	0.0219		0.0201	0.0201	0.0000	211.9761	211.9761	0.0686	0.0000	213.6901
Stationary	0.0108	0.0353	0.0393	5.0000e-005		1.5900e-003	1.5900e-003		1.5900e-003	1.5900e-003	0.0000	5.0265	5.0265	7.0000e-004	0.0000	5.0441
Waste						0.0000	0.0000		0.0000	0.0000	0.7308	0.0000	0.7308	0.0432	0.0000	1.8105
Water						0.0000	0.0000		0.0000	0.0000	3.4900e-003	0.1108	0.1142	3.8000e-004	1.0000e-005	0.1268
Total	**2.0476**	**0.6510**	**0.6766**	**2.5800e-003**	**0.0116**	**0.0236**	**0.0352**	**3.1000e-003**	**0.0218**	**0.0249**	**0.7343**	**628.7119**	**629.4462**	**0.1781**	**8.3800e-003**	**636.3962**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	1.9424	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.0000e-005	7.0000e-005	0.0000	0.0000	8.0000e-005
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	400.7766	400.7766	0.0648	7.8600e-003	404.7395
Mobile	3.6900e-003	8.3200e-003	0.0441	1.2000e-004	0.0116	1.0000e-004	0.0117	3.1000e-003	1.0000e-004	3.2000e-003	0.0000	10.8219	10.8219	4.4000e-004	5.1000e-004	10.9852
Offroad	0.0907	0.6073	0.5932	2.4100e-003		0.0219	0.0219		0.0201	0.0201	0.0000	211.9761	211.9761	0.0686	0.0000	213.6901
Stationary	0.0108	0.0353	0.0393	5.0000e-005		1.5900e-003	1.5900e-003		1.5900e-003	1.5900e-003	0.0000	5.0265	5.0265	7.0000e-004	0.0000	5.0441
Waste						0.0000	0.0000		0.0000	0.0000	0.7308	0.0000	0.7308	0.0432	0.0000	1.8105
Water						0.0000	0.0000		0.0000	0.0000	3.4900e-003	0.1108	0.1142	3.8000e-004	1.0000e-005	0.1268
Total	**2.0476**	**0.6510**	**0.6766**	**2.5800e-003**	**0.0116**	**0.0236**	**0.0352**	**3.1000e-003**	**0.0218**	**0.0249**	**0.7343**	**628.7119**	**629.4462**	**0.1781**	**8.3800e-003**	**636.3962**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Preparation	Site Preparation	9/1/2022	9/9/2022	7	9	
2	Excavation	Grading	9/10/2022	10/2/2022	7	23	
3	Utilities/Sub-grade	Trenching	10/3/2022	10/25/2022	7	23	
4	Construction	Building Construction	10/26/2022	6/15/2023	7	233	
5	Paving	Paving	6/16/2023	7/2/2023	7	17	

Acres of Grading (Site Preparation Phase): 36

Acres of Grading (Grading Phase): 92

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Preparation	Crawler Tractors	2	8.00	212	0.43
Preparation	Dumpers/Tenders	5	8.00	16	0.38
Preparation	Forklifts	2	8.00	89	0.20
Preparation	Generator Sets	4	8.00	84	0.74
Preparation	Graders	2	8.00	187	0.41
Preparation	Off-Highway Trucks	8	8.00	402	0.38
Preparation	Plate Compactors	2	8.00	8	0.43
Preparation	Scrapers	2	8.00	367	0.48
Preparation	Skid Steer Loaders	4	8.00	65	0.37
Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Excavation	Crawler Tractors	2	8.00	212	0.43
Excavation	Dumpers/Tenders	5	8.00	16	0.38
Excavation	Forklifts	2	8.00	89	0.20

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Excavation	Generator Sets	4	8.00	84	0.74
Excavation	Graders	2	8.00	187	0.41
Excavation	Off-Highway Trucks	8	8.00	402	0.38
Excavation	Plate Compactors	2	8.00	8	0.43
Excavation	Scrapers	2	8.00	367	0.48
Excavation	Skid Steer Loaders	2	8.00	65	0.37
Excavation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Utilities/Sub-grade	Crawler Tractors	2	8.00	212	0.43
Utilities/Sub-grade	Dumpers/Tenders	5	8.00	16	0.38
Utilities/Sub-grade	Forklifts	2	8.00	89	0.20
Utilities/Sub-grade	Generator Sets	4	8.00	84	0.74
Utilities/Sub-grade	Graders	2	8.00	187	0.41
Utilities/Sub-grade	Off-Highway Trucks	8	8.00	402	0.38
Utilities/Sub-grade	Plate Compactors	2	8.00	8	0.43
Utilities/Sub-grade	Scrapers	2	8.00	367	0.48
Utilities/Sub-grade	Skid Steer Loaders	2	8.00	65	0.37
Utilities/Sub-grade	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Construction	Bore/Drill Rigs	10	8.00	221	0.50
Construction	Cement and Mortar Mixers	10	8.00	9	0.56
Construction	Concrete/Industrial Saws	3	8.00	81	0.73
Construction	Cranes	1	8.00	231	0.29
Construction	Dumpers/Tenders	5	8.00	16	0.38
Construction	Excavators	2	8.00	158	0.38
Construction	Forklifts	5	8.00	89	0.20
Construction	Generator Sets	4	8.00	84	0.74
Construction	Off-Highway Trucks	2	8.00	402	0.38
Construction	Pavers	1	8.00	130	0.42
Construction	Paving Equipment	1	8.00	132	0.36
Construction	Plate Compactors	1	8.00	8	0.43

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Construction	Rollers	1	8.00	80	0.38
Construction	Skid Steer Loaders	2	8.00	65	0.37
Construction	Tractors/Loaders/Backhoes	7	8.00	97	0.37
Construction	Trenchers	10	8.00	78	0.50
Paving	Rollers	1	8.00	80	0.38

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Preparation	35	100.00	20.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Excavation	33	100.00	20.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Utilities/Sub-grade	33	200.00	20.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Construction	65	400.00	20.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Paving	1	40.00	4.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0191	0.0000	0.0191	2.0600e-003	0.0000	2.0600e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0478	0.4482	0.3640	9.9000e-004		0.0179	0.0179		0.0168	0.0168	0.0000	86.3065	86.3065	0.0248	0.0000	86.9259
Total	**0.0478**	**0.4482**	**0.3640**	**9.9000e-004**	**0.0191**	**0.0179**	**0.0370**	**2.0600e-003**	**0.0168**	**0.0188**	**0.0000**	**86.3065**	**86.3065**	**0.0248**	**0.0000**	**86.9259**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.2500e-003	0.0635	7.6100e-003	2.6000e-004	7.6600e-003	7.1000e-004	8.3600e-003	2.1100e-003	6.8000e-004	2.7800e-003	0.0000	25.2315	25.2315	5.0000e-005	3.9700e-003	26.4145
Worker	4.3900e-003	3.9200e-003	0.0449	1.4000e-004	0.0165	8.0000e-005	0.0166	4.3900e-003	8.0000e-005	4.4700e-003	0.0000	13.3360	13.3360	2.3000e-004	3.2000e-004	13.4372
Total	**5.6400e-003**	**0.0674**	**0.0525**	**4.0000e-004**	**0.0242**	**7.9000e-004**	**0.0250**	**6.5000e-003**	**7.6000e-004**	**7.2500e-003**	**0.0000**	**38.5675**	**38.5675**	**2.8000e-004**	**4.2900e-003**	**39.8517**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Preparation - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					8.5900e-003	0.0000	8.5900e-003	9.3000e-004	0.0000	9.3000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0121	0.0692	0.4874	9.9000e-004		1.5500e-003	1.5500e-003		1.5500e-003	1.5500e-003	0.0000	86.3064	86.3064	0.0248	0.0000	86.9258
Total	**0.0121**	**0.0692**	**0.4874**	**9.9000e-004**	**8.5900e-003**	**1.5500e-003**	**0.0101**	**9.3000e-004**	**1.5500e-003**	**2.4800e-003**	**0.0000**	**86.3064**	**86.3064**	**0.0248**	**0.0000**	**86.9258**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	1.2500e-003	0.0635	7.6100e-003	2.6000e-004	7.6600e-003	7.1000e-004	8.3600e-003	2.1100e-003	6.8000e-004	2.7800e-003	0.0000	25.2315	25.2315	5.0000e-005	3.9700e-003	26.4145
Worker	4.3900e-003	3.9200e-003	0.0449	1.4000e-004	0.0165	8.0000e-005	0.0166	4.3900e-003	8.0000e-005	4.4700e-003	0.0000	13.3360	13.3360	2.3000e-004	3.2000e-004	13.4372
Total	**5.6400e-003**	**0.0674**	**0.0525**	**4.0000e-004**	**0.0242**	**7.9000e-004**	**0.0250**	**6.5000e-003**	**7.6000e-004**	**7.2500e-003**	**0.0000**	**38.5675**	**38.5675**	**2.8000e-004**	**4.2900e-003**	**39.8517**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Excavation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0488	0.0000	0.0488	5.2700e-003	0.0000	5.2700e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.1204	1.1240	0.8982	2.4800e-003		0.0451	0.0451		0.0421	0.0421	0.0000	216.3798	216.3798	0.0620	0.0000	217.9289
Total	**0.1204**	**1.1240**	**0.8982**	**2.4800e-003**	**0.0488**	**0.0451**	**0.0938**	**5.2700e-003**	**0.0421**	**0.0474**	**0.0000**	**216.3798**	**216.3798**	**0.0620**	**0.0000**	**217.9289**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.1900e-003	0.1623	0.0195	6.7000e-004	0.0196	1.8100e-003	0.0214	5.3800e-003	1.7300e-003	7.1100e-003	0.0000	64.4804	64.4804	1.4000e-004	0.0101	67.5037
Worker	0.0112	0.0100	0.1148	3.7000e-004	0.0422	2.1000e-004	0.0425	0.0112	1.9000e-004	0.0114	0.0000	34.0809	34.0809	5.9000e-004	8.2000e-004	34.3394
Total	**0.0144**	**0.1723**	**0.1342**	**1.0400e-003**	**0.0618**	**2.0200e-003**	**0.0638**	**0.0166**	**1.9200e-003**	**0.0185**	**0.0000**	**98.5613**	**98.5613**	**7.3000e-004**	**0.0110**	**101.8431**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Excavation - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0220	0.0000	0.0220	2.3700e-003	0.0000	2.3700e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0296	0.1500	1.2094	2.4800e-003		3.8700e-003	3.8700e-003		3.8700e-003	3.8700e-003	0.0000	216.3796	216.3796	0.0620	0.0000	217.9287
Total	**0.0296**	**0.1500**	**1.2094**	**2.4800e-003**	**0.0220**	**3.8700e-003**	**0.0258**	**2.3700e-003**	**3.8700e-003**	**6.2400e-003**	**0.0000**	**216.3796**	**216.3796**	**0.0620**	**0.0000**	**217.9287**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.1900e-003	0.1623	0.0195	6.7000e-004	0.0196	1.8100e-003	0.0214	5.3800e-003	1.7300e-003	7.1100e-003	0.0000	64.4804	64.4804	1.4000e-004	0.0101	67.5037
Worker	0.0112	0.0100	0.1148	3.7000e-004	0.0422	2.1000e-004	0.0425	0.0112	1.9000e-004	0.0114	0.0000	34.0809	34.0809	5.9000e-004	8.2000e-004	34.3394
Total	**0.0144**	**0.1723**	**0.1342**	**1.0400e-003**	**0.0618**	**2.0200e-003**	**0.0638**	**0.0166**	**1.9200e-003**	**0.0185**	**0.0000**	**98.5613**	**98.5613**	**7.3000e-004**	**0.0110**	**101.8431**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Utilities/Sub-grade - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1204	1.1240	0.8982	2.4800e-003		0.0451	0.0451		0.0421	0.0421	0.0000	216.3798	216.3798	0.0620	0.0000	217.9289
Total	**0.1204**	**1.1240**	**0.8982**	**2.4800e-003**		**0.0451**	**0.0451**		**0.0421**	**0.0421**	**0.0000**	**216.3798**	**216.3798**	**0.0620**	**0.0000**	**217.9289**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.1900e-003	0.1623	0.0195	6.7000e-004	0.0196	1.8100e-003	0.0214	5.3800e-003	1.7300e-003	7.1100e-003	0.0000	64.4804	64.4804	1.4000e-004	0.0101	67.5037
Worker	0.0224	0.0201	0.2295	7.4000e-004	0.0845	4.2000e-004	0.0849	0.0225	3.8000e-004	0.0228	0.0000	68.1618	68.1618	1.1800e-003	1.6400e-003	68.6788
Total	**0.0256**	**0.1823**	**0.2490**	**1.4100e-003**	**0.1040**	**2.2300e-003**	**0.1063**	**0.0278**	**2.1100e-003**	**0.0300**	**0.0000**	**132.6422**	**132.6422**	**1.3200e-003**	**0.0118**	**136.1825**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Utilities/Sub-grade - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0296	0.1500	1.2094	2.4800e-003		3.8700e-003	3.8700e-003		3.8700e-003	3.8700e-003	0.0000	216.3796	216.3796	0.0620	0.0000	217.9287
Total	**0.0296**	**0.1500**	**1.2094**	**2.4800e-003**		**3.8700e-003**	**3.8700e-003**		**3.8700e-003**	**3.8700e-003**	**0.0000**	**216.3796**	**216.3796**	**0.0620**	**0.0000**	**217.9287**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.1900e-003	0.1623	0.0195	6.7000e-004	0.0196	1.8100e-003	0.0214	5.3800e-003	1.7300e-003	7.1100e-003	0.0000	64.4804	64.4804	1.4000e-004	0.0101	67.5037
Worker	0.0224	0.0201	0.2295	7.4000e-004	0.0845	4.2000e-004	0.0849	0.0225	3.8000e-004	0.0228	0.0000	68.1618	68.1618	1.1800e-003	1.6400e-003	68.6788
Total	**0.0256**	**0.1823**	**0.2490**	**1.4100e-003**	**0.1040**	**2.2300e-003**	**0.1063**	**0.0278**	**2.1100e-003**	**0.0300**	**0.0000**	**132.6422**	**132.6422**	**1.3200e-003**	**0.0118**	**136.1825**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.4527	4.1213	4.1294	9.1100e-003		0.2134	0.2134		0.1998	0.1998	0.0000	789.8494	789.8494	0.2144	0.0000	795.2101
Total	**0.4527**	**4.1213**	**4.1294**	**9.1100e-003**		**0.2134**	**0.2134**		**0.1998**	**0.1998**	**0.0000**	**789.8494**	**789.8494**	**0.2144**	**0.0000**	**795.2101**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.2900e-003	0.4728	0.0567	1.9600e-003	0.0570	5.2600e-003	0.0623	0.0157	5.0300e-003	0.0207	0.0000	187.8342	187.8342	3.9000e-004	0.0295	196.6413
Worker	0.1307	0.1168	1.3371	4.3000e-003	0.4922	2.4300e-003	0.4946	0.1308	2.2400e-003	0.1331	0.0000	397.1166	397.1166	6.9000e-003	9.5300e-003	400.1285
Total	**0.1400**	**0.5895**	**1.3938**	**6.2600e-003**	**0.5492**	**7.6900e-003**	**0.5569**	**0.1465**	**7.2700e-003**	**0.1538**	**0.0000**	**584.9508**	**584.9508**	**7.2900e-003**	**0.0391**	**596.7697**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2022

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.1057	0.5213	5.1056	9.1100e-003		0.0139	0.0139		0.0139	0.0139	0.0000	789.8485	789.8485	0.2144	0.0000	795.2091
Total	**0.1057**	**0.5213**	**5.1056**	**9.1100e-003**		**0.0139**	**0.0139**		**0.0139**	**0.0139**	**0.0000**	**789.8485**	**789.8485**	**0.2144**	**0.0000**	**795.2091**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	9.2900e-003	0.4728	0.0567	1.9600e-003	0.0570	5.2600e-003	0.0623	0.0157	5.0300e-003	0.0207	0.0000	187.8342	187.8342	3.9000e-004	0.0295	196.6413
Worker	0.1307	0.1168	1.3371	4.3000e-003	0.4922	2.4300e-003	0.4946	0.1308	2.2400e-003	0.1331	0.0000	397.1166	397.1166	6.9000e-003	9.5300e-003	400.1285
Total	**0.1400**	**0.5895**	**1.3938**	**6.2600e-003**	**0.5492**	**7.6900e-003**	**0.5569**	**0.1465**	**7.2700e-003**	**0.1538**	**0.0000**	**584.9508**	**584.9508**	**7.2900e-003**	**0.0391**	**596.7697**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	1.0618	9.4637	10.1908	0.0226		0.4773	0.4773		0.4467	0.4467	0.0000	1,958.8546	1,958.8546	0.5305	0.0000	1,972.1175
Total	**1.0618**	**9.4637**	**10.1908**	**0.0226**		**0.4773**	**0.4773**		**0.4467**	**0.4467**	**0.0000**	**1,958.8546**	**1,958.8546**	**0.5305**	**0.0000**	**1,972.1175**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0116	0.9795	0.1166	4.6700e-003	0.1413	0.0105	0.1517	0.0389	0.0100	0.0489	0.0000	448.7701	448.7701	4.9000e-004	0.0705	469.8004
Worker	0.3006	0.2514	3.0179	0.0103	1.2194	5.6600e-003	1.2250	0.3241	5.2100e-003	0.3293	0.0000	957.8525	957.8525	0.0151	0.0215	964.6326
Total	**0.3122**	**1.2309**	**3.1346**	**0.0150**	**1.3606**	**0.0161**	**1.3767**	**0.3630**	**0.0152**	**0.3782**	**0.0000**	**1,406.6226**	**1,406.6226**	**0.0156**	**0.0920**	**1,434.4330**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.2620	1.2915	12.6497	0.0226		0.0344	0.0344		0.0344	0.0344	0.0000	1,958.8523	1,958.8523	0.5305	0.0000	1,972.1152
Total	**0.2620**	**1.2915**	**12.6497**	**0.0226**		**0.0344**	**0.0344**		**0.0344**	**0.0344**	**0.0000**	**1,958.8523**	**1,958.8523**	**0.5305**	**0.0000**	**1,972.1152**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0116	0.9795	0.1166	4.6700e-003	0.1413	0.0105	0.1517	0.0389	0.0100	0.0489	0.0000	448.7701	448.7701	4.9000e-004	0.0705	469.8004
Worker	0.3006	0.2514	3.0179	0.0103	1.2194	5.6600e-003	1.2250	0.3241	5.2100e-003	0.3293	0.0000	957.8525	957.8525	0.0151	0.0215	964.6326
Total	**0.3122**	**1.2309**	**3.1346**	**0.0150**	**1.3606**	**0.0161**	**1.3767**	**0.3630**	**0.0152**	**0.3782**	**0.0000**	**1,406.6226**	**1,406.6226**	**0.0156**	**0.0920**	**1,434.4330**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	1.3100e-003	0.0137	0.0157	2.0000e-005		7.5000e-004	7.5000e-004		6.9000e-004	6.9000e-004	0.0000	1.9594	1.9594	6.3000e-004	0.0000	1.9753
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**1.3100e-003**	**0.0137**	**0.0157**	**2.0000e-005**		**7.5000e-004**	**7.5000e-004**		**6.9000e-004**	**6.9000e-004**	**0.0000**	**1.9594**	**1.9594**	**6.3000e-004**	**0.0000**	**1.9753**

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.4000e-004	0.0201	2.3900e-003	1.0000e-004	2.8900e-003	2.1000e-004	3.1100e-003	8.0000e-004	2.1000e-004	1.0000e-003	0.0000	9.1917	9.1917	1.0000e-005	1.4400e-003	9.6224
Worker	3.0800e-003	2.5700e-003	0.0309	1.1000e-004	0.0125	6.0000e-005	0.0126	3.3200e-003	5.0000e-005	3.3700e-003	0.0000	9.8093	9.8093	1.5000e-004	2.2000e-004	9.8788
Total	**3.3200e-003**	**0.0226**	**0.0333**	**2.1000e-004**	**0.0154**	**2.7000e-004**	**0.0157**	**4.1200e-003**	**2.6000e-004**	**4.3700e-003**	**0.0000**	**19.0010**	**19.0010**	**1.6000e-004**	**1.6600e-003**	**19.5012**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2023

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	2.7000e-004	1.1800e-003	0.0169	2.0000e-005		4.0000e-005	4.0000e-005		4.0000e-005	4.0000e-005	0.0000	1.9594	1.9594	6.3000e-004	0.0000	1.9753
Paving	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	**2.7000e-004**	**1.1800e-003**	**0.0169**	**2.0000e-005**		**4.0000e-005**	**4.0000e-005**		**4.0000e-005**	**4.0000e-005**	**0.0000**	**1.9594**	**1.9594**	**6.3000e-004**	**0.0000**	**1.9753**

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	2.4000e-004	0.0201	2.3900e-003	1.0000e-004	2.8900e-003	2.1000e-004	3.1100e-003	8.0000e-004	2.1000e-004	1.0000e-003	0.0000	9.1917	9.1917	1.0000e-005	1.4400e-003	9.6224
Worker	3.0800e-003	2.5700e-003	0.0309	1.1000e-004	0.0125	6.0000e-005	0.0126	3.3200e-003	5.0000e-005	3.3700e-003	0.0000	9.8093	9.8093	1.5000e-004	2.2000e-004	9.8788
Total	**3.3200e-003**	**0.0226**	**0.0333**	**2.1000e-004**	**0.0154**	**2.7000e-004**	**0.0157**	**4.1200e-003**	**2.6000e-004**	**4.3700e-003**	**0.0000**	**19.0010**	**19.0010**	**1.6000e-004**	**1.6600e-003**	**19.5012**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	3.6900e-003	8.3200e-003	0.0441	1.2000e-004	0.0116	1.0000e-004	0.0117	3.1000e-003	1.0000e-004	3.2000e-003	0.0000	10.8219	10.8219	4.4000e-004	5.1000e-004	10.9852
Unmitigated	3.6900e-003	8.3200e-003	0.0441	1.2000e-004	0.0116	1.0000e-004	0.0117	3.1000e-003	1.0000e-004	3.2000e-003	0.0000	10.8219	10.8219	4.4000e-004	5.1000e-004	10.9852

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Industrial	6.00	0.00	0.00	31,200	31,200
Total	6.00	0.00	0.00	31,200	31,200

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Industrial	20.00	0.00	0.00	100.00	0.00	0.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.511083	0.054733	0.175759	0.156171	0.037435	0.008637	0.007437	0.019021	0.000259	0.000185	0.025067	0.000721	0.003491

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	400.7766	400.7766	0.0648	7.8600e-003	404.7395
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	400.7766	400.7766	0.0648	7.8600e-003	404.7395
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Industrial	4.33161e+006	400.7766	0.0648	7.8600e-003	404.7395
Total		**400.7766**	**0.0648**	**7.8600e-003**	**404.7395**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
User Defined Industrial	4.33161e+006	400.7766	0.0648	7.8600e-003	404.7395
Total		**400.7766**	**0.0648**	**7.8600e-003**	**404.7395**

6.0 Area Detail

6.1 Mitigation Measures Area

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	1.9424	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.0000e-005	7.0000e-005	0.0000	0.0000	8.0000e-005
Unmitigated	1.9424	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.0000e-005	7.0000e-005	0.0000	0.0000	8.0000e-005

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	1.2619					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.6805					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.0000e-005	7.0000e-005	0.0000	0.0000	8.0000e-005
Total	**1.9424**	**0.0000**	**4.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**7.0000e-005**	**7.0000e-005**	**0.0000**	**0.0000**	**8.0000e-005**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	1.2619					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.6805					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	0.0000	0.0000	4.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	7.0000e-005	7.0000e-005	0.0000	0.0000	8.0000e-005
Total	**1.9424**	**0.0000**	**4.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**7.0000e-005**	**7.0000e-005**	**0.0000**	**0.0000**	**8.0000e-005**

7.0 Water Detail

7.1 Mitigation Measures Water

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	0.1142	3.8000e-004	1.0000e-005	0.1268
Unmitigated	0.1142	3.8000e-004	1.0000e-005	0.1268

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Industrial	0.011 / 0.325	0.1142	3.8000e-004	1.0000e-005	0.1268
Total		**0.1142**	**3.8000e-004**	**1.0000e-005**	**0.1268**

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
User Defined Industrial	0.011 / 0.325	0.1142	3.8000e-004	1.0000e-005	0.1268
Total		**0.1142**	**3.8000e-004**	**1.0000e-005**	**0.1268**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	0.7308	0.0432	0.0000	1.8105
Unmitigated	0.7308	0.0432	0.0000	1.8105

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
User Defined Industrial	3.6	0.7308	0.0432	0.0000	1.8105
Total		**0.7308**	**0.0432**	**0.0000**	**1.8105**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
User Defined Industrial	3.6	0.7308	0.0432	0.0000	1.8105
Total		**0.7308**	**0.0432**	**0.0000**	**1.8105**

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
Off-Highway Trucks	1	8.00	365	402	0.38	Diesel

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

UnMitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	tons/yr										MT/yr					
Off-Highway Trucks	0.0907	0.6073	0.5932	2.4100e-003		0.0219	0.0219		0.0201	0.0201	0.0000	211.9761	211.9761	0.0686	0.0000	213.6901
Total	**0.0907**	**0.6073**	**0.5932**	**2.4100e-003**		**0.0219**	**0.0219**		**0.0201**	**0.0201**	**0.0000**	**211.9761**	**211.9761**	**0.0686**	**0.0000**	**213.6901**

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
Emergency Generator	1	0	200	66	0.73	Diesel

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

10.1 Stationary Sources

Unmitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	tons/yr										MT/yr					
Emergency Generator - Diesel (50 - 75 HP)	0.0108	0.0353	0.0393	5.0000e-005		1.5900e-003	1.5900e-003		1.5900e-003	1.5900e-003	0.0000	5.0265	5.0265	7.0000e-004	0.0000	5.0441
Total	**0.0108**	**0.0353**	**0.0393**	**5.0000e-005**		**1.5900e-003**	**1.5900e-003**		**1.5900e-003**	**1.5900e-003**	**0.0000**	**5.0265**	**5.0265**	**7.0000e-004**	**0.0000**	**5.0441**

11.0 Vegetation

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Janus Solar Project

Colusa County, Summer

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	4.00	User Defined Unit	4.00	174,240.00	0

1.2 Other Project Characteristics

Urbanization	Rural	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	56
Climate Zone	3			**Operational Year**	2024
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage and square footage estimate based on building area (used only in operational emissions calculations).

Construction Phase - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Trips and VMT - Provided by applicant.

Grading -

Vehicle Trips - Up to 30 staff for maintenance activities.

Energy Use - Data for 'Refrigerated Warehouse-Rail' used to estimate energy use by BESS, O&M, Substation, and area lighting.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Water And Wastewater - Water use (approx. 30 gal/day sanitary waste to septic tank, 890 gal/day for O&M) provided by applicant.

Solid Waste - 1 cu. yd./wk, and assuming density for municipal solid waste (commercial - all waste, uncompacted) of 138 lbs per cu. yd.

Construction Off-road Equipment Mitigation - Tier 4 engines will be used.

Operational Off-Road Equipment - One off-road truck per day for potential O&M activities.

Stationary Sources - Emergency Generators and Fire Pumps - 49 kW diesel powered emergency generator to be located at project substation.

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	87120	544500
tblAreaCoating	Area_Nonresidential_Interior	261360	1633500
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	20
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	20.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	11.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	16.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	26.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	7.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	19.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstructionPhase	NumDays	5.00	9.00
tblConstructionPhase	NumDays	8.00	23.00
tblConstructionPhase	NumDays	230.00	233.00
tblConstructionPhase	NumDays	18.00	17.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblEnergyUse	LightingElect	0.00	2.45

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblEnergyUse	NT24E	0.00	21.99
tblEnergyUse	T24E	0.00	0.42
tblLandUse	LandUseSquareFeet	0.00	174,240.00
tblLandUse	LotAcreage	0.00	4.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	5.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	4.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	2.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	7.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	4.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	6.00	8.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOperationalOffRoadEquipment	OperDaysPerYear	260.00	365.00
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	1.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblSolidWaste	SolidWasteGenerationRate	0.00	3.60
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripNumber	0.00	40.00
tblTripsAndVMT	VendorTripNumber	0.00	40.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblTripsAndVMT	VendorTripNumber	0.00	40.00
tblTripsAndVMT	VendorTripNumber	29.00	60.00
tblTripsAndVMT	VendorTripNumber	0.00	10.00
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripNumber	88.00	100.00
tblTripsAndVMT	WorkerTripNumber	83.00	100.00
tblTripsAndVMT	WorkerTripNumber	83.00	200.00
tblTripsAndVMT	WorkerTripNumber	73.00	400.00
tblTripsAndVMT	WorkerTripNumber	3.00	40.00
tblVehicleTrips	CC_TL	6.60	0.00
tblVehicleTrips	CNW_TL	6.60	0.00
tblVehicleTrips	CW_TL	14.70	40.00
tblVehicleTrips	CW_TTP	0.00	100.00
tblVehicleTrips	PR_TP	0.00	100.00
tblVehicleTrips	WD_TR	0.00	15.00
tblWater	IndoorWaterUseRate	0.00	11,000.00
tblWater	OutdoorWaterUseRate	0.00	325,000.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

2.0 Emissions Summary

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	18.5826	166.0302	178.5535	0.5888	20.4555	6.9144	27.3699	5.4713	6.4809	11.9522	0.0000	58,934.2453	58,934.2453	7.3422	3.2102	60,074.4304
2023	17.1352	150.0841	172.7272	0.5782	20.4557	6.1974	26.6531	5.4714	5.8066	11.2780	0.0000	57,911.0945	57,911.0945	7.2833	3.0795	59,010.8694
Maximum	**18.5826**	**166.0302**	**178.5535**	**0.5888**	**20.4557**	**6.9144**	**27.3699**	**5.4714**	**6.4809**	**11.9522**	**0.0000**	**58,934.2453**	**58,934.2453**	**7.3422**	**3.2102**	**60,074.4304**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	8.2250	58.5678	207.6925	0.5888	20.4555	0.9577	21.4132	5.4713	0.9316	6.4029	0.0000	58,934.2452	58,934.2452	7.3422	3.2102	60,074.4303
2023	7.4985	51.6242	202.3530	0.5782	20.4557	0.8608	21.3164	5.4714	0.8390	6.3103	0.0000	57,911.0945	57,911.0945	7.2833	3.0795	59,010.8694
Maximum	**8.2250**	**58.5678**	**207.6925**	**0.5888**	**20.4557**	**0.9577**	**21.4132**	**5.4714**	**0.9316**	**6.4029**	**0.0000**	**58,934.2452**	**58,934.2452**	**7.3422**	**3.2102**	**60,074.4303**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**55.98**	**65.14**	**-16.73**	**0.00**	**0.00**	**86.13**	**20.90**	**0.00**	**85.59**	**45.27**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.5167	1.1287	7.3823	0.0190	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,962.1656	1,962.1656	0.0672	0.0800	1,987.6955
Offroad	0.4970	3.3279	3.2502	0.0132		0.1198	0.1198		0.1102	0.1102	0.0000	1,280.3504	1,280.3504	0.4141		1,290.7027
Stationary	2.5995	8.4763	9.4322	0.0125		0.3824	0.3824		0.3824	0.3824		1,329.7904	1,329.7904	0.1864		1,334.4513
Total	**14.2563**	**12.9328**	**20.0651**	**0.0447**	**1.8443**	**0.5181**	**2.3624**	**0.4918**	**0.5076**	**0.9994**	**0.0000**	**4,572.3073**	**4,572.3073**	**0.6677**	**0.0800**	**4,612.8504**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.5167	1.1287	7.3823	0.0190	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,962.1656	1,962.1656	0.0672	0.0800	1,987.6955
Offroad	0.4970	3.3279	3.2502	0.0132		0.1198	0.1198		0.1102	0.1102	0.0000	1,280.3504	1,280.3504	0.4141		1,290.7027
Stationary	2.5995	8.4763	9.4322	0.0125		0.3824	0.3824		0.3824	0.3824		1,329.7904	1,329.7904	0.1864		1,334.4513
Total	**14.2563**	**12.9328**	**20.0651**	**0.0447**	**1.8443**	**0.5181**	**2.3624**	**0.4918**	**0.5076**	**0.9994**	**0.0000**	**4,572.3073**	**4,572.3073**	**0.6677**	**0.0800**	**4,612.8504**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Preparation	Site Preparation	9/1/2022	9/9/2022	7	9	
2	Excavation	Grading	9/10/2022	10/2/2022	7	23	
3	Utilities/Sub-grade	Trenching	10/3/2022	10/25/2022	7	23	

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4	Construction	Building Construction	10/26/2022	6/15/2023	7	233	
5	Paving	Paving	6/16/2023	7/2/2023	7	17	

Acres of Grading (Site Preparation Phase): 36

Acres of Grading (Grading Phase): 92

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Preparation	Crawler Tractors	2	8.00	212	0.43
Preparation	Dumpers/Tenders	5	8.00	16	0.38
Preparation	Forklifts	2	8.00	89	0.20
Preparation	Generator Sets	4	8.00	84	0.74
Preparation	Graders	2	8.00	187	0.41
Preparation	Off-Highway Trucks	8	8.00	402	0.38
Preparation	Plate Compactors	2	8.00	8	0.43
Preparation	Scrapers	2	8.00	367	0.48
Preparation	Skid Steer Loaders	4	8.00	65	0.37
Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Excavation	Crawler Tractors	2	8.00	212	0.43
Excavation	Dumpers/Tenders	5	8.00	16	0.38
Excavation	Forklifts	2	8.00	89	0.20
Excavation	Generator Sets	4	8.00	84	0.74
Excavation	Graders	2	8.00	187	0.41
Excavation	Off-Highway Trucks	8	8.00	402	0.38
Excavation	Plate Compactors	2	8.00	8	0.43
Excavation	Scrapers	2	8.00	367	0.48

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Excavation	Skid Steer Loaders	2	8.00	65	0.37
Excavation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Utilities/Sub-grade	Crawler Tractors	2	8.00	212	0.43
Utilities/Sub-grade	Dumpers/Tenders	5	8.00	16	0.38
Utilities/Sub-grade	Forklifts	2	8.00	89	0.20
Utilities/Sub-grade	Generator Sets	4	8.00	84	0.74
Utilities/Sub-grade	Graders	2	8.00	187	0.41
Utilities/Sub-grade	Off-Highway Trucks	8	8.00	402	0.38
Utilities/Sub-grade	Plate Compactors	2	8.00	8	0.43
Utilities/Sub-grade	Scrapers	2	8.00	367	0.48
Utilities/Sub-grade	Skid Steer Loaders	2	8.00	65	0.37
Utilities/Sub-grade	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Construction	Bore/Drill Rigs	10	8.00	221	0.50
Construction	Cement and Mortar Mixers	10	8.00	9	0.56
Construction	Concrete/Industrial Saws	3	8.00	81	0.73
Construction	Cranes	1	8.00	231	0.29
Construction	Dumpers/Tenders	5	8.00	16	0.38
Construction	Excavators	2	8.00	158	0.38
Construction	Forklifts	5	8.00	89	0.20
Construction	Generator Sets	4	8.00	84	0.74
Construction	Off-Highway Trucks	2	8.00	402	0.38
Construction	Pavers	1	8.00	130	0.42
Construction	Paving Equipment	1	8.00	132	0.36
Construction	Plate Compactors	1	8.00	8	0.43
Construction	Rollers	1	8.00	80	0.38
Construction	Skid Steer Loaders	2	8.00	65	0.37
Construction	Tractors/Loaders/Backhoes	7	8.00	97	0.37
Construction	Trenchers	10	8.00	78	0.50
Paving	Rollers	1	8.00	80	0.38

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Preparation	35	100.00	40.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Excavation	33	100.00	40.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Utilities/Sub-grade	33	200.00	40.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Construction	65	400.00	60.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Paving	1	40.00	10.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.2420	0.0000	4.2420	0.4580	0.0000	0.4580			0.0000			0.0000
Off-Road	10.6115	99.5926	80.8814	0.2198		3.9860	3.9860		3.7226	3.7226		21,141.4739	21,141.4739	6.0690		21,293.1986
Total	**10.6115**	**99.5926**	**80.8814**	**0.2198**	**4.2420**	**3.9860**	**8.2280**	**0.4580**	**3.7226**	**4.1807**		**21,141.4739**	**21,141.4739**	**6.0690**		**21,293.1986**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5574	26.5385	3.3757	0.1168	3.5049	0.3141	3.8190	0.9613	0.3005	1.2618		12,360.3831	12,360.3831	0.0261	1.9426	12,939.9279
Worker	1.0582	0.8000	12.5558	0.0354	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,600.9552	3,600.9552	0.0619	0.0741	3,624.5744
Total	**1.6156**	**27.3385**	**15.9314**	**0.1522**	**7.3044**	**0.3323**	**7.6367**	**1.9686**	**0.3172**	**2.2859**		**15,961.3383**	**15,961.3383**	**0.0879**	**2.0167**	**16,564.5023**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					1.9089	0.0000	1.9089	0.2061	0.0000	0.2061			0.0000			0.0000
Off-Road	2.6776	15.3694	108.3075	0.2198		0.3434	0.3434		0.3434	0.3434	0.0000	21,141.4738	21,141.4738	6.0690		21,293.1986
Total	**2.6776**	**15.3694**	**108.3075**	**0.2198**	**1.9089**	**0.3434**	**2.2523**	**0.2061**	**0.3434**	**0.5496**	**0.0000**	**21,141.4738**	**21,141.4738**	**6.0690**		**21,293.1986**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5574	26.5385	3.3757	0.1168	3.5049	0.3141	3.8190	0.9613	0.3005	1.2618		12,360.3831	12,360.3831	0.0261	1.9426	12,939.9279
Worker	1.0582	0.8000	12.5558	0.0354	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,600.9552	3,600.9552	0.0619	0.0741	3,624.5744
Total	**1.6156**	**27.3385**	**15.9314**	**0.1522**	**7.3044**	**0.3323**	**7.6367**	**1.9686**	**0.3172**	**2.2859**		**15,961.3383**	**15,961.3383**	**0.0879**	**2.0167**	**16,564.5023**

3.3 Excavation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.2420	0.0000	4.2420	0.4580	0.0000	0.4580			0.0000			0.0000
Off-Road	10.4723	97.7354	78.1070	0.2157		3.9170	3.9170		3.6592	3.6592		20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**10.4723**	**97.7354**	**78.1070**	**0.2157**	**4.2420**	**3.9170**	**8.1590**	**0.4580**	**3.6592**	**4.1172**		**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Excavation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5574	26.5385	3.3757	0.1168	3.5049	0.3141	3.8190	0.9613	0.3005	1.2618		12,360.3831	12,360.3831	0.0261	1.9426	12,939.9279
Worker	1.0582	0.8000	12.5558	0.0354	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,600.9552	3,600.9552	0.0619	0.0741	3,624.5744
Total	**1.6156**	**27.3385**	**15.9314**	**0.1522**	**7.3044**	**0.3323**	**7.6367**	**1.9686**	**0.3172**	**2.2859**		**15,961.3383**	**15,961.3383**	**0.0879**	**2.0167**	**16,564.5023**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					1.9089	0.0000	1.9089	0.2061	0.0000	0.2061			0.0000			0.0000
Off-Road	2.5758	13.0450	105.1687	0.2157		0.3367	0.3367		0.3367	0.3367	0.0000	20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**2.5758**	**13.0450**	**105.1687**	**0.2157**	**1.9089**	**0.3367**	**2.2456**	**0.2061**	**0.3367**	**0.5428**	**0.0000**	**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Excavation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5574	26.5385	3.3757	0.1168	3.5049	0.3141	3.8190	0.9613	0.3005	1.2618		12,360.3831	12,360.3831	0.0261	1.9426	12,939.9279
Worker	1.0582	0.8000	12.5558	0.0354	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,600.9552	3,600.9552	0.0619	0.0741	3,624.5744
Total	**1.6156**	**27.3385**	**15.9314**	**0.1522**	**7.3044**	**0.3323**	**7.6367**	**1.9686**	**0.3172**	**2.2859**		**15,961.3383**	**15,961.3383**	**0.0879**	**2.0167**	**16,564.5023**

3.4 Utilities/Sub-grade - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	10.4723	97.7354	78.1070	0.2157		3.9170	3.9170		3.6592	3.6592		20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**10.4723**	**97.7354**	**78.1070**	**0.2157**		**3.9170**	**3.9170**		**3.6592**	**3.6592**		**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Utilities/Sub-grade - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5574	26.5385	3.3757	0.1168	3.5049	0.3141	3.8190	0.9613	0.3005	1.2618		12,360.3831	12,360.3831	0.0261	1.9426	12,939.9279
Worker	2.1163	1.5999	25.1115	0.0708	7.5991	0.0362	7.6353	2.0147	0.0334	2.0481		7,201.9104	7,201.9104	0.1237	0.1481	7,249.1488
Total	**2.6738**	**28.1384**	**28.4872**	**0.1876**	**11.1040**	**0.3504**	**11.4543**	**2.9760**	**0.3339**	**3.3099**		**19,562.2935**	**19,562.2935**	**0.1498**	**2.0907**	**20,189.0768**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.5758	13.0450	105.1687	0.2157		0.3367	0.3367		0.3367	0.3367	0.0000	20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**2.5758**	**13.0450**	**105.1687**	**0.2157**		**0.3367**	**0.3367**		**0.3367**	**0.3367**	**0.0000**	**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Utilities/Sub-grade - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5574	26.5385	3.3757	0.1168	3.5049	0.3141	3.8190	0.9613	0.3005	1.2618		12,360.3831	12,360.3831	0.0261	1.9426	12,939.9279
Worker	2.1163	1.5999	25.1115	0.0708	7.5991	0.0362	7.6353	2.0147	0.0334	2.0481		7,201.9104	7,201.9104	0.1237	0.1481	7,249.1488
Total	**2.6738**	**28.1384**	**28.4872**	**0.1876**	**11.1040**	**0.3504**	**11.4543**	**2.9760**	**0.3339**	**3.3099**		**19,562.2935**	**19,562.2935**	**0.1498**	**2.0907**	**20,189.0768**

3.5 Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	13.5138	123.0225	123.2669	0.2721		6.3707	6.3707		5.9633	5.9633		25,989.8499	25,989.8499	7.0556		26,166.2408
Total	**13.5138**	**123.0225**	**123.2669**	**0.2721**		**6.3707**	**6.3707**		**5.9633**	**5.9633**		**25,989.8499**	**25,989.8499**	**7.0556**		**26,166.2408**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.8361	39.8078	5.0635	0.1752	5.2573	0.4712	5.7285	1.4419	0.4508	1.8927		18,540.5746	18,540.5746	0.0391	2.9139	19,409.8919
Worker	4.2327	3.1998	50.2230	0.1416	15.1982	0.0725	15.2707	4.0294	0.0668	4.0961		14,403.8208	14,403.8208	0.2474	0.2963	14,498.2977
Total	**5.0688**	**43.0076**	**55.2866**	**0.3168**	**20.4555**	**0.5437**	**20.9992**	**5.4713**	**0.5176**	**5.9889**		**32,944.3954**	**32,944.3954**	**0.2865**	**3.2102**	**33,908.1895**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	3.1562	15.5602	152.4060	0.2721		0.4140	0.4140		0.4140	0.4140	0.0000	25,989.8498	25,989.8498	7.0556		26,166.2408
Total	**3.1562**	**15.5602**	**152.4060**	**0.2721**		**0.4140**	**0.4140**		**0.4140**	**0.4140**	**0.0000**	**25,989.8498**	**25,989.8498**	**7.0556**		**26,166.2408**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.8361	39.8078	5.0635	0.1752	5.2573	0.4712	5.7285	1.4419	0.4508	1.8927		18,540.5746	18,540.5746	0.0391	2.9139	19,409.8919
Worker	4.2327	3.1998	50.2230	0.1416	15.1982	0.0725	15.2707	4.0294	0.0668	4.0961		14,403.8208	14,403.8208	0.2474	0.2963	14,498.2977
Total	**5.0688**	**43.0076**	**55.2866**	**0.3168**	**20.4555**	**0.5437**	**20.9992**	**5.4713**	**0.5176**	**5.9889**		**32,944.3954**	**32,944.3954**	**0.2865**	**3.2102**	**33,908.1895**

3.5 Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	12.7929	114.0201	122.7802	0.2723		5.7507	5.7507		5.3817	5.3817		26,015.2723	26,015.2723	7.0457		26,191.4149
Total	**12.7929**	**114.0201**	**122.7802**	**0.2723**		**5.7507**	**5.7507**		**5.3817**	**5.3817**		**26,015.2723**	**26,015.2723**	**7.0457**		**26,191.4149**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.4241	33.2827	4.2066	0.1689	5.2575	0.3785	5.6360	1.4420	0.3621	1.8041		17,877.7854	17,877.7854	0.0200	2.8097	18,715.5750
Worker	3.9181	2.7813	45.7404	0.1370	15.1982	0.0682	15.2664	4.0294	0.0628	4.0922		14,018.0368	14,018.0368	0.2176	0.2698	14,103.8795
Total	**4.3423**	**36.0640**	**49.9470**	**0.3059**	**20.4557**	**0.4467**	**20.9024**	**5.4714**	**0.4249**	**5.8963**		**31,895.8222**	**31,895.8222**	**0.2376**	**3.0795**	**32,819.4545**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	3.1562	15.5602	152.4060	0.2723		0.4140	0.4140		0.4140	0.4140	0.0000	26,015.2723	26,015.2723	7.0457		26,191.4149
Total	**3.1562**	**15.5602**	**152.4060**	**0.2723**		**0.4140**	**0.4140**		**0.4140**	**0.4140**	**0.0000**	**26,015.2723**	**26,015.2723**	**7.0457**		**26,191.4149**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.4241	33.2827	4.2066	0.1689	5.2575	0.3785	5.6360	1.4420	0.3621	1.8041		17,877.7854	17,877.7854	0.0200	2.8097	18,715.5750
Worker	3.9181	2.7813	45.7404	0.1370	15.1982	0.0682	15.2664	4.0294	0.0628	4.0922		14,018.0368	14,018.0368	0.2176	0.2698	14,103.8795
Total	**4.3423**	**36.0640**	**49.9470**	**0.3059**	**20.4557**	**0.4467**	**20.9024**	**5.4714**	**0.4249**	**5.8963**		**31,895.8222**	**31,895.8222**	**0.2376**	**3.0795**	**32,819.4545**

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.1537	1.6101	1.8522	2.6200e-003		0.0886	0.0886		0.0815	0.0815		254.1077	254.1077	0.0822		256.1623
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.1537**	**1.6101**	**1.8522**	**2.6200e-003**		**0.0886**	**0.0886**		**0.0815**	**0.0815**		**254.1077**	**254.1077**	**0.0822**		**256.1623**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0707	5.5471	0.7011	0.0282	0.8762	0.0631	0.9393	0.2403	0.0604	0.3007		2,979.6309	2,979.6309	3.3200e-003	0.4683	3,119.2625
Worker	0.3918	0.2781	4.5740	0.0137	1.5198	6.8200e-003	1.5266	0.4029	6.2800e-003	0.4092		1,401.8037	1,401.8037	0.0218	0.0270	1,410.3880
Total	**0.4625**	**5.8252**	**5.2751**	**0.0419**	**2.3961**	**0.0699**	**2.4660**	**0.6433**	**0.0666**	**0.7099**		**4,381.4346**	**4,381.4346**	**0.0251**	**0.4953**	**4,529.6504**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.0322	0.1394	1.9838	2.6200e-003		4.2900e-003	4.2900e-003		4.2900e-003	4.2900e-003	0.0000	254.1077	254.1077	0.0822		256.1623
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.0322**	**0.1394**	**1.9838**	**2.6200e-003**		**4.2900e-003**	**4.2900e-003**		**4.2900e-003**	**4.2900e-003**	**0.0000**	**254.1077**	**254.1077**	**0.0822**		**256.1623**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0707	5.5471	0.7011	0.0282	0.8762	0.0631	0.9393	0.2403	0.0604	0.3007		2,979.6309	2,979.6309	3.3200e-003	0.4683	3,119.2625
Worker	0.3918	0.2781	4.5740	0.0137	1.5198	6.8200e-003	1.5266	0.4029	6.2800e-003	0.4092		1,401.8037	1,401.8037	0.0218	0.0270	1,410.3880
Total	**0.4625**	**5.8252**	**5.2751**	**0.0419**	**2.3961**	**0.0699**	**2.4660**	**0.6433**	**0.0666**	**0.7099**		**4,381.4346**	**4,381.4346**	**0.0251**	**0.4953**	**4,529.6504**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.5167	1.1287	7.3823	0.0190	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,962.1656	1,962.1656	0.0672	0.0800	1,987.6955
Unmitigated	0.5167	1.1287	7.3823	0.0190	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,962.1656	1,962.1656	0.0672	0.0800	1,987.6955

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Industrial	60.00	0.00	0.00	624,000	624,000
Total	60.00	0.00	0.00	624,000	624,000

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Industrial	40.00	0.00	0.00	100.00	0.00	0.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.511083	0.054733	0.175759	0.156171	0.037435	0.008637	0.007437	0.019021	0.000259	0.000185	0.025067	0.000721	0.003491

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Unmitigated	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	6.9144					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.7287					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	4.0000e-005	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Total	**10.6432**	**0.0000**	**4.1000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**8.8000e-004**	**8.8000e-004**	**0.0000**		**9.3000e-004**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	6.9144					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.7287					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	4.0000e-005	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Total	**10.6432**	**0.0000**	**4.1000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**8.8000e-004**	**8.8000e-004**	**0.0000**		**9.3000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
Off-Highway Trucks	1	8.00	365	402	0.38	Diesel

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

UnMitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	lb/day										lb/day					
Off-Highway Trucks	0.4970	3.3279	3.2502	0.0132		0.1198	0.1198		0.1102	0.1102	0.0000	1,280.3504	1,280.3504	0.4141		1,290.7027
Total	**0.4970**	**3.3279**	**3.2502**	**0.0132**		**0.1198**	**0.1198**		**0.1102**	**0.1102**	**0.0000**	**1,280.3504**	**1,280.3504**	**0.4141**		**1,290.7027**

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
Emergency Generator	1	24	200	66	0.73	Diesel

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

10.1 Stationary Sources

Unmitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	lb/day										lb/day					
Emergency Generator - Diesel (50 - 75 HP)	2.5995	8.4763	9.4322	0.0125		0.3824	0.3824		0.3824	0.3824		1,329.7904	1,329.7904	0.1864		1,334.4513
Total	**2.5995**	**8.4763**	**9.4322**	**0.0125**		**0.3824**	**0.3824**		**0.3824**	**0.3824**		**1,329.7904**	**1,329.7904**	**0.1864**		**1,334.4513**

11.0 Vegetation

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Janus Solar Project

Colusa County, Winter

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
User Defined Industrial	4.00	User Defined Unit	4.00	174,240.00	0

1.2 Other Project Characteristics

Urbanization	Rural	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	56
Climate Zone	3			**Operational Year**	2024
Utility Company	Pacific Gas and Electric Company				
CO2 Intensity (lb/MWhr)	203.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Acreage and square footage estimate based on building area (used only in operational emissions calculations).

Construction Phase - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Off-road Equipment - Provided by applicant.

Trips and VMT - Provided by applicant.

Grading -

Vehicle Trips - Up to 30 staff for maintenance activities.

Energy Use - Data for 'Refrigerated Warehouse-Rail' used to estimate energy use by BESS, O&M, Substation, and area lighting.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Water And Wastewater - Water use (approx. 30 gal/day sanitary waste to septic tank, 890 gal/day for O&M) provided by applicant.

Solid Waste - 1 cu. yd./wk, and assuming density for municipal solid waste (commercial - all waste, uncompacted) of 138 lbs per cu. yd.

Construction Off-road Equipment Mitigation - Tier 4 engines will be used.

Operational Off-Road Equipment - One off-road truck per day for potential O&M activities.

Stationary Sources - Emergency Generators and Fire Pumps - 49 kW diesel powered emergency generator to be located at project substation.

Table Name	Column Name	Default Value	New Value
tblAreaCoating	Area_Nonresidential_Exterior	87120	544500
tblAreaCoating	Area_Nonresidential_Interior	261360	1633500
tblConstDustMitigation	WaterUnpavedRoadVehicleSpeed	0	20
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	3.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	20.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	11.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	16.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	26.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	1.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	7.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	2.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	6.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	19.00
tblConstEquipMitigation	NumberOfEquipmentMitigated	0.00	10.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
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tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstEquipMitigation	Tier	No Change	Tier 4 Final
tblConstructionPhase	NumDays	5.00	9.00
tblConstructionPhase	NumDays	8.00	23.00
tblConstructionPhase	NumDays	230.00	233.00
tblConstructionPhase	NumDays	18.00	17.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblConstructionPhase	NumDaysWeek	5.00	7.00
tblEnergyUse	LightingElect	0.00	2.45

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblEnergyUse	NT24E	0.00	21.99
tblEnergyUse	T24E	0.00	0.42
tblLandUse	LandUseSquareFeet	0.00	174,240.00
tblLandUse	LotAcreage	0.00	4.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	5.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	4.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	1.00	2.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	2.00	1.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	7.00
tblOffRoadEquipment	OffRoadEquipmentUnitAmount	3.00	4.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOffRoadEquipment	UsageHours	6.00	8.00
tblOffRoadEquipment	UsageHours	7.00	8.00
tblOperationalOffRoadEquipment	OperDaysPerYear	260.00	365.00
tblOperationalOffRoadEquipment	OperOffRoadEquipmentNumber	0.00	1.00
tblProjectCharacteristics	UrbanizationLevel	Urban	Rural
tblSolidWaste	SolidWasteGenerationRate	0.00	3.60
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	HaulingTripLength	20.00	0.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripLength	6.60	100.00
tblTripsAndVMT	VendorTripNumber	0.00	40.00
tblTripsAndVMT	VendorTripNumber	0.00	40.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblTripsAndVMT	VendorTripNumber	0.00	40.00
tblTripsAndVMT	VendorTripNumber	29.00	60.00
tblTripsAndVMT	VendorTripNumber	0.00	10.00
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	VendorVehicleClass	HDT_Mix	HHDT
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripLength	16.80	50.00
tblTripsAndVMT	WorkerTripNumber	88.00	100.00
tblTripsAndVMT	WorkerTripNumber	83.00	100.00
tblTripsAndVMT	WorkerTripNumber	83.00	200.00
tblTripsAndVMT	WorkerTripNumber	73.00	400.00
tblTripsAndVMT	WorkerTripNumber	3.00	40.00
tblVehicleTrips	CC_TL	6.60	0.00
tblVehicleTrips	CNW_TL	6.60	0.00
tblVehicleTrips	CW_TL	14.70	40.00
tblVehicleTrips	CW_TTP	0.00	100.00
tblVehicleTrips	PR_TP	0.00	100.00
tblVehicleTrips	WD_TR	0.00	15.00
tblWater	IndoorWaterUseRate	0.00	11,000.00
tblWater	OutdoorWaterUseRate	0.00	325,000.00

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

2.0 Emissions Summary

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction (Maximum Daily Emission)

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	18.6429	170.0502	166.5767	0.5719	20.4555	6.9146	27.3701	5.4713	6.4811	11.9524	0.0000	57,211.2520	57,211.2520	7.3205	3.2516	58,363.2264
2023	17.2131	153.4881	161.8342	0.5619	20.4557	6.1975	26.6532	5.4714	5.8067	11.2781	0.0000	56,241.8078	56,241.8078	7.2650	3.1174	57,352.4039
Maximum	**18.6429**	**170.0502**	**166.5767**	**0.5719**	**20.4557**	**6.9146**	**27.3701**	**5.4714**	**6.4811**	**11.9524**	**0.0000**	**57,211.2520**	**57,211.2520**	**7.3205**	**3.2516**	**58,363.2264**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	lb/day										lb/day					
2022	8.2853	62.5879	195.7157	0.5719	20.4555	0.9579	21.4134	5.4713	0.9318	6.4031	0.0000	57,211.2520	57,211.2520	7.3205	3.2516	58,363.2264
2023	7.5763	55.0283	191.4600	0.5619	20.4557	0.8609	21.3165	5.4714	0.8391	6.3105	0.0000	56,241.8078	56,241.8078	7.2650	3.1174	57,352.4039
Maximum	**8.2853**	**62.5879**	**195.7157**	**0.5719**	**20.4557**	**0.9579**	**21.4134**	**5.4714**	**0.9318**	**6.4031**	**0.0000**	**57,211.2520**	**57,211.2520**	**7.3205**	**3.2516**	**58,363.2264**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**55.76**	**63.65**	**-17.89**	**0.00**	**0.00**	**86.13**	**20.90**	**0.00**	**85.59**	**45.27**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.4775	1.2893	6.5784	0.0173	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,787.0508	1,787.0508	0.0690	0.0856	1,814.2841
Offroad	0.4970	3.3279	3.2502	0.0132		0.1198	0.1198		0.1102	0.1102	0.0000	1,280.3504	1,280.3504	0.4141		1,290.7027
Stationary	2.5995	8.4763	9.4322	0.0125		0.3824	0.3824		0.3824	0.3824		1,329.7904	1,329.7904	0.1864		1,334.4513
Total	**14.2172**	**13.0934**	**19.2613**	**0.0430**	**1.8443**	**0.5181**	**2.3624**	**0.4918**	**0.5076**	**0.9994**	**0.0000**	**4,397.1924**	**4,397.1924**	**0.6695**	**0.0856**	**4,439.4391**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Area	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Energy	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Mobile	0.4775	1.2893	6.5784	0.0173	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,787.0508	1,787.0508	0.0690	0.0856	1,814.2841
Offroad	0.4970	3.3279	3.2502	0.0132		0.1198	0.1198		0.1102	0.1102	0.0000	1,280.3504	1,280.3504	0.4141		1,290.7027
Stationary	2.5995	8.4763	9.4322	0.0125		0.3824	0.3824		0.3824	0.3824		1,329.7904	1,329.7904	0.1864		1,334.4513
Total	**14.2172**	**13.0934**	**19.2613**	**0.0430**	**1.8443**	**0.5181**	**2.3624**	**0.4918**	**0.5076**	**0.9994**	**0.0000**	**4,397.1924**	**4,397.1924**	**0.6695**	**0.0856**	**4,439.4391**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Preparation	Site Preparation	9/1/2022	9/9/2022	7	9	
2	Excavation	Grading	9/10/2022	10/2/2022	7	23	
3	Utilities/Sub-grade	Trenching	10/3/2022	10/25/2022	7	23	

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4	Construction	Building Construction	10/26/2022	6/15/2023	7	233	
5	Paving	Paving	6/16/2023	7/2/2023	7	17	

Acres of Grading (Site Preparation Phase): 36

Acres of Grading (Grading Phase): 92

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Preparation	Crawler Tractors	2	8.00	212	0.43
Preparation	Dumpers/Tenders	5	8.00	16	0.38
Preparation	Forklifts	2	8.00	89	0.20
Preparation	Generator Sets	4	8.00	84	0.74
Preparation	Graders	2	8.00	187	0.41
Preparation	Off-Highway Trucks	8	8.00	402	0.38
Preparation	Plate Compactors	2	8.00	8	0.43
Preparation	Scrapers	2	8.00	367	0.48
Preparation	Skid Steer Loaders	4	8.00	65	0.37
Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Excavation	Crawler Tractors	2	8.00	212	0.43
Excavation	Dumpers/Tenders	5	8.00	16	0.38
Excavation	Forklifts	2	8.00	89	0.20
Excavation	Generator Sets	4	8.00	84	0.74
Excavation	Graders	2	8.00	187	0.41
Excavation	Off-Highway Trucks	8	8.00	402	0.38
Excavation	Plate Compactors	2	8.00	8	0.43
Excavation	Scrapers	2	8.00	367	0.48

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EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Excavation	Skid Steer Loaders	2	8.00	65	0.37
Excavation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Utilities/Sub-grade	Crawler Tractors	2	8.00	212	0.43
Utilities/Sub-grade	Dumpers/Tenders	5	8.00	16	0.38
Utilities/Sub-grade	Forklifts	2	8.00	89	0.20
Utilities/Sub-grade	Generator Sets	4	8.00	84	0.74
Utilities/Sub-grade	Graders	2	8.00	187	0.41
Utilities/Sub-grade	Off-Highway Trucks	8	8.00	402	0.38
Utilities/Sub-grade	Plate Compactors	2	8.00	8	0.43
Utilities/Sub-grade	Scrapers	2	8.00	367	0.48
Utilities/Sub-grade	Skid Steer Loaders	2	8.00	65	0.37
Utilities/Sub-grade	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Construction	Bore/Drill Rigs	10	8.00	221	0.50
Construction	Cement and Mortar Mixers	10	8.00	9	0.56
Construction	Concrete/Industrial Saws	3	8.00	81	0.73
Construction	Cranes	1	8.00	231	0.29
Construction	Dumpers/Tenders	5	8.00	16	0.38
Construction	Excavators	2	8.00	158	0.38
Construction	Forklifts	5	8.00	89	0.20
Construction	Generator Sets	4	8.00	84	0.74
Construction	Off-Highway Trucks	2	8.00	402	0.38
Construction	Pavers	1	8.00	130	0.42
Construction	Paving Equipment	1	8.00	132	0.36
Construction	Plate Compactors	1	8.00	8	0.43
Construction	Rollers	1	8.00	80	0.38
Construction	Skid Steer Loaders	2	8.00	65	0.37
Construction	Tractors/Loaders/Backhoes	7	8.00	97	0.37
Construction	Trenchers	10	8.00	78	0.50
Paving	Rollers	1	8.00	80	0.38

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Preparation	35	100.00	40.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Excavation	33	100.00	40.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Utilities/Sub-grade	33	200.00	40.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Construction	65	400.00	60.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT
Paving	1	40.00	10.00	0.00	50.00	100.00	0.00	LD_Mix	HHDT	HHDT

3.1 Mitigation Measures Construction

Use Cleaner Engines for Construction Equipment

Water Exposed Area

Reduce Vehicle Speed on Unpaved Roads

3.2 Preparation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.2420	0.0000	4.2420	0.4580	0.0000	0.4580			0.0000			0.0000
Off-Road	10.6115	99.5926	80.8814	0.2198		3.9860	3.9860		3.7226	3.7226		21,141.4739	21,141.4739	6.0690		21,293.1986
Total	**10.6115**	**99.5926**	**80.8814**	**0.2198**	**4.2420**	**3.9860**	**8.2280**	**0.4580**	**3.7226**	**4.1807**		**21,141.4739**	**21,141.4739**	**6.0690**		**21,293.1986**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Preparation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5507	28.7604	3.3971	0.1168	3.5049	0.3143	3.8191	0.9613	0.3007	1.2619		12,362.5681	12,362.5681	0.0258	1.9430	12,942.2151
Worker	1.0757	0.9718	9.5535	0.0312	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,169.3875	3,169.3875	0.0566	0.0843	3,195.9158
Total	**1.6265**	**29.7322**	**12.9506**	**0.1480**	**7.3044**	**0.3324**	**7.6368**	**1.9686**	**0.3174**	**2.2860**		**15,531.9556**	**15,531.9556**	**0.0823**	**2.0272**	**16,138.1308**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					1.9089	0.0000	1.9089	0.2061	0.0000	0.2061			0.0000			0.0000
Off-Road	2.6776	15.3694	108.3075	0.2198		0.3434	0.3434		0.3434	0.3434	0.0000	21,141.4738	21,141.4738	6.0690		21,293.1986
Total	**2.6776**	**15.3694**	**108.3075**	**0.2198**	**1.9089**	**0.3434**	**2.2523**	**0.2061**	**0.3434**	**0.5496**	**0.0000**	**21,141.4738**	**21,141.4738**	**6.0690**		**21,293.1986**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Preparation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5507	28.7604	3.3971	0.1168	3.5049	0.3143	3.8191	0.9613	0.3007	1.2619		12,362.5681	12,362.5681	0.0258	1.9430	12,942.2151
Worker	1.0757	0.9718	9.5535	0.0312	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,169.3875	3,169.3875	0.0566	0.0843	3,195.9158
Total	**1.6265**	**29.7322**	**12.9506**	**0.1480**	**7.3044**	**0.3324**	**7.6368**	**1.9686**	**0.3174**	**2.2860**		**15,531.9556**	**15,531.9556**	**0.0823**	**2.0272**	**16,138.1308**

3.3 Excavation - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					4.2420	0.0000	4.2420	0.4580	0.0000	0.4580			0.0000			0.0000
Off-Road	10.4723	97.7354	78.1070	0.2157		3.9170	3.9170		3.6592	3.6592		20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**10.4723**	**97.7354**	**78.1070**	**0.2157**	**4.2420**	**3.9170**	**8.1590**	**0.4580**	**3.6592**	**4.1172**		**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Excavation - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5507	28.7604	3.3971	0.1168	3.5049	0.3143	3.8191	0.9613	0.3007	1.2619		12,362.5681	12,362.5681	0.0258	1.9430	12,942.2151
Worker	1.0757	0.9718	9.5535	0.0312	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,169.3875	3,169.3875	0.0566	0.0843	3,195.9158
Total	**1.6265**	**29.7322**	**12.9506**	**0.1480**	**7.3044**	**0.3324**	**7.6368**	**1.9686**	**0.3174**	**2.2860**		**15,531.9556**	**15,531.9556**	**0.0823**	**2.0272**	**16,138.1308**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Fugitive Dust					1.9089	0.0000	1.9089	0.2061	0.0000	0.2061			0.0000			0.0000
Off-Road	2.5758	13.0450	105.1687	0.2157		0.3367	0.3367		0.3367	0.3367	0.0000	20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**2.5758**	**13.0450**	**105.1687**	**0.2157**	**1.9089**	**0.3367**	**2.2456**	**0.2061**	**0.3367**	**0.5428**	**0.0000**	**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Excavation - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5507	28.7604	3.3971	0.1168	3.5049	0.3143	3.8191	0.9613	0.3007	1.2619		12,362.5681	12,362.5681	0.0258	1.9430	12,942.2151
Worker	1.0757	0.9718	9.5535	0.0312	3.7996	0.0181	3.8177	1.0074	0.0167	1.0240		3,169.3875	3,169.3875	0.0566	0.0843	3,195.9158
Total	**1.6265**	**29.7322**	**12.9506**	**0.1480**	**7.3044**	**0.3324**	**7.6368**	**1.9686**	**0.3174**	**2.2860**		**15,531.9556**	**15,531.9556**	**0.0823**	**2.0272**	**16,138.1308**

3.4 Utilities/Sub-grade - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	10.4723	97.7354	78.1070	0.2157		3.9170	3.9170		3.6592	3.6592		20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**10.4723**	**97.7354**	**78.1070**	**0.2157**		**3.9170**	**3.9170**		**3.6592**	**3.6592**		**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Utilities/Sub-grade - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5507	28.7604	3.3971	0.1168	3.5049	0.3143	3.8191	0.9613	0.3007	1.2619		12,362.5681	12,362.5681	0.0258	1.9430	12,942.2151
Worker	2.1515	1.9436	19.1071	0.0623	7.5991	0.0362	7.6353	2.0147	0.0334	2.0481		6,338.7750	6,338.7750	0.1131	0.1686	6,391.8315
Total	**2.7022**	**30.7040**	**22.5041**	**0.1791**	**11.1040**	**0.3505**	**11.4545**	**2.9760**	**0.3340**	**3.3100**		**18,701.3431**	**18,701.3431**	**0.1389**	**2.1115**	**19,334.0466**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	2.5758	13.0450	105.1687	0.2157		0.3367	0.3367		0.3367	0.3367	0.0000	20,740.6913	20,740.6913	5.9394		20,889.1756
Total	**2.5758**	**13.0450**	**105.1687**	**0.2157**		**0.3367**	**0.3367**		**0.3367**	**0.3367**	**0.0000**	**20,740.6913**	**20,740.6913**	**5.9394**		**20,889.1756**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Utilities/Sub-grade - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.5507	28.7604	3.3971	0.1168	3.5049	0.3143	3.8191	0.9613	0.3007	1.2619		12,362.5681	12,362.5681	0.0258	1.9430	12,942.2151
Worker	2.1515	1.9436	19.1071	0.0623	7.5991	0.0362	7.6353	2.0147	0.0334	2.0481		6,338.7750	6,338.7750	0.1131	0.1686	6,391.8315
Total	**2.7022**	**30.7040**	**22.5041**	**0.1791**	**11.1040**	**0.3505**	**11.4545**	**2.9760**	**0.3340**	**3.3100**		**18,701.3431**	**18,701.3431**	**0.1389**	**2.1115**	**19,334.0466**

3.5 Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	13.5138	123.0225	123.2669	0.2721		6.3707	6.3707		5.9633	5.9633		25,989.8499	25,989.8499	7.0556		26,166.2408
Total	**13.5138**	**123.0225**	**123.2669**	**0.2721**		**6.3707**	**6.3707**		**5.9633**	**5.9633**		**25,989.8499**	**25,989.8499**	**7.0556**		**26,166.2408**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.8261	43.1406	5.0956	0.1752	5.2573	0.4714	5.7287	1.4419	0.4510	1.8929		18,543.8522	18,543.8522	0.0386	2.9145	19,413.3226
Worker	4.3029	3.8871	38.2142	0.1246	15.1982	0.0725	15.2707	4.0294	0.0668	4.0961		12,677.5500	12,677.5500	0.2262	0.3371	12,783.6630
Total	**5.1290**	**47.0277**	**43.3097**	**0.2998**	**20.4555**	**0.5439**	**20.9994**	**5.4713**	**0.5177**	**5.9890**		**31,221.4022**	**31,221.4022**	**0.2649**	**3.2516**	**32,196.9856**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	3.1562	15.5602	152.4060	0.2721		0.4140	0.4140		0.4140	0.4140	0.0000	25,989.8498	25,989.8498	7.0556		26,166.2408
Total	**3.1562**	**15.5602**	**152.4060**	**0.2721**		**0.4140**	**0.4140**		**0.4140**	**0.4140**	**0.0000**	**25,989.8498**	**25,989.8498**	**7.0556**		**26,166.2408**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.8261	43.1406	5.0956	0.1752	5.2573	0.4714	5.7287	1.4419	0.4510	1.8929		18,543.8522	18,543.8522	0.0386	2.9145	19,413.3226
Worker	4.3029	3.8871	38.2142	0.1246	15.1982	0.0725	15.2707	4.0294	0.0668	4.0961		12,677.5500	12,677.5500	0.2262	0.3371	12,783.6630
Total	**5.1290**	**47.0277**	**43.3097**	**0.2998**	**20.4555**	**0.5439**	**20.9994**	**5.4713**	**0.5177**	**5.9890**		**31,221.4022**	**31,221.4022**	**0.2649**	**3.2516**	**32,196.9856**

3.5 Construction - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	12.7929	114.0201	122.7802	0.2723		5.7507	5.7507		5.3817	5.3817		26,015.2723	26,015.2723	7.0457		26,191.4149
Total	**12.7929**	**114.0201**	**122.7802**	**0.2723**		**5.7507**	**5.7507**		**5.3817**	**5.3817**		**26,015.2723**	**26,015.2723**	**7.0457**		**26,191.4149**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.4127	36.0913	4.2300	0.1690	5.2575	0.3786	5.6361	1.4420	0.3622	1.8042		17,883.4333	17,883.4333	0.0194	2.8106	18,721.4853
Worker	4.0074	3.3767	34.8241	0.1206	15.1982	0.0682	15.2664	4.0294	0.0628	4.0922		12,343.1022	12,343.1022	0.1999	0.3067	12,439.5037
Total	**4.4201**	**39.4680**	**39.0540**	**0.2896**	**20.4557**	**0.4468**	**20.9025**	**5.4714**	**0.4250**	**5.8964**		**30,226.5355**	**30,226.5355**	**0.2193**	**3.1174**	**31,160.9890**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	3.1562	15.5602	152.4060	0.2723		0.4140	0.4140		0.4140	0.4140	0.0000	26,015.2723	26,015.2723	7.0457		26,191.4149
Total	**3.1562**	**15.5602**	**152.4060**	**0.2723**		**0.4140**	**0.4140**		**0.4140**	**0.4140**	**0.0000**	**26,015.2723**	**26,015.2723**	**7.0457**		**26,191.4149**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Construction - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.4127	36.0913	4.2300	0.1690	5.2575	0.3786	5.6361	1.4420	0.3622	1.8042		17,883.4333	17,883.4333	0.0194	2.8106	18,721.4853
Worker	4.0074	3.3767	34.8241	0.1206	15.1982	0.0682	15.2664	4.0294	0.0628	4.0922		12,343.1022	12,343.1022	0.1999	0.3067	12,439.5037
Total	**4.4201**	**39.4680**	**39.0540**	**0.2896**	**20.4557**	**0.4468**	**20.9025**	**5.4714**	**0.4250**	**5.8964**		**30,226.5355**	**30,226.5355**	**0.2193**	**3.1174**	**31,160.9890**

3.6 Paving - 2023

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.1537	1.6101	1.8522	2.6200e-003		0.0886	0.0886		0.0815	0.0815		254.1077	254.1077	0.0822		256.1623
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.1537**	**1.6101**	**1.8522**	**2.6200e-003**		**0.0886**	**0.0886**		**0.0815**	**0.0815**		**254.1077**	**254.1077**	**0.0822**		**256.1623**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2023

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0688	6.0152	0.7050	0.0282	0.8762	0.0631	0.9394	0.2403	0.0604	0.3007		2,980.5722	2,980.5722	3.2300e-003	0.4684	3,120.2476
Worker	0.4007	0.3377	3.4824	0.0121	1.5198	6.8200e-003	1.5266	0.4029	6.2800e-003	0.4092		1,234.3102	1,234.3102	0.0200	0.0307	1,243.9504
Total	**0.4695**	**6.3529**	**4.1874**	**0.0402**	**2.3961**	**0.0699**	**2.4660**	**0.6433**	**0.0667**	**0.7099**		**4,214.8824**	**4,214.8824**	**0.0232**	**0.4991**	**4,364.1979**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Off-Road	0.0322	0.1394	1.9838	2.6200e-003		4.2900e-003	4.2900e-003		4.2900e-003	4.2900e-003	0.0000	254.1077	254.1077	0.0822		256.1623
Paving	0.0000					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Total	**0.0322**	**0.1394**	**1.9838**	**2.6200e-003**		**4.2900e-003**	**4.2900e-003**		**4.2900e-003**	**4.2900e-003**	**0.0000**	**254.1077**	**254.1077**	**0.0822**		**256.1623**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.6 Paving - 2023

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0688	6.0152	0.7050	0.0282	0.8762	0.0631	0.9394	0.2403	0.0604	0.3007		2,980.5722	2,980.5722	3.2300e-003	0.4684	3,120.2476
Worker	0.4007	0.3377	3.4824	0.0121	1.5198	6.8200e-003	1.5266	0.4029	6.2800e-003	0.4092		1,234.3102	1,234.3102	0.0200	0.0307	1,243.9504
Total	**0.4695**	**6.3529**	**4.1874**	**0.0402**	**2.3961**	**0.0699**	**2.4660**	**0.6433**	**0.0667**	**0.7099**		**4,214.8824**	**4,214.8824**	**0.0232**	**0.4991**	**4,364.1979**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	0.4775	1.2893	6.5784	0.0173	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,787.0508	1,787.0508	0.0690	0.0856	1,814.2841
Unmitigated	0.4775	1.2893	6.5784	0.0173	1.8443	0.0159	1.8602	0.4918	0.0150	0.5067		1,787.0508	1,787.0508	0.0690	0.0856	1,814.2841

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
User Defined Industrial	60.00	0.00	0.00	624,000	624,000
Total	60.00	0.00	0.00	624,000	624,000

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
User Defined Industrial	40.00	0.00	0.00	100.00	0.00	0.00	100	0	0

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
User Defined Industrial	0.511083	0.054733	0.175759	0.156171	0.037435	0.008637	0.007437	0.019021	0.000259	0.000185	0.025067	0.000721	0.003491

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.0 Energy Detail

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
NaturalGas Mitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
NaturalGas Unmitigated	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	lb/day										lb/day					
User Defined Industrial	0	0.0000	0.0000	0.0000	0.0000		0.0000	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**0.0000**	**0.0000**

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	lb/day										lb/day					
Mitigated	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Unmitigated	10.6432	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	6.9144					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.7287					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	4.0000e-005	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Total	**10.6432**	**0.0000**	**4.1000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**8.8000e-004**	**8.8000e-004**	**0.0000**		**9.3000e-004**

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	lb/day										lb/day					
Architectural Coating	6.9144					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Consumer Products	3.7287					0.0000	0.0000		0.0000	0.0000			0.0000			0.0000
Landscaping	4.0000e-005	0.0000	4.1000e-004	0.0000		0.0000	0.0000		0.0000	0.0000		8.8000e-004	8.8000e-004	0.0000		9.3000e-004
Total	**10.6432**	**0.0000**	**4.1000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**		**8.8000e-004**	**8.8000e-004**	**0.0000**		**9.3000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

8.0 Waste Detail

8.1 Mitigation Measures Waste

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
Off-Highway Trucks	1	8.00	365	402	0.38	Diesel

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

UnMitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	lb/day										lb/day					
Off-Highway Trucks	0.4970	3.3279	3.2502	0.0132		0.1198	0.1198		0.1102	0.1102	0.0000	1,280.3504	1,280.3504	0.4141		1,290.7027
Total	**0.4970**	**3.3279**	**3.2502**	**0.0132**		**0.1198**	**0.1198**		**0.1102**	**0.1102**	**0.0000**	**1,280.3504**	**1,280.3504**	**0.4141**		**1,290.7027**

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
Emergency Generator	1	24	200	66	0.73	Diesel

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

10.1 Stationary Sources

Unmitigated/Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Equipment Type	lb/day										lb/day					
Emergency Generator - Diesel (50 - 75 HP)	2.5995	8.4763	9.4322	0.0125		0.3824	0.3824		0.3824	0.3824		1,329.7904	1,329.7904	0.1864		1,334.4513
Total	**2.5995**	**8.4763**	**9.4322**	**0.0125**		**0.3824**	**0.3824**		**0.3824**	**0.3824**		**1,329.7904**	**1,329.7904**	**0.1864**		**1,334.4513**

11.0 Vegetation

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use

APPENDIX D
VISUAL IMPACT ASSESSMENT

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

DRAFT
VISUAL IMPACT ASSESSMENT

Janus Solar Project

Colusa County, California



July 21, 2021

RWE

RWE Solar Development, LLC

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

ACRONYMS AND ABBREVIATIONS

AC	alternating current
Applicant	Janus Solar PV, LLC
BESS	battery energy storage system
BLM	U.S. Bureau of Land Management
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
DC	direct current
gen-tie	generation tie
I-5	Interstate 5
KOP	key observation point
kV	kilovolt
O&M	operation and maintenance
PCS	power conditioning stations
PG&E	Pacific Gas and Electric Company
Project	Janus Solar Project
PV	photovoltaic
SR	State Route

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

1.0 OVERVIEW

Janus Solar PV, LLC (Applicant), a subsidiary of RWE Solar Development, LLC has applied to the Colusa County Department of Planning and Building for a Use Permit[1] to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS), and associated facilities and infrastructure, to be known as the Janus Solar Project (Project).

The Project would generate and store up to 80 megawatts alternating current (MW_{AC})[2] on approximately 1,024 acres of land, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, only approximately 768 acres of the 1,024-acre site would be used for the Project. The proposed BESS would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 3 miles northeast of the Project site.

Tetra Tech, Inc. was retained by the Applicant to perform a Visual Impact Assessment for the Project. This Visual Impact Assessment was prepared to identify and evaluate the potential visual and aesthetic impacts associated with construction and operation of the Project.

[1] The Use Permit process allows the County to consider, in its discretion, uses that would be essential or desirable, but that are not allowed as a matter of right within a zoning district. Energy generation for off-site use is permitted within the Foothill Agriculture Zone with approval of a Use Permit.

[2] PV panel capacity general is measured in direct current watts; however, because the direct current output from panels must be converted to alternating current before being distributed on the electric grid, this Visual Impact Assessment reports expected capacity in terms of alternating current watts. Although preliminary estimates indicate that 80 megawatts alternating current would be the expected nominal generating capacity of the Project, the actual generating capacity would depend on the efficiency of the PV panels available at the time of construction and the layout and tracking technology approved.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

2.0 PROJECT LOCATION AND SETTING

2.1 LOCATION

The Project site is located on private property in an area of Colusa County primarily used for cattle grazing (Figure 1). The Project is approximately 6.5 miles southwest of the city of Williams. State Route 20 runs about one mile from the Project site, north and west. The proposed Project would be located on three parcels totaling 1,023.9 acres of private property currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site. To interconnect the Project with the electrical grid, the Applicant would construct a new, 4.1-mile-long overhead, 60 kilovolt (kV) generation tie (gen-tie) line, partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the Unites States Bureau of Reclamation (USBR), from the Project site to the point of interconnection (POI) at the Cortina Substation.

2.2 EXISTING SETTING

2.2.1 On-site Land Uses

The Project site consists of rangeland designated as Agriculture Upland in the Colusa County General Plan and zoned Foothill Agriculture (FA) by Colusa County. The gen-tie line from the Project site intersects land designated as Agriculture Upland and Agriculture General and zoned as FA and Exclusive Agriculture (EA). The Project site has also been deemed as Farmland of Local Importance by the California Department of Conservation. However, the Project site is not considered to be Prime or Unique Farmland.

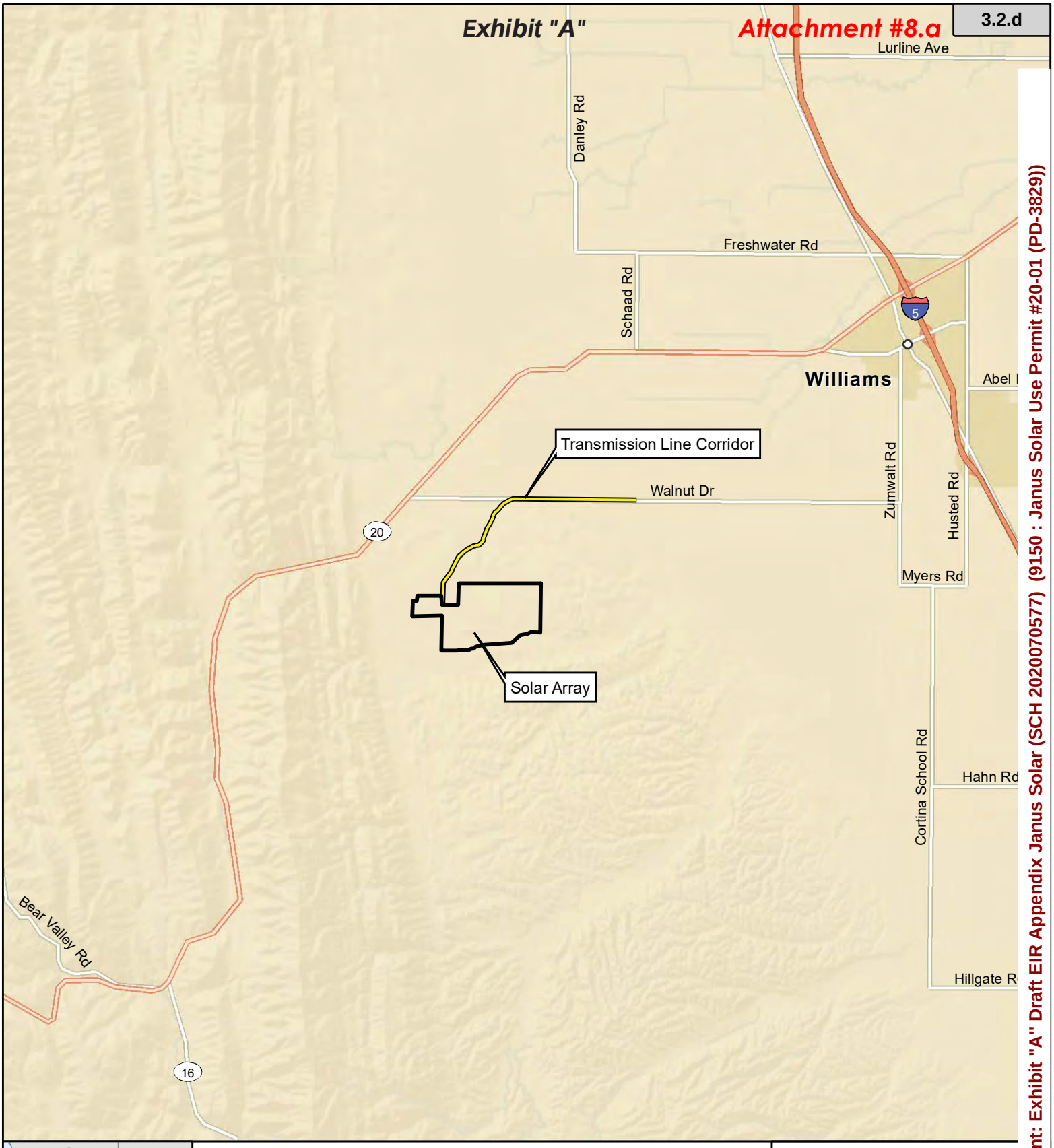
2.2.2 Surrounding Land Uses

The surrounding land use is rural. Properties are currently being used for cattle grazing, agriculture, and open space. The closest residence is approximately 100 feet to the south of the Project site, and agricultural buildings occur to the west on the opposite side of Spring Valley Road.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"

Attachment #8.a





Legend

Project Area: Solar Array
(also Area of Potential Significant Impact)

Project Area: Transmission Line Corridor
(also Area of Potential Significant Impact)

N

0 1 2 Miles

Figure 1
Project Location

Janus Solar Project
Colusa County, CA

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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3.0 PROJECT DESCRIPTION

3.1 DESCRIPTION OF THE PROJECT

The Project consists of three major components: a solar energy generating facility, a BESS, and the gen-tie line (Figure 2*, Site Plan*). The solar facility would include arrays of solar PV modules (or panels) and support structures, direct current (DC) electricity to alternating current (AC) electricity power inverters and transformers or power conditioning stations, and an on-site substation. Other solar facility components would include access roads, perimeter fences, telecommunications infrastructure, a meteorological data collection system, signage, lighting, stormwater facilities, and an operations and maintenance building. See Section 3.1.1 for details about the proposed solar facility.

Up to 5 acres of the solar facility site would be dedicated to the BESS. The BESS would be located adjacent to the on-site substation and contained within steel cabinets or housings. See Section 3.1.2 for details about the proposed BESS.

The on-site substation would connect to the existing Cortina Substation via an approximately 4.1-mile-long, 60 kV gen-tie line strung on approximately 59 new poles of up to 80 feet in height. The gen-tie line also would include fiber optic line for communications. See Section 3.1.3 for details about the gen-tie line that would connect the Project to the grid.

3.1.1 Solar Facility

Solar PV Generating Components

The solar facility would consist of PV solar modules (also known as panels) arranged into arrays supported by a racking system and tracker units that track the sun. A typical tracker section detail is provided in Figure 3. The PV modules on the trackers convert sunlight into electricity. When modules are mounted on tracking devices, they are referred to as trackers or tracker blocks. The trackers are organized in rows in a uniform grid pattern or solar array. The Project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system.

The modules may be constructed of glass encasing P-/N- type mono crystalline silicon, poly crystalline silicon, thin film or bifacial technology. Final panel selection would be determined at the detailed Project-engineering phase. The PV modules would be dark blue or black in color, with anti-reflection coating or minimal light reflection. A plastic binding material and metal frame would provide structural rigidity. The solar modules would be self-contained, durably constructed units designed to withstand exposure to the elements for a period of 35 years or longer. The solar modules would be electrically connected and grounded. The solar facility would be designed in accordance with local and state codes and regulations.

Attachment: Exhibit "A" Draft EIR Appendix Janus Solar (SCH 2020070577) (9150 : Janus Solar Use Permit #20-01 (PD-3829))

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC
FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
AG-1: Williamson Act Cancellation	The Applicant shall file a Petition for Cancellation of Contract for each of the three Williamson Act Contracts on the Project site, for consideration by the Colusa County Board of Supervisors, prior to construction.	Pre-construction	RWE
AQ-1: Dust Control Measures	During construction of the Project, the primary construction contractor shall implement the following practices during all construction related activities: •All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. •When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained. •Limit traffic speeds on unpaved roads to 15 miles per hour. •Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic. •Curtail construction activities when the County's Air Quality Index exceeds 150. •Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period. •During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below. •Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles. •The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to: oRead and understand applicable mitigation measures and have them available at the job site oImplement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities oUse contingency control measures when primary controls are ineffective oMonitor the worksite for compliance with the dust control mitigation measures oMaintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities. •Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information: oDate oTime oWind speed oTemperature oMinutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity oSoil conditions (damp, dry, etc.) oCorrective actions taken, if needed	Construction	RWE/Construction Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Report Program Janus Solar (9150 : Janus Solar Use

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC
FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
AQ-2: Construction Equipment Requirements	During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.	Construction	RWE/Construction Contractor
AQ-3: Long-Term Dust Control	Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.	Construction/Operation	RWE
BIO-1: Protection of Special Status Species	**Parry's Rough Tarplant** A pre-construction survey for Parry's rough tarplant shall be conducted in work areas with potential habitat no more than 14 days prior to construction activities during the blooming period (May to October). If Parry's rough tarplant populations are located outside of the Project construction footprint (including staging areas), a qualified biologist shall flag an appropriate zone to completely avoid impacts to any individuals. If necessary based on the timing of the construction work, populations may also be flagged based on previous survey data of the population extents.	Pre-construction, between May and October	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Parry's Rough Tarplant** If Parry's rough tarplant populations cannot be avoided, a qualified biologist shall prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. Temporary impacts (impacts in areas that would be restored to natural conditions) may be mitigated by salvaging the first 6 inches of topsoil during ground disturbance, storing on-site and protecting the soil from weed seed dispersal, and then returning the soil horizon to its original profile to keep seeds at the appropriate soil depth. Permanent impacts (impacts in areas that would not be restored to natural conditions) may be mitigated by enhancing other Parry's rough tarplant habitat within or outside the Project site. Topsoil would not be salvaged in the case of permanent impacts, and other habitat enhancement methods would be used, such as seed collection and propagation, in other non-impacted locations.	Construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Burrowing Owl** The Project owner shall have pre-construction surveys performed no less than 14 days prior to the initiation of equipment staging or ground-disturbing activities (e.g., vegetation clearing or grading) and within 24 hours prior to these activities. A qualified biologist shall conduct pre-construction surveys on the site and 150-meters around the site (access permitting) in areas with suitable burrowing habitat to locate any active breeding or wintering BUOW burrows and to check known burrows. Areas that have been plowed within 12 months prior to the start of ground-disturbing activities are not considered suitable habitat. The survey methodology shall be consistent with the methods outlined in the CDFW (2012) Staff Report on Burrowing Owl Mitigation and shall consist of walking parallel transects 23 to 66 feet (7 to 20 meters) apart, noting any potential burrows with fresh BUOW sign or presence of BUOWs, and visiting potential burrows during the timeframe described in the protocol. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities. Copies of the survey results shall be submitted to CDFW and the Colusa County Planning Department.	Pre-construction	RWE/Environmental Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Report Program Janus Solar (9150 : Janus Solar Use

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-1: Protection of Special Status Species	**Burrowing Owl** If BUOWs are detected on the Project site or within 150 meters during the pre-construction survey, a Project-specific mitigation plan shall be prepared for CDFW review and approval and implemented to protect BUOWs and their nest sites. No ground-disturbing activities, such as vegetation clearance, grading, or equipment staging shall be permitted within 330 feet from an active burrow during the breeding season (February 1 to August 31), unless otherwise approved by a qualified biologist. During the non-breeding (winter) season (September 1 to January 31), no ground-disturbing work or equipment staging shall be permitted within a buffer of 165 feet from the active burrow. Depending on the level of disturbance, a smaller buffer may be established by a qualified biologist based on the visibility and sensitivity responses of each individual BUOW or pairs in consultation with CDFW.	Pre-construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Burrowing Owl** If burrow avoidance is infeasible during the non-breeding season or during the breeding season where resident BUOWs have not yet begun egg laying or incubation or where the juveniles are foraging independently and capable of independent survival, a qualified biologist shall implement a passive relocation program in accordance with the CDFW (2012) Staff Report on Burrowing Owl Mitigation. If passive relocation is anticipated due to on-site BUOW populations, a Burrowing Owl Exclusion Plan in accordance with CDFW (2012) Staff Report on Burrowing Owl Mitigation would be included in the Project-specific mitigation plan prior to passive relocation activities.	Construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Swainson's Hawk** If construction (i.e., equipment staging, vegetation removal, or ground disturbance) is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys or additional measures are required for Swainson's hawk. During the breeding season (March 1 to September 15), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site. The survey shall focus on potential nest sites within a 0.5 mile buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000) and occur no more than 10 days prior to construction activities.	Pre-construction, only if construction is to occur during breeding season	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Swainson's Hawk** Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by Swainson's hawk without causing intrusive disturbance. If active Swainson's hawk nests are found, a 0.5-mile buffer shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest), adult and juvenile Swainson's hawks have left the area, or the breeding season has ended. Encroachment into the buffer for Swainson's hawk must be authorized by the CDFW.	Pre-construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**American Badger** A pre-construction survey for the American badger shall occur during the burrowing owl surveys. Any active American badger dens shall be avoided by establishing a minimum 50-foot buffer around the den. No construction activities shall occur within this buffer unless a qualified biologist determines that the den is inactive.	Pre-construction	RWE/Environmental Contractor

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-2 WEAP and BMPs for Biological Resources	Prior to and for the duration of construction activities, the Project owner, or its contractor, shall implement a Worker Environmental Awareness Program to train all on-site construction personnel how to recognize and protect biological resources on the Project site. The Worker Environmental Awareness Program training shall include a review of the special-status species and other sensitive biological resources that could exist in the Project area, the locations of sensitive biological resources and their legal status and protections, and measures to be implemented for avoidance of these sensitive resources, highlighting Parry's rough tarplant, burrowing owl, Swainson's hawk, American badger, nesting birds, and protected waters and wetlands.	Pre-construction/construction	RWE/Environmental Contractor
BIO-2: WEAP and BMPs for Biological Resources	The Project owner shall limit the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. Buffers and avoidance areas established for biological resources, as described in**BIO-1** and **BIO-3** above, shall be delineated with stakes and/or flagging prior to construction. Construction-related activities and use of vehicles and equipment shall not occur within protected buffers or avoidance areas.	Pre-construction/construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Any sensitive habitats, including riparian areas and state and federally protected wetlands, within 50 feet of the Project impact areas shall be flagged in the field by a qualified biologist prior to Project construction. To the extent feasible, the greatest buffer (up to 50 feet) should be flagged around the sensitive habitat. No work will occur in the flagged areas. The avoidance areas will be maintained for the duration of construction activities in the vicinity of these areas.	Pre-construction/construction	RWE/Environmental Contractor
BIO-2: WEAP and BMPs for Biological Resources	To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches with a 2-foot or greater depth shall be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected by on-site workers for trapped animals. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape. If a special-status species is trapped, the USFWS and/or CDFW shall be contacted immediately.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	All construction pipes, culverts, or similar structures with a 4-inch or greater diameter that are stored at a construction site for one or more overnight periods shall be covered and/or thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until a qualified biologist has been consulted and the animal has either moved from the structure on its own accord or until the animal has been captured and relocated by the biologist. No handling of special-status species shall occur without consultation with the applicable agencies (CDFW, USFWS).	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Vehicles and equipment parked on the site during construction shall have the ground beneath the vehicle or equipment inspected for the presence of wildlife prior to moving	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Vehicular traffic shall use existing routes of travel. Cross country vehicle and equipment use outside of the Project properties shall be prohibited.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	A speed limit of 20 miles per hour shall be enforced within all construction areas.	Construction	RWE/Construction Contractor

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-2: WEAP and BMPs for Biological Resources	A long-term trash abatement program shall be established for construction, operation, and decommissioning and submitted to the County. Trash and food items shall be contained in closed containers and removed daily to reduce the attractiveness to wildlife such as common raven (Corvus corax), coyote (Canis latrans), and feral dogs.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Workers shall be prohibited from bringing pets to the Project site and from feeding wildlife in the vicinity.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Intentional killing or collection of any wildlife species shall be prohibited.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Rodenticides shall not be used within the Project site except within buildings and disturbance to mammal burrows shall be avoided and minimized.	Construction	RWE/Construction Contractor
BIO-3: Protection of Nesting Birds	If construction (i.e., vegetation removal or ground disturbance) is scheduled to commence outside of the bird nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required for nesting birds, including raptors. During the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site where construction is planned. The survey shall focus on potential nest sites within a 500-foot buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted no more than 14 days prior to construction activities. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities.	Pre-construction, if construction activities occur during nesting season	RWE/Environmental Contractor
BIO-3: Protection of Nesting Birds	Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by migratory birds and all locally breeding raptor species without causing intrusive disturbance. If active nests are found, a suitable buffer (e.g., 200 feet for non-listed raptors, 50 feet for non-listed birds) shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest) or the breeding season has ended. Encroachment into the buffer may occur at the discretion of a qualified biologist for non-listed species.	Pre-construction	RWE/Environmental Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Report Program Janus Solar (9150 : Janus Solar Use

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
CUL-1: Cultural Resource Worker Education and Training	Prior to Project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the Project proponent shall conduct a worker education awareness program for Project construction personnel. A qualified archaeologist will be retained for the Project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities. During construction, the Applicant will provide the training to all new construction personnel. The cultural resource training will include an overview of applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and procedures to follow in the event an inadvertent discovery (Inadvertent Discovery Plan discussed below) is encountered, including appropriate treatment and respectful behavior of a discovery (e.g., no posting to social media or photographs). The Yocha Dehe Wintun Nation, the Cortina Rancheria Kletsel Dehe Band of Wintun Indians, and the Cachil Dehe Band of Wintun Indians of the Colusa Indian Community shall be notified to participate in the cultural sensitivity/environmental training to discuss or provide text from a tribal cultural perspective regarding tribal cultural resources within the region during the initial pre-construction environmental training. In general, the protocols of the Patwin Cultural Protection and Preservation Plan shall be incorporated into said training and education.	Pre-construction	RWE/Environmental Contractor
CUL-2: Inadvertent Discovery of Archaeological Resources During Construction	A qualified archaeologist shall be retained to prepare an Inadvertent Discovery Plan for the Project and to be on-call in the event of an inadvertent discovery. The Inadvertent Discovery Plan will provide protocols and notification procedures in the event of an inadvertent discovery. During Project construction (e.g., ground disturbing activities such as vegetation removal, excavation, trenching, grading), should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find shall cease and the qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or NRHP criteria (as applicable). If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agencies and any local consulting Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Under CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, Project reroute or re-design, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local consulting Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as an historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2. In regard to an inadvertent discovery of human remains: existing regulations require that if human remains and/or cultural items defined by Health and Safety Code, Section 7050.5, are inadvertently discovered, all work in the vicinity of the find would cease and the Colusa County Coroner (Sheriff-Coroner Unit Telephone Number: 530.458.0200) would be contacted immediately. If the remains are found to be Native American as defined by Health and Safety Code, Section 7050.5, the coroner will contact the NAHC by telephone within 24 hours.	Pre-construction/construction	RWE/Environmental Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Report Program Janus Solar (9150 : Janus Solar Use

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
CUL-3: Inadvertent Discovery of Human Remains During Construction	The County and Applicant should continue to consult with interested tribes throughout the planning process and construction of the Project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) shall be notified to participate in monitoring visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities (e.g. grading and trenching). The retained on-call Secretary of Interior qualified archaeologist shall assist in the preparation of a cultural resource monitoring plan and inadvertent discovery plan (CUL-2) that will include the worker resource education, inadvertent discovery procedures, and outline the guidelines for cultural resources monitoring. The Project archaeologist will coordinate with local tribes regarding the monitoring plan and tribal cultural resource monitoring of subsurface ground disturbing Project activities. At the completion of construction, a final monitoring report shall be prepared for the Project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the Project. The report will be submitted to the County and the NWIC.	Construction	RWE/Colusa County
GEO-1: Paleontological WEAP	Before starting construction activities, on-site personnel should be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities (an unanticipated find).	Pre-construction	RWE/Environmental Contractor
GEO-2: Unanticipated Find Contingency	A qualified paleontological specialist, meeting the Secretary of the Interior's Professional Qualification Standards for the Society of Vertebrate Paleontology shall be retained by the Project Owner on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources (an unanticipated find) and determine if additional study is warranted. If the significance of the find under CEQA or California Public Resources Code, Section 21082 does not warrant such study, the qualified paleontologist may decide to record the find and allow work to continue. If the discovery proves significant under CEQA, preparation of a paleontological treatment plan, testing, or data recovery may be required at the discretion of the paleontological specialist.	Construction	RWE/Environmental Contractor
NOISE-1: Noise Minimization	The Project shall implement the following construction management protocols to minimize noise impacts during construction: - Maintain all construction tools and equipment in good operating order according to manufacturers' specifications; - To the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable. Some limited activities, such as concrete pours, would be required to occur continuously until completion; - Equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks; - For construction devices that utilize internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating material mounted on the engine housing consistent with manufacturers' guidelines, if possible; - Limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities, together with appropriate material handling equipment; and - Utilize a Complaint Resolution Procedure to address any noise complaints received from residents.	Construction	RWE/Construction Contractor

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MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
PS-1: Fire Services Mitigation Fee	Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Fire Service Mitigation Agreement with the Williams Fire Authority that contains at least the following provisions: • A Fire Service Mitigation Fee (FSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years unti the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. • The FSMF is due and payable on July 1st of each year following the building permit issuance for the solar and/or battery components of the Project. • The FSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. • For the year that the building permit is issued, the FSMF fee shall be pro-rata for said year and shall be paid prior to building permit issuance for any solar and/or battery components of the project. • The FSMF shall be a total of $300,000. The FSMF shall be comprised of the Authority's existing annual Fire Suppression and Protective Services Assessment and an additional amount which both together equal $300,000. • The FSMF shall be adjusted annually pursuant to the Consumer Prices Index for the San Francisco Bay area consistent with the annual adjustment made in the annual Fire Suppression and Protective Services Assessment. • Should any Personal Protective Equipment (PPE) be damaged or rendered unusable as a result of responding to a call for service at the Project, Project Proponents shall pay the Authority the cost to repair or replace said equipment within thirty (30) days of being invoiced or a late penalty fee shall be applied. • For any service response where more than one vehicle responds, project proponents shall pay for all costs for said response according to California Office of Emergency Services' current apparatus and personnel rates within thirty (30) days of being invoiced or a late penalty fee shall be applied.	Pre-Construction/Operation	RWE
PS-2: Public Service Mitigation Fee	Prior to issuance of a building permit for the solar and/or battery components of the project, project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval: •A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. •The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the project. oThe PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. oThe PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year. •The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."	Pre-Construction/Operation	RWE

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
TRANS-1: Road Inspection and Repairs	Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director. Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director. The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.	Pre-Construction	RWE

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MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
FIRE-1: Wildfire Protection Measures	•Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary. •Prior to any building permit issuance, a Battery Storage Fire Management and Training Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief: o On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified. o Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shal be submitted for review and approval. o The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements. o Specific details and best practices on the procedures and fire fighting tactics on responding to a fire from the solar panels and battery storage system. • Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis. • As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.	Pre-Construction	RWE/Environmental Contractor

USE PERMIT #20-01 (PD-3829)
JANUS SOLAR PV, LLC
COLUSA COUNTY PLANNING COMMISSION

August 2, 2023
DATE

UP #20-01 (PD-3829)
PERMIT NO.

018-050-005, 006, and 013
ASSESSORS PARCEL NO.

Pursuant to Colusa County's Zoning Ordinance, JANUS SOLAR PV, LLC is hereby granted a Use Permit in accordance with the application filed to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure subject to all of the following Conditions of Approval:

CONDITIONS OF APPROVAL

A. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of the Use Permit constitutes cause for the revocation of said permit in accordance with the procedures set forth in the Colusa County Code and Zoning Ordinance.

B. Unless otherwise provided for in a Condition of Approval to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use to the satisfaction of the zoning administrator.

C. The use shall be limited to the project described in the Janus Solar Environmental Impact Report certified by the Planning Commission attached as Exhibit "A" and herein incorporated by reference in the Commission's approval Resolution. Minor changes may be approved by the Zoning Administrator pursuant to Section 44-1.80.030 of the County Code. Changes deemed major or significant in nature by the Zoning Administrator shall require an application amendment which must be reviewed by the Planning Commission.

D. All requirements of the Mitigation and Monitoring Program adopted by the Planning Commission in Exhibit "B" of the Commission's approval Resolution are herein incorporated by referenced as conditions of this Use Permit approval.

E. The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors and assigns of the Permittee.

F. The use granted by this permit must be established within 24 months per the County Code. Upon written request by the applicant, the original review authority for the permit may extend the time limit for the permit per the County Code. If any use for which a Use Permit has been granted is not established within 24 months and no time extension has been granted, this Use Permit shall become null and void and re-application and a new permit shall be required prior to establishment of the use.

Attachment: Exhibit "C" Janus Solar Use Permit 20-01 (9150 : Janus Solar Use Permit #20-01 (PD-3829))

G. 1.) The project developer agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding filed against the County within 180-days after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant shall directly pay for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding.

2.) The County shall promptly notify the applicant of any such claim, action, or proceeding. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations to fully indemnify and defend the County against any such action. Should the County participate in the defense of any such claim, action, or proceeding at any level, the applicant shall pay to the County all County costs for County staff time and materials and any third-party contractor that the County employs to assist the County in said defense or is incurred as a result of the applicant's entitlement.

3.) In order to pay to the County for all of its costs (whether be it for County staff time and materials or any third-party contractor that the County employs) the applicant shall within thirty (30) days of being notified by the County of any claim, action, or proceeding arising out of the applicant's entitlement deposit an amount which equals fifty percent (50%) of the estimated amount of the County costs in participating in said defense as determined by the County Counsel. The County shall provide the applicant an accounting of all costs charged against this deposit. The County shall notify the applicant when the balance has been reduced by approximately half (50%) and the applicant shall within fourteen (14) days of being notified deposit with the County the necessary funds to return the deposit balance to fifty percent (50%) of the estimated amount of the County costs in participating in said defense. At any time during any such defense of the applicant's entitlement, the County Counsel may amend the estimated cost. Should the estimated costs increase, the applicant shall be responsible for increasing the balance of the deposit to half (50%) of the new estimated amount.

4.) Should the applicant fail to comply to meet the conditions under which this entitlement was approved, the applicant agrees that the County may revoke any such approval. Any such revocation does not relieve the applicant to pay to the County all costs and expenses incurred due to any claim, action, or proceeding brought against the County as a result of approving the applicant's entitlement.

H. The project developer shall comply with all other applicable federal, state, and local laws, statutes, ordinances and regulations, including Colusa CUPA Business Plan requirements.

I. The project developer shall comply with the current version of the California Building Standards Code adopted in Chapter 5 of the County Code in effect at the time of building permit submittal.

Attachment: Exhibit "C" Janus Solar Use Permit 20-01 (9150 : Janus Solar Use Permit #20-01 (PD-3829))

J. Prior to building permit issuance, the Applicant shall submit a Local Tax Purchasing Plan to the Community Development Director for review and approval which details the requirements and actions that will be taken to procure equipment and materials necessary for the development of the project in a manner that maximizes the amount of sales tax able to be captured and allocated to Colusa County.

K. The applicant shall track the number and species of birds that may have died as a result of impacting solar panels throughout the life of the project. Any bird fatalities incidentally observed by operations staff should be logged. This information shall be collected on a calendar year basis and no later than January 31 of each year, the total number of bird deaths believe to occur as a result of solar panel strikes shall be submitted to the Community Development Director. The information shall include the total number of deaths per month and species to the satisfaction of the Community Development Director.

L. The final color of the metal battery enclosures shall be submitted to the Community Development Director for review and approval prior to installation. In general, the color shall be non-reflective and earth tones to blend into the surrounding environment

M. The approval of this Use Permit is contingent upon the Board of Supervisors approving the cancellation of the properties' Williamson Act Contracts and said cancellation being finalized prior to the expiration of the Use Permit pursuant to the time lines detailed in these conditions. Once the contract has been cancelled, acceptance back into the County's Williamson Act program shall be consistent with Colusa County's Williamson Act Contract program and policies in effect at the time of any re-entry application. No contract re-entry shall occur in any event until after the Project and has been fully decommissioned and returned to its pre-Project state.

N. Project related semi-truck construction traffic and off-site construction shall be limited to Mondays through Friday 7:00 am to 7:00 pm. On-site construction activities shall be limited to Mondays through Friday 7:00 am to 7:00 pm and from 8:00 am though 5 pm on Saturday and Sundays.

O. Prior to commencement of construction, the Applicant shall identify a single point of contact to receive any complaints (including but not limited to noise, traffic, and other issues) and shall forward this contact and their contact information to the Community Development Director. The Applicant shall also mail a notice of this contact information to property owners adjacent to the project development. Within 48 hours of receiving any complaint, the complaint contact shall notify the Community Development Director of any complaint.

P. Prior to construction commencing, the application shall contact Caltrans and the Colusa County Public Works Department to determine any appropriate locations for Construction Warning signs along Highway 20 and along County Roads. The placement of such signage shall be subject to Caltrans and the Public Works Department's specifications. The results of these determinations shall be submitted to the Community Development Director for review and approval prior to construction commencing,

Q. Should metal power poles be used for the gen-tie connection, the poles shall be finished in a non-reflective (flat) dark brown color to resemble the coloration of adjacent wooden power poles. Prior to installation of the poles, the finish shall be submitted to the Community Development Director for review and approval.

Attachment: Exhibit "C" Janus Solar Use Permit 20-01 (9150 : Janus Solar Use Permit #20-01 (PD-3829))

R. Prior to permit issuance, the applicant shall pay all required fees, including but not limited to the Williams Fire Authority determined development impact fees.
Prior to building permit issuance, an engineer's estimate for decommissioning the project and returning it back to the pre-existing development state and a bond or other surety in a form satisfactory to the County Counsel to ensure said decommissioning shall be submitted to the Community Development Director for review and approval. At least two years prior to the decommissioning of plant, the applicant shall submit a detailed project specific decommissioning plan to the Community Development Director for review and approval. This plan shall detail the actions required to return the property to its pre-development condition. An updated engineer's estimate of the cost of this decommissioning shall accompany the plan and prior to the approval of said plan, an updated bond or other surety in a form satisfactory to the County Counsel for cost of decommissioning the project shall be submitted to the County.

S. Prior to installation of any security fencing, the design of this fencing shall be submitted to the Community Development Director for review and approval. In general, the design of the fencing shall incorporate rural fencing characteristics to the greatest extent possible and avoid industrial or institutional designs.

T. Prior to issuance of building permits, the Applicant shall submit a status of all requirements contained in the Mitigation and Monitoring Report Program to the Community Development Director. Said status shall specify the status and timing of completion of all mitigation measures to the satisfaction of the Community Development Director.

U. The County's Public Service Mitigation Fee Agreement shall be escalated annually using any percentage increase in the United States Bureau of Labor Statistics Consumer Price Index (CPI), West Region.

V. This approval shall become effective ten (10) days from the date of this decision unless appealed pursuant to Section 44-1.80.080 of the County Code. Any such appeal must be filed within 10 days from this approval by submitting an appeal request in writing together with the applicable fee to the Colusa County Board Clerk. The appellant shall clearly identify in the appeal documentation the specific reasons for the appeal and the relief requested.

Attachment: Exhibit "C" Janus Solar Use Permit 20-01 (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Detail

Applicant: Janus Solar PV, LLC **File:** Use Permit #20-01 (PD-3829)
General Plan: Agriculture Upland (AU) **Zoning:** Foothill Agriculture (F-A)

Formal Title / Summary

Consideration of the Janus Solar Final Environmental Impact Report and Use Permit Application

Action Requested

Public Hearing and approval of a Resolution for the Janus Solar electrical generating and battery storage Use Permit 20-01 (PD-3829) which would: (1) certify the Environmental Impact Report including the CEQA Findings and Mitigation Monitoring and Reporting Program; (2) adopt the recommended Use Permit Findings and Conditions of Approval; and (3) direct staff to file the Notice of Determination.

DETAILED DESCRIPTION/BACKGROUND OF REQUEST

Janus Solar PV, LLC (Applicant) has applied for a conditional use permit to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure. The project would generate and store up to 80 megawatts of electricity on an approximately 768 acres of a 1,024-acre site. The proposed battery energy storage system (BESS) would extend the period of time each day that the project could contribute the PV-generated energy to the electrical grid. The project would connect to the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the project site by aboveground electrical lines. Contingent upon project approval, the Board of Supervisors would consider the cancellation of the property's existing Williamson Act contract.

The County of Colusa (County), as the CEQA Lead Agency, has prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document the analysis of the potential direct, indirect, and cumulative impacts of the proposed project.

APN:

018-050-005-000, 018-050-006-000, and 018-050-013-000

LOCATION:

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

The project site is located approximately 6.5 west/southwest from the City of Williams. Access to the site is provided by Spring Valley Road and is approximately 1.64 miles to the south of the Spring Valley Road/Walnut Drive street intersection. Please refer to Figure 2-1 (Project Location) of the Draft Environmental Impact Report (DEIR) for the specific location.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Overview

Pursuant to the California Environmental Quality Act (CEQA), when a discretionary project (such as the subject Use Permit) is submitted to the County for approval, the County acting as the Lead Agency must determine:

(1) Whether the project is covered by either Statutory or Categorical Exemption;

(2) If not exempt, if there is no possibility that the project would have the potential to cause a significant impact, or if potential significant impacts are mitigated below the level of significance then a Mitigated Negative Declaration can be prepared; or

(3) If there is reasonable information that the project may have a significant impact on the environment despite any potential mitigation measures, then an Environmental Impact report must be prepared.

When staff originally reviewed the proposed application, staff determined that given the size and scope of the project that it was reasonable to determine that the project could have potential significant effects upon the environment. As such, the Community Development Department, as the CEQA Lead Agency, prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document the analysis of the potential direct, indirect, and cumulative impacts of the proposed project.

An EIR is primarily an informational document intended to inform the public agency decision-makers (in case of a Use Permit the Planning Commission), other responsible agencies, and the general public of the potentially significant effects of a proposed project. The EIR discloses all known potentially significant impacts; identifies feasible means to minimize or mitigate those effects; and considers reasonable alternatives to the project that might further reduce significant impacts while still attaining the project objectives. The decision-making body then must consider the information in an EIR before taking action on the proposed project.

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

An EIR is prepared in two key stages. First, a Draft EIR (DEIR) is prepared and distributed for public and agency review. Once comments on the DEIR are received, responses to those comments and any additional relevant project information are prepared and compiled in a Final EIR (FEIR). Both of these documents (i.e., the DEIR and the FEIR), along with any related technical appendices, represent the complete record of the EIR.

Throughout this staff report, the term EIR may be used to refer to the DEIR together with the Final EIR, Appendices, and all other studies and documents prepared as part of the environmental review process since these documents represent the totality of the EIR record, However, when referring to just the "Draft EIR" document, the term DEIR will be used and when referring to just the "Final EIR" document, the term FEIR will be used.

Ultimately, the EIR is used by the agency's decision making body to weigh the environmental impacts against a proposed project in order to make an informed decision. In the case of the Janus Solar Use Permit, the Planning Commission is the decision making body for the Use Permit and the Board of Supervisors is the decision making body for the proposed Williamson Act contract cancellation.

Process

In preparing the EIR, the following is a general overview of the process that has been undertaken:

- July, 2020 the required Tribal Cultural Resources Notification of Consultation Opportunity pursuant to Public Resources Code § 21080.3.1 was sent.

- July, 2020, the Notice of Preparation of the DEIR was sent to the State Office of Planning and Research (OPR) for distribution to State agencies.

- October, 2021, the Notice of Availability along with the Notice of Completion for the Janus Solar DEIR was sent to the State's OPR which informed State responsible agencies of the availability of the DEIR for review and started the 45-day period for the DEIR.

- October, 2021, the Notice of Completion for the Janus Solar DEIR was also sent to adjacent property owners, local agencies and published in the Williams Pioneer newspaper. In addition, this notice informed the public of a neighborhood meeting which was held in November, 2021 in order to provide an opportunity to learn about the project and provide initial comments.

- February, 2023, the Final Environmental Impact Report was published. Responsible agencies, surrounding property owners, and all individual and

agencies that commented on the DEIR were notified of its completion and of the public hearing for consideration of the FEIR and Use Permit at the Planning Commission's March 1, 2023 meeting.

- February 9, 2023, the public hearing notice informing the public about the Planning Commission's consideration of the FEIR and Use Permit at its March 1, 2023 meeting was posted in the Williams Pioneer newspaper.

The EIR is now before the Planning Commission for your review and consideration as part of proposed Janus Solar Use Permit application. Prior to acting upon the proposed Use Permit, the Planning Commission must consider the totality of the EIR record including any written comments received on the adequacy of the FEIR and proposed Use Permit.

PROJECT AND SITE DESCRIPTION:

Section 2.1 (page 2-1) through Section 2.4 (page 2-20) of the DEIR contains a detailed description of the proposed project. In general, the project consists of three major components: a solar energy generating facility, an energy storage system, and the generation tie-line (Figure 2-2 of the DEIR). A general overview of each component is as follows:

Solar Energy Generating Component

The solar energy generating component would consist of PV solar modules (also known as panels) arranged into arrays supported by a racking system and tracker units that track the sun. Each tracking assembly would consist of steel posts on which the frames for the PV modules rest. Each tracker would hold PV modules mounted on this metal framework structure and range between 6 and 13 feet above grade, depending on the topography. The trackers are organized in rows in a uniform grid pattern or solar array and the project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system. The PV modules themselves would be dark blue or black in color, with anti-reflection coating to minimize light reflection.

The project would include a substation anticipated to be located in the northwest portion of the project site. The substation would include a step-up transformer to increase the output voltage from the module blocks (34.5 kV) to the voltage of the 60-kV gen-tie line, protective relay and metering equipment, utility and customer revenue metering, lightening arrestor, disconnect, circuit breaker and a station service transformer that would provide power to the substation and its weatherproof control house.

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The overall footprint of the project's on-site substation is anticipated to be approximately three acres with gen-tie power poles up to 80 feet in height. An emergency generator for use in the event that the regional transmission system fails also would be at this substation; this emergency generator would provide emergency power until the regional transmission system restores operations.

A complete description of this component is contained within Section 2.4.1.1 of the DEIR.

Energy Storage System

The battery energy storage system (BESS) is expected to be located adjacent to the project's substation. Batteries would be contained within metal enclosures measuring approximately 20 to 60 feet long, 8 to 12 feet wide, and 8 to 12 feet in height and situated on concrete pads. The maximum combined footprint for the BESS would be approximately 3.5 acres. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers.

Each BESS container would contain a safety system that would be triggered automatically when the system senses imminent fire danger. The fire safety system inside each enclosure would shut down the unit if any hazard indicators are detected. If the safety system detects a potential issue as detected by the smoke and temperature sensors, the batteries would be automatically de-energized by opening the electrical contacts, and HVAC units and fans would be shut off.

A complete description of this component is contained within Section 2.4.1.2 of the DEIR.

Generation Tie-Line

Energy produced from the solar arrays would be collected at the project's substation and transmitted to the existing PG&E-owned Cortina Substation along Walnut Avenue. In order to interconnect the project to the Cortina Substation, the Applicant would construct a new 60 kV gen-tie line that would extend from the project's on-site substation about 2 miles within the County's ROW on Spring Valley Road to reach Walnut Drive. At Walnut Drive, the transmission line would be located within the Colusa County road ROW for approximately 2 miles on existing, retrofitted, or new poles to the Cortina substation. Along this route, the gen-tie line would cross the Colusa-Tehama Canal, administered by USBR. The gen-tie line would include tubular steel poles of up to 80 feet in height. The Applicant's gen-tie construction would terminate at the PG&E Cortina Substation property line. At the Cortina Substation, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that extends from the Cortina Substation property line to the new bay station within the

existing footprint of the PG&E facility. All PG&E improvements would be constructed within the existing Cortina Substation footprint.

A complete description of this component is contained within Sections 2.4.1.3 and 2.4.1.4 of the DEIR.

PROJECT CONSTRUCTION:

Project construction would consist of two major stages. The first stage would include site preparation, grading, and preparing staging areas and on-site access routes. The second stage would involve assembling the trackers and constructing electrical interconnection facilities. It is anticipated that construction would occur during an 11-month period and would occur primarily during daylight hours, Mondays through Fridays 7:00 am to 7:00 pm and potentially 8:00 am to 8:00 pm on Saturdays and Sundays. The applicant proposes potential nighttime hours if necessary for material and equipment deliveries and/or where the schedule has been delayed due to weather or other events. These nighttime activities would be performed with temporary lighting, which would be directed downward to minimize impacts to neighboring properties and wildlife in the project vicinity.

The on-site construction workforce would consist of laborers, craftspeople, supervisory personnel, and support personnel. The on-site assembly and construction workforce is expected to reach a peak of approximately 200 workers; the average number of workers on-site is anticipated to be approximately 50 to 150. On average, it is anticipated that 25 percent of worker trips to the site would be in carpools. Workers would commute to the site from nearby communities and given the number of workers required it is anticipated that some would travel from more-distant areas in the Sacramento Valley area.

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) SUMMARY:

As previously discussed, a DEIR or the project has been prepared pursuant to the requirements of the California Environmental Quality Act. Detailed information about the project's potential impacts are contained with the DEIR documents. The following is an overview of the issues considered in the DEIR:

Section 4.1 Agriculture and Forestry Resources

The project site largely consists of grazing land with some areas used for dryland crop production and has been classified as Farmland of Local Importance under the California Department of Conservation's Farmland Mapping and Monitoring Program. The entirety of the project site is included in a Williamson Act contract. The applicant has filed a Petition for Cancellation of Contract for the Williamson Act contract. In

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order to cancel the contract, the County must find (1) that other public concerns outweigh the objectives of the Williamson Act and (2) that there is no proximate noncontracted land that is both available and suitable for the proposed use or that development of the contracted land would provide more contiguous patterns of urban development (Government Code Section 51282(c)).

As stated in the EIR, development of the proposed solar facility is in the public interest in order to address the State's goal of generating emissions-free electricity energy. The proposed project would assist the State of California in achieving its goal of providing electricity 100 percent GHG emissions free by 2045. The subject property is not prime farmland and its conversion would not have a significant adverse effect on agricultural resources.

Mitigation Measure AGR-1 requires the Applicant to file a Petition for Cancellation of Contract for the Williamson Act contract on the project site and approval of the Petition for Cancellation would be required prior to development of the project. With incorporation of this mitigation measure, the EIR determined that impacts to agricultural resources were reduced to a level that is less than significant.

Section 4.2 Air Quality

Air pollutant emissions associated with the project would occur over the short term from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust from soil disturbance activities. Construction activities would produce combustion emissions from construction equipment engines and motor vehicles transporting the construction crew, equipment, and materials. Exhaust emissions from construction activities would vary daily as activity levels change.

Once constructed, the project would operate seven days per week and 365 days per year. Only occasional, on-site maintenance is expected to be required following commissioning. Operations and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment.

An air quality analysis report (Appendix "C" of the DIER) has been prepared to evaluate potential air quality and greenhouse gas (GHG) impacts associated with the proposed solar project. As detailed, during construction, unmitigated NOx emissions would exceed the BCAQMD daily and annual significance thresholds. However, mitigated NOX emissions would fall below the BCAQMD significance thresholds. Both unmitigated and mitigated ROG emissions are below the annual threshold of significance. Both unmitigated and mitigated PM10 emissions are below the daily threshold of significance.

Unmitigated and mitigated daily operational emissions are below significance thresholds for all pollutants. During the longer-term operational phase, the project

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would have routine inspection and maintenance activities that would result in a net increase in emissions although, the increase in emissions would not exceed any significance threshold. Construction and operational emissions are summarized in Tables 7, 8, and 9 of Appendix "C".

The mitigation measures that have been included require that during construction of the project, all disturbed areas including soil piles, areas that have been graded, and unpaved roads shall be watered twice daily during dry conditions and when feasible covered and enclosed by the construction contractor. Materials transported offsite shall be wetted and covered securely and at least 2 feet of freeboard maintained. In addition, traffic speeds on unpaved roads shall be limited to 15 miles per hour and construction activities shall be curtailed when the County's Air Quality Index exceeds 150.

In addition, a dust suppressant will be required to be applied to Spring Valley Road, the unpaved road accessing the site, before and during the construction period as needed to reduce dust associated with truck traffic. During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road and shall enforce a 15 mile per hour speed limit for heavy vehicles on unpaved roads, and shall monitor and log dust conditions. Additional long term dust control measures are also required.

During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

With incorporation of these mitigation measures, the EIR determined that impacts to air quality are less than significant.

Section 4.3 Aesthetics

Although some portion of the project site may be visible from a relatively large area, the degree of visibility would depend on distance and view angle. Generally, the project site would be most visible from viewpoints within 1 mile, while site visibility would diminish as distance increases and view angle decreases. Air quality, including dust and other visible particulates, can affect visibility in the area. Distance is only one of the factors that determine visibility of a site from a viewpoint. Terrain, vegetation, and structural features can obscure views that might otherwise be available at a certain distance.

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In order to evaluate the potential visual impact of the project, a Visual Impact Assessment was prepared to identify and evaluate the potential visual and aesthetic impacts associated with construction and operation of the project (Appendix "D" of the DEIR). Potential visual impacts were characterized by determining the level of visual contrast introduced by the project based on comparing existing conditions and photo simulations. Visual contrast is a means to evaluate the level of modification to existing landscape features. Existing landscape is defined by the visual characteristics (form, line, color, and texture) associated with the landform (including water), vegetation, and existing development. The level of visual contrast introduced by a project can be measured by changes in the visual characteristics that would occur because of project implementation. The greater the difference between the character elements found within the existing landscape and with a proposed project, the more apparent the level of visual contrast.

In the visual impact analysis Key Observation Points (KOPs) were identified based on locations from which the project infrastructure would potentially be visible and noticeable to the casual observer. The "casual observer" is considered an observer who is not actively looking or searching for the project, but who is engaged in activities at locations with potential views of the project, such as hiking or driving along a scenic road. If the project infrastructure is not noticeable to the casual observer, visual impacts can be considered minor to negligible.

Based on the visual impact analysis, the EIR determined that project impacts to aesthetics would be less than significant, and no mitigation measures were required.

Section 4.4 Biological Resources

The project site is located in northern California within the Sacramento Valley Subregion of the Great Central Valley Region. This region experiences hot, dry summers, mild winters, and annual rainfall averaging between roughly 5 and 25 inches. Elevation at the project site ranges from approximately 144 to 331 feet. The project site currently supports cattle grazing and grain cultivation. Vegetation on the project site includes non-native grassland, cultivated grain fields, low growing herbaceous plants, and disturbed riparian areas and drainages with sparse native and non-native trees, as well as non-native cultivated tree rows along the proposed gen-tie line. Wetlands and standing water also occur in small areas on the project site

Vegetation communities of the project were mapped within the Biological Survey Area (BSA) during the surveys, which is defined as the project site and 150-meter buffer. No CDFW sensitive natural communities were found. All vegetated areas of the project site have previously been or are currently being used for grazing and/or cultivation of common wheat.

The proposed project site supports an assortment of plants and wildlife and provides shelter, cover, roosting, foraging, and breeding habitats to mammals, birds,

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invertebrates, reptiles, and amphibians as year-round residents, seasonal residents, and/or migrants. Overall, the project site supports low quality wildlife habitat since it is disturbed by cattle grazing and grain cultivation and lacks complex vegetation communities. During the 2019, 2020, and 2021 field surveys, 93 native and non-native plant species, six mammals, 35 birds, six invertebrates, three reptiles, and two amphibian species were recorded within the BSA.

To evaluate the potential impacts, a habitat characterization report was prepared (Appendix "E1" of the DEIR), a biolocifcal survey report was prepared (Appendix "E2" of the DEIR, and a Burrowing Owl Report was prepared (Appenix "E3" of the DEIR).

The EIR identified potential impacts to the following plant and animal species: Parry's rough tarplant, burrowing owl, Swainson's hawk, and American badger. Mitigation measures, including project site pre-construction surveys for the species, have been incorporated into the project to address potential impacts to these species. In addition, mitigation measures including Worker Environmental Awareness Training, Best Management Practices for Biological Resources including limiting the areas of disturbance, flagging sensitive habitats including riparian areas and state and federally protected wetlands, covering excavated holes and trenches with plywood at the end of the work day, and enforcement of a maximum speed limit of 20 miles per hour will also be required. Finally, during the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the project site where construction is planned.

With incorporation of these mitigation measures, impacts to biological resources were defined as being reduced to a level that is less than significant.

Section 4.5 Cultural Resources

The construction of the proposed project is not anticipated to impact historic or unique resources. Based on the background studies and the Phase I field survey, there are no known resources found in the project area or within the transmission line corridor that meet CEQA's definition of a historical resource or unique resource.

Construction activities related to trenching, excavating and grading could potentially impact previously unidentified, buried archaeological resources. To address this impact, prior to project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the project proponent would conduct a worker education awareness program for project construction personnel. A qualified archaeologist will be retained for the project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities.

In addition, a qualified archaeologist would be retained to prepare an Inadvertent Discovery Plan for the project and to be on-call in the event of an inadvertent

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discovery. The Inadvertent Discovery Plan will provide protocols and notification procedures in the event of an inadvertent discovery. During project construction, should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find would cease and the qualified archaeologist would be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or NRHP criteria (as applicable).

The County and Applicant would continue to consult with interested tribes throughout the planning process and construction of the project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) would be notified to participate in monitoring of visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities. At the completion of construction, a final monitoring report would be prepared for the project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the project. With these mitigation measures required, the DEIR determined that the impacts to cultural resources are less than significant.

Section 4.6 Energy

California's Renewable Portfolio Standard (RPS) Program was enacted in 2002 and accelerated in 2006, requiring investor-owned utilities to obtain 20 percent of their electric supply from renewable energy sources, such as solar, by 2010. On April 12, 2011, Governor Brown signed Senate Bill (SB) 2X, requiring California retail electric providers, such as PG&E, to procure 33 percent of their retail energy sales from eligible renewable sources by 2020. In October 2015, Governor Brown signed into legislation SB 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030. On September 10, 2018, Governor Brown signed SB 100, establishing that 100 percent of all electricity in California must be obtained from renewable and zero-carbon energy resources by December 31, 2045.

The project would assist the state of California in achieving or exceeding its RPS and greenhouse gas (GHG) emissions reduction objectives by developing and constructing a new California RPS-qualified 80 MW solar power generating facility. Potential impacts to energy have been determined to be less than significant by the DEIR and that no mitigation measures are required.

Section 4.7 Geology, Soils and Paleontological Resources

The surface geologic unit mapped within the project site is Plio-Pleistocene alluvium (QPc). This unit is assessed as having moderate paleontological sensitivity and therefore, a moderate probability of containing fossils. The local geologic unit that stratigraphically underlies the QPc surface unit is Cretaceous sedimentary rock (Ku), which also is considered to have moderate (though little known) paleontological sensitivity. This unit has contained fossils at other locations, including one that is only 3 miles from the project site.

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To address potential impacts, prior to construction activities on-site personnel would be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities. In addition, a qualified paleontological specialist would be retained on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources and determine if additional study is warranted. With these mitigation measures required, the DEIR determined that the impacts to geology and soils are less than significant.

Section 4.8 Greenhouse Gases

Construction of the project would increase greenhouse gas (GHG) generation, which can contribute to global climate change. The project will also decrease GHG emissions by providing renewable power.

Construction emissions would be associated with vehicle engine exhaust from construction equipment and vehicles, equipment and material deliveries, and construction worker commuting trips. Construction-related GHG emissions are considered temporary and short term.

While GHG would be generated from construction and occasional operation and maintenance activities, the project would result in a net reduction in GHG from the production of solar energy that would potentially replace energy generated by fossil fuels. The project would assist in the attainment of the State's goals by using a renewable source of energy that could displace electricity generated by fossil-fuel-fired power plants, and therefore would comply with the goals and objectives of the State.

Potential impacts to greenhouse gases have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.9 Hazards and Hazardous Materials

The project would not involve the routine transport, use, or disposal of hazardous materials, as defined by the Hazardous Materials Transport Uniform Safety Act. The majority of the waste generated during construction would be non-hazardous, and consist primarily of cardboard, wood pallets, wire, scrap metal, common trash, and wood wire spools. Most construction waste would be disposed of at a non-hazardous landfill or at a recycling facility whenever feasible. Construction would generate an average of approximately 20 cubic yards of non-hazardous solid waste per week over the period of construction. Sanitary waste would be managed using portable toilets and hauled for off-site disposal.

During construction of the project, diesel and gasoline fuels and other hazardous

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materials such as oils, solvents, hydraulic fluids, and paints commonly associated with construction equipment may be stored on-site. These materials would be stored and handled in a manner to prevent accidental release, i.e., consistent with the hazardous materials handling Best Management Practices (BMP) and other measures contained within the required Stormwater Pollutions Prevention Plan (SWPPP), which would require them to be stored within locked aboveground containers with secondary containment.

With these protections in place, potential impacts to hazards and hazardous materials have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.10 Hydrology and Water Quality

The portions of the project site that would be disturbed for construction are relatively flat, with little potential for any concentrated runoff to occur. Construction would involve the use of bulldozers, graders, semi-trucks, and various other types of heavy equipment for vegetation removal, grubbing, grading, and installation of roads and other facilities. These construction activities would involve minor changes to on-site topography; however, these activities would potentially loosen existing surface soils and sediments, increasing the potential for erosion during storm events. Water used for dust suppression also has the potential to generate runoff that could transport sediments and dissolved solids. The use of construction equipment on-site may involve the accidental release of fuel, oils, brake dust, lubricants, antifreeze, and other potentially hazardous substances at the project construction site. These water quality pollutants could be delivered to surface water bodies during storm events, and/or be infiltrated into groundwater and the underlying aquifer, resulting in the degradation of water quality.

The project will be subject to compliance with the NPDES General Permit for Stormwater Discharge Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit would include development and implementation of a SWPPP. The objectives of a SWPPP are to identify pollutant sources that may be delivered off-site (in the form of runoff) and affect the quality of stormwater discharge; to implement site controls and practices to reduce stormwater pollution; and to protect water quality of receiving waters. The SWPPP would include site-specific BMPs to minimize erosion on-site and reduce or otherwise prevent conditions of erosion and stormwater runoff.

Diesel and gasoline fuels and other hazardous materials such as oils, solvents, hydraulic fluids, and paints commonly associated with construction equipment would be stored and handled in a manner to prevent accidental release, i.e., consistent with the hazardous materials handling BMPs, Spill Prevention, Control, and Countermeasure Plan, and other measures contained within the required SWPPP.

With implementation of the General Construction Permit conditions, including the

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preparation and implementation of a SWPPP, Spill Prevention, Control, and Countermeasure Plan, and associated BMPs, potential impacts to hydrology and water quality have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.11 Land Use and Planning

The project site is on three parcels of private land that total approximately 1,024 acres and is currently operated as a cattle ranch. To avoid environmental constraints, approximately 768 acres of the 1,024-acre site would be used for the project. The project site is surrounded by rural residential, agricultural fields, and undeveloped land. Spring Valley Road runs through the project site from north to south. The gen-tie line follows Spring Valley Road north to Walnut Drive at which point it follows Walnut Drive to PG&E's Cortina substation. The nearest community to the project site is the city of Williams, which is located approximately 6.5 miles northeast. The project site lies within the County's jurisdiction and land uses on the project site are governed by the County's General Plan and Zoning Ordinance.

The project would not physically divide an established community as the construction, operation, and decommissioning phases of the project do not propose any features that would create a physical barrier that would hinder existing community access. Additionally, the project would not involve the removal of any existing publicly used means of access. Therefore, the project would not physically divide an established community.

The project site is zoned Foothill Agriculture (F-A) and Exclusive Agriculture (E-A). These zone districts allow for commercial scale solar facility projects through the Use Permit process, as described in Zoning Code §44-2.20.30. Compliance with conditions of approval for the Use Permit will ensure the project will not conflict with the underlying F-A and E-A zones. Potential impacts to land use and planning have been determined by the DIER to be less than significant and no mitigation measures are required.

Section 4.12 Mineral Resources

Based on the geologic setting, the only mineral resources with the potential to occur near the project site are aggregate resources. Alluvial geologic units in the region are potential sources of sand and gravel that could have value as a mineral resource commodity. Because sand and gravel are low-value, high-volume resources, the economic value and feasibility of developing them is predicated on the existence of high local demand from the construction industry. The closest gravel mine is Lovelady Ranch, which has been closed for a number of years, approximately 20 miles northwest of the project site.

There are no active mining claims within the project site, nor is there any locatable mineral activity within the project site boundary. Based on the geological environment

and historical trends, the potential for occurrence of locatable minerals is low within the surrounding area. However, none of these resources occurs within 30 miles of the project site and they are unlikely to be found within the geologic units that underlie the site or surrounding area. Potential impacts to mineral resources have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.13 Noise

The project site is surrounded by rural residential, agricultural fields, and undeveloped land. The nearest residential properties are located directly adjacent to the southern project boundary and the northwestern project boundary, while a mixed residential/agricultural property is located directly adjacent to the northern project boundary. Spring Valley Road runs through the project site from north to south. The gen-tie line follows Spring Valley Road north to Walnut Drive at which point it follows Walnut Drive to PG&E's Cortina substation.

Human response to noise varies considerably from one individual to another. Effects of noise at various levels can include interference with sleep, concentration, and communication, and can cause physiological and psychological stress and hearing loss. Given these effects, some land uses are considered more sensitive to ambient noise levels than others. In general, residences, schools, hotels, hospitals, and nursing homes are considered to be the most sensitive to noise. These locations are referred to as noise sensitive areas (NSAs). Places such as churches, libraries, and cemeteries, where people tend to pray, study, and/or contemplate also are NSAs. Commercial and industrial uses are considered the least noise sensitive. As shown in Figure 4.13-1 of the DEIR, there are multiple residences near the project site.

Construction of the project will occur over approximately 11 months and has the potential to generate noise impacts from construction equipment and related activities to surrounding properties and residences. Construction of the project may cause short-term, but unavoidable noise impacts that could be loud enough at times to temporarily interfere with speech communication outdoors and indoors with windows closed at two of the neighboring residences, and with windows open at two other residences. The noise levels resulting from the construction activities would vary significantly depending on several factors such as the type and age of equipment, specific equipment manufacture and model, the operations being performed, and the overall condition of the equipment and exhaust system mufflers.

As proposed, project construction would occur between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 8:00 p.m., Saturday and Sunday in compliance with Section 13-8 of the County Code. Once the project is constructed and operational, the primary noise sources are the inverters, transformers, battery storage heating, ventilation, air conditioning (HVAC) units, and battery storage

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inverters. Noise from normal operations is not anticipated to be significant.

To address potential noise impacts during construction, the project will be required to implement construction management protocols which include: maintain all construction tools and equipment in good operating order according to manufacturers' specifications; limit use of major excavating and earth-moving machinery to daytime hours; to the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable; equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks; limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities; and utilize a Complaint Resolution Procedure to address any noise complaints received from residents. With these mitigation measures required, the DEIR determined that noise impacts will be less than significant.

Although the DEIR has determined that noise levels would not be a significant impact and comply with the County Code, County staff believes that through the Use Permit restrictions a condition should be added that limits the import or export of materials and heavy equipment to just Monday through Friday and that on-site construction hours on weekends should be limited to 8:00 a.m. though 5 p.m.

Section 4.14 Population and Housing

The project site is located approximately 6.5 miles southwest of the city of Williams. It is reasonable to assume that construction workers may drive approximately 50 miles to the project site during construction, operation, or decommissioning from the surrounding counties of Butte, Glenn, Lake, Sutter, and Yolo. In 2019, Colusa County had an estimated population of 21,547 representing an approximate 0.7 percent increase from the 2010 population of 21,419. The city of Williams had a higher rate of growth during the 2010-2019 period, but its actual growth was only 314 persons. The city of Colusa had an estimated population of 6,060 in 2019, an approximate 2.6 percent decrease from 2010.

In 2020, Colusa County had an estimated 8,227 housing units with a vacancy rate of 6.7 percent such that there were 716 vacant housing units. The number of households is expected to increase by 7 percent in Colusa County over the period from 2020-2028. The County is expected to increase housing by 526 units between 2019 and 2028.

The project is not anticipated to increase the need for additional housing units as workers would be expected to commute to the site from local and regional towns and cities, rather than relocate. Therefore, construction, operation, and decommissioning of the project is not expected to require substantial numbers of new housing units. Potential impacts to population and housing have been determined by the DEIR to be

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less than significant and no mitigation measures are required.

Section 4.15 Public Services

The Williams Fire Protection Authority will provide fire services to the project site. The fire station is located in the city of Williams and is approximately 7 miles from the project site. The project will be designed in compliance with federal, state, and local worker safety and protection codes and regulations which will minimize the potential for the occurrence of fire.

Project maintenance and operation may introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and photovoltaic arrays may also be identified as a potential ignition source. However, the potential fire risk is low for these project components. All battery components for the battery energy storage system would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system.

A Battery Storage Fire Management Plan is also required to be submitted to the Williams Fire Authority for review and approval. This mitigation measure requires the battery containers to receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, would conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory would provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards.

In addition, a Wildland Fire Management Plan is required to be submitted to the Williams Fire Authority. The Plan would detail implementation measures to control and maintain the vegetation throughout the project site to eliminate wildland fire hazards.

To encourage and incentivize the construction of commercial solar projects, the State of California has passed legislation which excludes properties developed with commercial solar facilities from paying increased property taxes that would normally be generated by physical improvements. This loss of additional property tax revenue has the potential to financially impact both the County and public service providers (i.e. fire protection, sheriff, parks and recreation, etc.). To address this impact, a mitigation measure is included which requires the project proponents to enter into a Public Service Mitigation Agreement with the County.

The Agreement will require the payment of a Public Service Mitigation Fee (PSMF) to the County each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored, and the Use Permit is no longer

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activated (voided) by the County. The PSMF is a total of $110,000 which is paid directly to the County for unrestricted County General Fund uses. In addition, a $15,000 payment would be paid to the Maxwell Park and Recreation District, a $15,000 payment would be paid to the City of Williams to be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment would be paid to the Arbuckle Park and Recreation District.

With these mitigation measures, the DEIR has determined that impacts to Public Services will be less than significant.

Section 4.16 Recreation

Increases in use of recreational facilities typically are associated with substantial increases in population or a substantial reduction in the availability of existing parks or other recreational facilities. The project site is not located within or adjacent to a residential area, or within the immediate vicinity of any parks or recreational facilities, and there no parks or existing recreational facilities located on the site. No residential facilities are proposed as part of the project. However, as previously discussed to offset any short-term or long-term impacts to the area's recreation districts, a PSMF would be paid for the life of the project.

Section 4.17 Transportation

State Route (SR) 20 runs as close as 1 mile from the project site, to the north and west. Interstate 5 runs north to south, approximately 7.2 miles east of the project site. The western portion of the site is intersected by Spring Valley Road, an undivided, two-lane County road. Walnut Drive, also a two-lane, undivided County road, provides access from Spring Valley Road to State Route 20 north of the project site.

Due to the site's rural location, current traffic on the roads immediately adjacent to the project is light. The Caltrans data available for Colusa County includes I-5 and SR 20. I-5 included 30,800 vehicles per day, and SR 20 included 5,900 vehicles per day within Colusa County. Near the project location the roads are rural without dedicated turn lanes. The existing traffic is expected to be light, and based on experience with similar projects, rural roads like these are estimated to have between 500 and 800 vehicles per day, or less than 100 vehicles during peak hour.

Spring Valley Road is a two-lane undivided County road that provides access from the site via Walnut Drive to SR 20. Most vehicle trips generated by the project would travel through the intersection of Spring Valley Road and Walnut Drive to get to the project site. Travelers from Colusa and Williams would be expected to access the site from SR 20 via East Camp Road, to Beauchamp Road, which transitions to Walnut Drive. There are no dedicated turn lanes onto or off of Spring Valley Road or Walnut Drive in the vicinity of the project site. Average annual daily traffic and peak hour volumes on Spring Valley Road and Walnut Drive are not available.

Peak hours for traffic generated by the project are expected to be daily between 6:00 a.m. and 7:00 a.m. and between 6:00 p.m. and 7:00 p.m., when construction workers would commute to and from the project site. It is expected that nearly all workers would arrive and leave during the peak hours. Conservatively, a small number of workers are included as either leaving during the morning peak hour or arriving during the evening peak hour.

Once constructed, the project would operate 7 days per week and 365 days per year. Only occasional, on-site maintenance is expected to be needed following commissioning. Initially, personnel would likely visit the project site daily or weekly, but it is anticipated that eventually maintenance visits would be reduced to once a month or less, such that facility operations would generate little traffic.

Operation and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment. On intermittent occasions, the presence of 5 to 30 workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. Due to the infrequent operations and maintenance worker trips to the site, there would be no impact to peak hour traffic associated with ongoing operations of the project.

Construction of the project has the potential to damage area roads. The applicant will be required to conduct both pre-project and post-project inspections of construction access routes approved by the Colusa County Public Works Director that are used during construction of the project. Damage determined to have been caused by project construction would be repaired to the satisfaction of the Public Works Director. With this mitigation measure required, the DEIR has determined that the project would have less than a significant impact.

Section 4.18 Tribal Cultural Resources

The project area and surrounding region is within the ancestral territory of the Patwin band of the Southern Wintun people. An ethnographic review of tribal cultural resources was performed and review of available ethnographic documents. In addition, AB 52 tribal notification consultation letters were sent out to tribes.

Construction activities related to the project has the potential to impact tribal cultural resources. Implementation of the three previously discussed Cultural Resources mitigation measures (Cultural Resource Worker Education/Training), Inadvertent Discovery of Archaeological Resources During Construction, and Native American Tribal Consultation and Monitoring, will also ensure that tribal resources are appropriately addressed, therefore, reducing any potential impacts to less than significant.

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Section 4.19 Utilities and Service Systems

The relevant utility or service systems for the project are the water supply, wastewater, stormwater, solid waste disposal, gas and electrical, and telecommunication utilities that would provide service to the project site.

Current water facilities on-site are one hand dug well and several manmade reservoirs currently used to water the land for cattle grazing. The city of Williams is the purveyor of a public water system located approximately 11.4 miles from the project site. The City has indicated that it can provide water for the project through a fire hydrant located at 180 N. Virginia Way in the city of Williams. Water obtained from the fire hydrant would be trucked to the project site.

The DEIR determined that the project would primarily require water during construction for dust control and that total water volume that would be used during construction was 46 acre-feet (approximately 15,000,000 total gallons). However, as previously discussed dust suppressant would be used on Spring Valley Road. Not only would this reduce dust levels, but it would reduce the number of water trucks and amount of water necessary to control the dust on Spring Valley Road.

During operation and maintenance, water would be used for panel washing and maintenance. The expected annual water consumption during operation would be approximately 1 acre-foot per year (approximately 326,000 gallons). No new wells would be constructed as part of the project. The proposed project would not require or result in the relocation or construction of new or expanded water treatment facilities. Due to the relatively low amount of water used during the construction and operation of the life of the project, it is anticipated that the project would have sufficient water supplies during normal, dry, and multiple dry years.

The proposed project would not require permanent wastewater treatment connection due to the small number of employees during operation. Portable toilets would be on-site for permanent employees. Portable units would be provided for workers during construction. Removal of the portable units would not affect the operation or function of wastewater facilities that are located on or adjacent to the project.

No on-site stormwater detention facilities are planned nor would the project require the construction or relocation of stormwater drainage facilities. The project has been designed so that site drainage would continue to follow the natural drainage pattern. None of the project facilities would prevent stormwater flow. Site preparation and construction activities would be performed in accordance with a SWPPP, or similar plan as appropriate, which incorporates stormwater BMPs to reduce the adverse effects of erosion and sedimentation.

Based on this information, potential impacts to utilities and service systems have been determined by the DEIR to be less than significant and no mitigation measures are

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required.

Section 4.20 Wildfire

The primary fire protection services in the vicinity of the project site are provided by the Williams Fire Protection Authority (WFPA). The WFPA's service area encompasses approximately 135 square miles in the City of Williams and the surrounding unincorporated area. The WFPA provides a full range of emergency response services, which include structural, wildland, and confined space fire suppression, basic response to hazardous materials incidents, and basic life support medical services.

As previously discussed a series of fire management plans are required to mitigate potential fire risks, including wildland fire risks. With these mitigation measures and review and approval required by the Williams Fire Authority, potential wildfire impacts are less than significant.

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) SUMMARY:

The 45-day public review period for the DEIR began with the filing of the Notice of Completion (NOC) on October 14, 2021 with the Governor's Office of Planning and Research and ended on November 29, 2021. In addition, notices were mailed directly to property owner's in the vicinity and published in the Williams Pioneer informing the public of the opportunity to review the DEIR, the public review time period, and that a public meeting had been scheduled for November 4, 2021 at Granzella's Conference Room to introduce the project and provide an early opportunity to provide initial comments.

Upon conclusion of the public review period, nine comments were received from seven property owners and their representative and two State agencies. Since that time, County staff, the EIR consultant, and the applicant have worked on addressing the submitted comments, performed additional analysis and studies, and incorporated a series of revisions. The totality of this effort represents the FEIR document which is attached to this staff report. The FEIR provides an analysis and response to each of the issues identified in the submitted comments. Because several comments contained the same issues, there is some duplication of the FEIR responses.

The totality of the comments (including from State agencies) and responses thereto in the FEIR must be fully reviewed and considered. In order to provide an overview of the identified issues contained within the submitted comments by the general public, a summary has been developed as detailed below. Please note that this is a generalized summary of comments submitted by the general public for informational purposes and the formal responses contained with the FEIR are required to be fully considered prior to

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action on the project.

1.) Traffic

a. Spring Valley Road: The entrance to the project site is Spring Valley Road, a gravel County Road. A concern has been raised that construction traffic would negatively impact the road and the resultant dust could negatively impact the production and health of the adjacent orchards.

In June 2022, a field study was conducted to observe the degree of effectiveness of the dust suppressant that has been historically used by private landowners on unpaved, rural County roads adjacent to orchards. A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders existing orchards. In addition, a section of the roadway was also left untreated so that a direct comparison could be made between the treated roadway and the untreated roadway. A semi-truck with a loaded travel trailer traveled along the treated and untreated road at speeds of 15 MPH, 25 MPH, and 40 MPH.

As shown in the photographs of Appendix "C", the application of dust suppressant was extremely effective in mitigating dust generation at all speeds. This observation is consistent with field observations of the Road Department staff where Dust-Off has been historically applied on County Roads to control dust and prevent it from impacting adjacent crops. However, in order to ensure dust is not created, Mitigation Measure AQ-1 has been developed which includes a number of requirement including: (1) that the applicant apply the dust suppressant per County standards prior to and during construction as necessary to prevent dust; (2) construction traffic speed on Spring Valley Road be limited to 15 MPH; (3) during peak travels periods a traffic control flagger will be present on Spring Valley Road to enforce the 15 MPH speed limit and monitor and log dust conditions; and (4) each day during construction, the construction contractor shall keep a daily log of dust and weather conditions. In addition, prior to the application of the dust suppressant, Spring Valley Road will be graded to ensure a flat uniform surface.

In addition to this requirement, before and during construction an additional mitigation measure (AQ-3: Long-Term Dust Control) has been developed which requires the applicant to apply the dust suppressant once a year (generally in late spring) to ensure that dust generated by the applicant's operational traffic and other local traffic does not impact the surrounding orchards. The timing and rate of application of the dust suppressant is required to be to the satisfaction of the Public Works Director.

b) Road Conditions: A concern has been expressed that the area roadways are not adequate to support the proposed construction traffic and may be damaged

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because of this traffic.

The area roadways are currently heavily impacted by existing agriculturally related trucking operations. The proposed construction traffic will be of limited term and is not expected to negatively impact the existing roads in the area. However, as discussed in the FEIR, to ensure that any impacts to the areas roadways are fully mitigated, Mitigation Measure TRANS-1 has been developed which requires that a pre-project inspection and a post-project inspection of road conditions be conducted in consultation with the Public Works Director to ensure that access roads are not negatively impacted by the additional traffic associated with the project. If the Public Works Director determines that construction related traffic has damaged County roadways, the applicant is required to fix this damage.

c) Safety Concerns: A concern was expressed about traffic safety at both the intersection of Highway 20 and East Camp Road and Highway 20 and Walnut Drive where there are no turn lanes.

As detailed in the FEIR, the Transportation Injury Mapping System (TIMS) data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will access the project site from Highway 20 and East Camp Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019 and two minor accidents with complaints of pain in 2015 and 2016. These accidents appear to be the result of non-attentiveness of the drivers as the line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the project traffic itself is not anticipated to contribute to a greater accident rate.

However, to bring added awareness of project related construction traffic to motorists, a condition of the Use Permit requires that the applicant install construction traffic warning signage along Highway 20 as required by Caltrans and along county roads as required by the Public Works Director.

2.) Economic Impact

Lack of Tax Revenue: A concern has been raised that the project would generate little tax revenue to off-set the cost of public services.

Unlike many other businesses in California, portions of solar development can be excluded from property taxes per State law. This property tax exclusion results in solar

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projects not providing the tax revenue needed to offset public services that they may require. CEQA requires an analysis of physical impacts to the environment from a project; it does not require analysis of social and economic impacts. Under CEQA, "an economic or social change by itself is not be considered a significant effect on the environment". However, Community Development Department staff believes that potential economic impacts that may result in County service constraints must be fully considered in the review of any project so that all aspects of the project are fully evaluated. In order to review the projects potential fiscal impacts, the County commissioned an economic impact analysis.

As detailed in the Janus Solar Facility Economic Impact Analysis dated January 9, 2023 (Attachment #1):

a) The construction of the project is anticipated to generate $15.9 million in onetime economic activity (supporting 90 jobs) and generate $788,000 in onetime fiscal revenues to the County;

b) On an annual ongoing basis, project operations are anticipated to generate $4.0 million annually in total economic activity (supporting 6 new jobs in the County); and

c) On an annual ongoing basis, the project is anticipated to generate tax revenue directly to the County ranging from $155,000 (including Vehicle In-Lieu fees) in the first year of operations to $22,000 (including VLF) once all assets have depreciated (years 12 and beyond).

In the short-term, the project would generate significant economic activity and benefit. In the long term, project operations would add additional economic activity over the cattle operations that exist today. With respect to property taxes, the State's solar property tax exclusion does significantly reduce what property taxes would be received from the developed project. However, it is important to note that even fully depreciated; the property tax payments would be greater than is being collected today.

Currently, under the Williamson Act, the project site generates approximately $15,212 in total annual property taxes, with the County receiving approximately $3,514. As part of the project, the property will be removed from the Williamson Act and the first year total tax revenue is estimated to be approximately $495,083 ($442,713 in property taxes and $52,370 in VLF) with the County receiving approximately $154,765, or $151,251 more than currently being collected. Please note that in addition to the County, all other agencies in the project site's Tax Rate Area (Williams School District, Yuba Community College District, Williams Fire Authority, and the Colusa Groundwater Authority) will also

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be receiving considerable more tax revenue than they are currently. Even after the equipment is fully depreciated in year 12, the total amount of tax revenue is estimated to be approximately $71,503 ($63,939 in property taxes and $7,564 in VLF) with the County receiving approximately $22,352, or $18,838 more than currently being collected.

While the County, as well as the other agencies in the project site's Tax Rate Area, will be receiving considerably more in tax revenues than is currently being collected, staff was nonetheless concerned that the developed project would generate additional public service demands than the existing uses on the property are generating and whether the additional tax revenue would pay for any increased public service demand. As detailed in Chapter 3 of the FEIR (Minor Revisions to the Draft EIR), a Public Services Mitigation Fee has been developed to ensure that any potential public service is fully mitigated. As required, each year for the life of the public, the developer will pay $110,000 directly to the County Colusa for unrestricted use. In addition, the developer is also required to pay annually $15,000 to the Maxwell Park and Recreation District, $15,000 payment to the City of Williams to support the Williams Park and Recreation Department, and $15,000 to the Arbuckle Park and Recreation District.

In summary, between the one-time revenue, the on-going operational revenue, the increased property taxes, and the Public Service Mitigation Fee payments, the project will have a positive economic impact while ensuring that public services are fully funded.

3.) Visual Impact

Potential Visual Impact: A concern was expressed about the aesthetics of the project.

Section 4.3 of the DEIR provides the initial analysis of the project aesthetics. In this analysis, Key Observation Points (KOPs) were identified based on locations from which the project would potentially be visible and noticeable to a casual observer. A "casual observer" is considered an observer who is not actively looking or searching for the project, but who is engaged in activities at locations with potential views of the project, such as hiking or driving along a road.

In total six KOPs were selected as representative vantage points in the landscape that offer motorists traveling on area roadways and local residents' views of the proposed project site. Please refer to Figure 4.3-1 of the DIER for the KOP's locations. These KOPs provide views of each side of the project site from publicly accessible areas. In general, this analysis found that the visibility of the project would be limited except for vehicles traveling along Spring Valley Road. With respect to visual impacts along Spring Valley Road, the DEIR found that the project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible

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to the casual observer (DEIR Figure 4.3-7). The DEIR found that although a portion of the project that would be visible, the contrast would be considered moderate and the view would be short term for travelers as they approached the project as their focus would be on the road ahead. A complete discussion of the views from the 6 KOP's is contained on pages 4.3-16 - 4.3-17.

In addition to the visual analysis contained in the DEIR, Appendix "D" of the FEIR included additional photo simulations of the project showing what the power poles along Beauchamp Drive (Walnut Avenue). As is shown, the appearance of the poles would not be out of character with the existing streetscape. It should be noted that the poles that were visually modeled are a dark brown color. In order to ensure that the visual appearance matches the photo simulation, a condition in the Use Permit has been included which requires if metal poles are used, that the finish be a flat, dark brown color to resemble the existing wooden power poles.

4.) Obstruction of Agricultural Aerial Operations

A concern was expressed that the new gen-tie power poles would interfere with agricultural related aerial operations.

To evaluate this concern, the County's Agricultural Commissioner's office was contacted regarding the potential impact. Based on information obtained from the Agricultural Commissioner's Office, there are nine growers with a total of 15 permitted sites adjacent to the proposed gen-tie line route . These sites include orchards and field crops. Based on data available for the last three years, there were 27 aerial pesticide applications in 2019, five aerial pesticide applications in 2020, and one aerial pesticide application in 2021. The pole heights proposed as part of the project are similar to existing obstacles for aerial applicators and based on discussions with the Agricultural Commissioner; the introduction of the new gen-tie poles would not prevent agriculturally related aeronautic operations from occurring.

5.) Migratory Bird Impacts

A concern was expressed that birds migrating along the Pacific Flyway would mistake the solar panels as a water body resulting in their deaths when landing.

The potential risks to migrating birds is discussed in Chapter 4, Section 4.4, Biological Resources of the DEIR. In general, the available data from PV solar array-type facilities indicate some instances of avian mortality resulting from collisions. However, the best available scientific information to date does not indicate a significant risk of substantial avian mortality occurring at facilities such as the proposed project. The current research on the topic indicates that though avian species, and specifically aquatic habitat avian species, may perceive PV solar facilities as waterbodies, it remains unclear the

proportion of species that might actually land or attempt landing. As the Commission is aware, local waterfowl hunting in the County is a significant source of economic activity in the County. For example, during the 2020-2021 season some 30,555 waterfowl were harvested just in the Colusa National Wildlife Refuge and Sacramento National Wildlife Refuge Complex. In comparison to any waterfowl deaths as a result of the project, the annual recreational hunting bird harvest in the Colusa County will far exceed any accidental bird deaths as a result of the project.

As previously stated, research on this issue has been limited. Staff believes that the project would provide an opportunity to development statistically information on this matter. As such, a condition has been developed which requires the applicant to log any bird deaths as a result of solar panel impacts and submit this information to the County on an annual basis so that this information can be quantified.

USE PERMIT (UP 20-01):

Land Use

The solar facility would be located on land designated in the Colusa County General Plan as "Agriculture Upland," in which cultivated agriculture, industrial and commercial agriculture, agricultural tourism, resource production, energy production (including solar), single family housing, and farmworker housing are allowed as appropriate uses (Colusa County General Plan Land Use Element Table LU-1). The gen-tie power lines along Walnut Drive are located on land designated in the Colusa County General Plan as "Agriculture General" in which the same land uses are also allowed by the Colusa County General Plan Land.

With respect to the zoning, the solar facility would be located on land designated as the Foothill Agriculture zoning district and the gen-tie power lines along Walnut Drive are located on land with the zoning designation of Exclusive Agriculture. Pursuant to Section 44-2.20.30 (Allowed Uses in the Agricultural Zones) of the Zoning Code, Energy Generation for Off-Site Use are permitted subject to obtaining a Conditional Use Permit.

Pursuant to Section 44-1.70.010 (Review Authority) the Planning Commission is the review authority of Use Permits. Section 44-1.80.030 (Use Permits) of the County Code specifies that in order to approve a Use Permit application, the Planning Commission must make the following findings:

1. The proposed use is consistent with the General Plan and all applicable provisions of this title; and

2. The establishment, maintenance or operation of the use applied for will not,

under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use.

As detailed above, the proposed solar facility is allowed as an energy production facility by the General Plan and, thus, staff recommends Finding #1 be made. With respect to Finding #2, the FEIR has identified potential impacts and has developed a series of mitigation measures in order to ensure that the proposed project is not detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area. In addition, the staff has recommended additional conditions of approval within the Use Permit to further ensure that the project would not be detrimental to other properties or residents in the area. Together these mitigation measures and conditions of approval address the submitted concerns regarding transportation impacts and hazards, dust creation, impacts to agriculture aviation, aesthetics, fire hazards, impacts to public services, and other the other issues that have been fully detailed in the FEIR documents.

SUMMARY

As required by CEQA, a DEIR report was prepared for the project and comments regarding the adequacy of that document were received. A FEIR has been prepared responding to those comments and additional studies, analysis and several minor updates to the DIER have been made. Together, these documents comprise the entirety of the EIR's environmental record for the proposed Use Permit.

Attached to this staff report, Planning Staff has prepared a resolution for the Commission's consideration that would certify the FEIR and approved the proposed Use Permit. If the Planning Commission determines that that the FEIR along with the proposed mitigation measures and Use Permit conditions of approval, reduce potential impacts below a level of significance and that the project would not be detrimental to surrounding properties and residents, then the Planning Commission should adopt the resolution which would approve the project.

During the course of the Commission's review, following a review of the totality of the record, and all testimony received during the public hearing, should the Commission have any questions regarding the project that have not been addressed, the Commission should detail those questions so that they can be fully addressed prior to the Commission taken formal action on the project. Depending on the nature of such questions, it may be possible that they can be answered to the Commission's satisfaction at the Commission's March meeting. Should this not be the case, then the Commission should direct staff to perform the necessary additional analysis and return with the results to the Commission prior to acting upon the application

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

RESOLUTION NO. 23-____

RESOLUTION OF THE COLUSA COUNTY PLANNING COMMISSION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING USE PERMIT #20-01 (PD-3829) FOR JANUS SOLAR PV, LLC

WHEREAS, Janus Solar PV, LLC (Applicant) has applied for a conditional use permit to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure (Project); and

WHEREAS, the County of Colusa is considered a Lead Agency under the California Environmental Quality Act (CEQA) for this Project and has determined that an Environmental Impact Report was necessary to fully review and consider all potentially significant impacts for the Project; and

WHEREAS, a Draft Environmental Impact Report and a Final Environmental Impact were prepared and processed pursuant to all requirements of Title 14 (Natural Resources), Division 6 (Resources Agency), Chapter 3 (Guidelines for Implementation of the California Environmental Quality Act) of the California Code of Regulations; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing regarding the proposed Final Environmental Impact Report and Use Permit on March 1, 2023, at which time any and all comments were received during the public hearing process; and

WHEREAS, after the close of the Public Hearing the Planning Commission fully considered the Final Environmental Impact Report, Planning Staff's report on the Project, all public testimony, all other written and orally testimony, and totality of the public record of the Project.

I. NOW, THEREFORE, BE IT RESOLVED that the Colusa County Planning Commission based on facts contained within the Final Environmental Impact Report, Planning Staff's report on the Project, all public testimony, all other written and orally testimony, and totality of the public record of the Project makes the following findings:

A. The Final EIR has been completed in compliance with the California Environmental Quality Act;

B. The Final EIR was presented to the Planning Commission acting as the decision making body of the lead agency and that the Planning Commission has reviewed and considered the information contained in the Final EIR prior to taking any action upon the project;

C. The Final EIR reflects the lead agency's independent judgment and analysis; and

D. The Final EIR has identified potential significant impacts of the Project but all said potential impacts have been reduced to a level of non-significance through project changes and/or mitigation measures that have been fully considered and incorporated into the Project.

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

II. NOW, THEREFORE, BE IT FURTHER RESOLVED that based upon the findings of Section I of this Resolution, that the Colusa County Planning Commission does hereby take the following actions:

A. Certifies the Final EIR attached hereto as Exhibit "A" and incorporated by reference;

B. Adopts the Mitigation Monitoring and Report Program attached hereto as Exhibit "B" and incorporated by reference;

C. Finds that the Proposed Use Permit 20-01 (PD-3829) with the adopted Mitigation Measures and the Conditions of Approval detailed in Exhibit "C" is consistent with the General Plan and all applicable provisions of Chapter 44 of the Colusa County Code and that the establishment, maintenance or operation of the Project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area surrounding the Project and does hereby approve Use Permit 20-01 (PD-3829) as detailed in Exhibit "C" attached hereto and incorporated by reference.

PASSED AND ADOPTED this 1st day of March, 2023 by the following vote:

AYES:

NOES:

ABSENT:

_____
Kirk Pendleton, Chair, Planning Commission

ATTEST: Greg Plucker, Secretary to the Colusa County Planning Commission

_____
Melissa Kitts, Deputy Clerk

APPROVED AS TO FORM

_____
Jennifer Sutton, Sr. Deputy County Counsel

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

FINAL
ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT



COUNTY OF COLUSA
COMMUNITY DEVELOPMENT DEPARTMENT
220 12th Street
Colusa, California 95932

State Clearinghouse No. 2020070577

February 3, 2023

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.a
3.2.g

JANUS SOLAR FINAL ENVIRONMENTAL IMPACT REPORT
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Attachment #8.a
3.2.g

1 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This Final Environmental Impact Report (Final EIR) (State Clearinghouse No. 2020070577) is an informational document which examines and discloses the potential impacts of the Janus Solar Project (Project), as proposed by Janus Solar I, LLC (Applicant). Colusa County (County) will rely on the findings of this EIR, along with all other information in the formal record, to decide whether to approve, approve with modifications, or disapprove the application for the Conditional Use Permit as requested for the Project (UP No. 20-01).

The Final EIR consists of the Draft Environmental Impact Report (Draft EIR) published October 15, 2021, and responses to comments, as provided in Chapter 2. The Draft EIR and a digital copy of this Final EIR are contained on a CD in the cover of printed copies of this Final EIR and are available for viewing at the Community Development Department and local public libraries. An electronic version is available at the Colusa County's Community Development Department's website.

The County is the lead agency for reviewing the potential environmental impacts of the Project pursuant to the California Environmental Quality Act (CEQA), and directed the preparation of this Final EIR. The County will use this Final EIR, along with any other information developed in the County's formal record, when considering whether to certify the Final EIR and whether to approve the Applicant's CUP application to the County Development Department.

The Draft EIR detailed the Project; evaluated and described the potential environmental impacts associated with Project construction, and operation and maintenance; identified those impacts that have the potential to be significant; and presented mitigation measures that would avoid or minimize impacts, if adopted. The Draft EIR also evaluated alternatives to the Project, including the Reduced Acreage Alternative, Distributed Solar Alternative, Northeast Site Alternative, and the CEQA-required No Project Alternative.

1.2 INTENDED USE OF THE EIR

The EIR is intended to evaluate the potential environmental impacts that a proposed project may have to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to analyze all planning and permitting actions associated with the proposed Project. For detailed information on the proposed project, please refer to Chapter 2, Project Description of the Draft EIR, which provides a discussion of the proposed Project.

1.3 ORGANIZATION OF THE FINAL EIR

As required by CEQA Guidelines 15132, this Final EIR consists of the following elements:

1. The Draft EIR;
2. Comments received on the Draft EIR;

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3. A list of persons, organizations, and public agencies that commented on the Draft EIR;
4. The County's responses to significant environmental points raised in the review and consultation process;
5. Other information added by the County; and
6. Minor revisions to the Draft EIR.

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.a
3.2.g

2 RESPONSE TO COMMENTS

2.1 LIST OF COMMENTERS

The following individuals and agencies provided comments on the Draft EIR:

A. Vance Boyes

B. Leo LaGrande

C. Bob and Cindy Freed

D. David R. Nelson, representing Jean Terkildsen, Elizabeth Katsaris, and Matthew Ferrini

E. Garnett A. Vann

F. Elizabeth Katsaris

G. Sid LaGrande

H. Peter G. Minkel, Central Valley Regional Water Quality Control Board

I. Monique Wilber, California Department of Conservation

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8 a Letter A

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) VANCE BOYES

Mailing Address 757 MAIN STREET COLUSA, CA 95932

Telephone No. (daytime) 530 263-3310

E-mail address VRBOYES@GMAIL.COM

Organization/Affiliation LAND OWNER

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1. SINCE THE PROJECT WILL HAVE MAJOR IMPACT ON THE ROAD I BELIEVE THE ROAD NEEDS TO BE PAVED, ESPECIALLY SINCE THE COUNTY WILL NOT HAVE ANY MAJOR TAX REVENUE; AT A MINIMUM, 1
2. I FEEL LOOKING AT ROLLING HILLS, THAN SOLAR PANELS IS ESTETICALLY BETTER 2

Signature Vance Boyes

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Colusa County

EIR Public Meeting
Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Leo LaGrande

Mailing Address PO Box 279, Williams CA.

Telephone No. (daytime)

E-mail address leo@SBLLagrande.com

Organization/Affiliation LaGrande Ranch

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar P

High [illegible]ers using Spring Valley Rd (gravel) in regards to damaging tree crops and livestock forage.

Defoliation and loss of crop or crops occurs when excess dust is present.

Defoliation of an orchard would also effect crop yields the following year.

Signature

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

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Colusa County

EIR Public Meeting

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This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Bob & Cindy Freed

Mailing Address PO Box 151, Williams 95987

Telephone No. (daytime) 530.681.2412 or 530.304.8899

E-mail address cfreed@colusa.net.com

Organization/Affiliation residence on East Camp Rd, Williams

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

Please See attached:

Signature _____

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

November 22 2021

Dear Mr. Plunker,

This letter is regarding the proposed Janus Solar Project, which is being considered west of Williams, off of Spring Valley Road. Our home is located on East Camp Road, which apparently would be a main thoroughfare for construction and maintenance of the project. With this in mind, we are adamantly opposed to the project. We are aware of several injury accidents, as well as fatalities, at the intersection of Highway 20 and East Camp Road --there is no turn lane on either roadway, making it a very dangerous area. In addition, East Camp Road is known to flood, closing the roadway in both directions (I've attached photos of from this year). With the proposed construction, more vehicles and trucks will be utilizing Highway 20 and East Camp Road, creating more traffic and likely more accidents. Furthermore, the additional wear and tear of the already rough East Camp Road will only add to more maintenance required on said roadway. 1

Please take into consideration all of the negative aspects of this project before agreeing to move forward. If you should have questions or would like to discuss our thoughts, please feel free to contact either of us.

Sincerely,

Bob & Cindy Freed

530-304-8899

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))




BOB & CINDY FREED
2458

CLARK & NELSON
ATTORNEYS AT LAW
521 MARKET STREET
POST OFFICE BOX 968
COLUSA, CALIFORNIA 95932
(530) 458-5157
FAX (530) 458-2183
dave.clarkandnelson@gmail.com

DAVID R. NELSON
CHARLES T. YERXA, JR.

ROBERT D. CLARK
(1935-2004)

November 22, 2021

NOV 22 2021

Greg Plucker
Community Development Director
County of Colusa
1213 Market Street
Colusa, CA 95932

Re: Draft EIR - Janus Solar Project

Dear Mr. Plucker:

Please be advised that we are the attorneys for Jean Terkildsen, Elizabeth Katsaris and Matthew Ferrini, who own agricultural real property adjacent to and in the near vicinity of the real property upon which the above referenced project is proposed. Within this letter I will set forth my clients comments to the Draft EIR ("DEIR") for the Janus Solar Project.

1. **SIZE AND SCOPE OF PROPOSED PROJECT**: The proposed project seeks to convert 1,024 acres of real property from its historical use of cattle grazing and sheep grazing to a totally different use of an industrial/commercial utility use. This significant alteration of the use of this real property is sought to be done by means of a use permit. While it is recognized that the Colusa County Zoning Ordinance permits an energy production overlay zone within the Foothill/Agricultural Zoning classification, it is difficult to believe that the decision makers who adopted the current zoning ordinance contemplated a project in the Foothill/Agricultural zone of this magnitude. The conversion of more than 1,000 acres, from its historical farm and grazing use, to an industrial use, should be attempted only by means of a general plan amendment and rezoning of the property. The potential impacts and changes that would result if this project is built cannot be properly contemplated nor fully understood as a project of this type and of this size has never been developed in Colusa County. Colusa County should not permit and convert more than 1,000 acres from an agricultural use to an industrial use on the hope and expectation that unknown and undiscovered impacts will not occur. The development of this project will change the nature and use of not only the project area but also the surrounding agricultural areas. Solar projects of much smaller size should be considered in agricultural areas to determine what the long term impacts can be before undertaking a project of more than 1,000 acres.

1

Furthermore, approval of this project will prohibit the

2

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CLARK & NELSON
ATTORNEYS AT LAW

future expansion of prime agricultural property should future water sources be found for the property (Sites Reservoir perhaps). This conversion of agricultural property to an industrial use conflicts with the overriding policy set forth in the General Plan that favors and protects the County's agricultural heritage. 2

2. **INADEQUATE REVIEW OF POTENTIAL DRAINAGE IMPACTS**: The DEIR indicates that there will not be any significant impact from drainage in that the water will drain from the property after the project is built in the same way that it does presently. However, the DEIR fails to consider the potential for the accelerated and increased offsite drainage flows, especially those related to peak flows during a storm event. The project contemplates placing 196,000 solar panels over 738 acres of the project site. While currently there are no improvements that would prevent water from rains to permeate into the soil and pond upon the property, the 196,000 solar panels will be impermeable and the rainwater will accelerate off of the panels and quite likely create a significant increase in downstream drainage. The criteria of the Energy Production Overlay Zone provides in Section E(g) the following: "there shall be no net increase in offsite drainage flows, including peak flows during a storm event." Our clients contend that there is a great likelihood of a significant increase in offsite drainage which must be analyzed and mitigated within the DEIR. 3

3. **DUST IMPACTS**: The DEIR references that dust will be created as a part of the construction of the project. The dust will occur not only on the project site itself but along unpaved portions of Spring Valley Road which will serve as the primary means of ingress and egress to the project site. The DEIR proposes that the dust issue be mitigated by watering dust producing areas twice a day by water truck. The DEIR fails to analyze the potentially significant impact upon neighboring almond orchards. It is common knowledge within almond growing districts that the creation of dust near orchards significantly increases the infestation of mites that are detrimental to almond trees and can cause significant and long lasting impacts to the trees and their production capabilities. The DEIR needs to fully analyze the potential for damage from dust mites and provide mitigation measures that will be more significant than watering twice a day. 4

4. **TRANSMISSION POLES**: The DEIR recognizes that there will be numerous transmission poles located in the county road right of way from the project site down Spring Valley Road and then along Walnut Drive to the PG&E substation. The DEIR further advises that these transmission poles will be as high as 80 feet. That results in the poles and transmission cables being some 20 to 40 feet higher than the existing power poles along Spring Valley Road and Walnut Drive. This 5

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increase in the number of poles and the height of the poles could have a significant impact upon agricultural aerial applicators servicing the orchard and open ground in the area. Poles and wires are a significant hazard to both fixed wing aircraft and helicopters used in agricultural application. Increasing the height of the poles and wires to 80 feet will result in a greater safety hazard for the applicators and may result in aerial application not being feasible in close proximity to the poles and wires. Alternatives to the proposed transmission lines, such as underground lines, should be considered. 5

5. **TRAFFIC AND ROADWAY IMPACTS**: As property owners and residents of the area in question, our clients are very familiar with the local roads and have concerns with regard to the impacts this project would have on the local roads. With Spring Valley Road being unimproved it may not be adequate in its current condition to accommodate the traffic flows during construction, nor for emergency vehicle access to the project site both during construction and afterwards. As mentioned, Spring Valley Road is in large part unpaved and does not have adequate or appropriate drainage facilities. As a result, in times of rain events, the road becomes either unpassable or dangerous to travel upon. While Spring Valley Road presents transportation impacts the additional surrounding roadways will also be impacted. The DEIR acknowledges that Walnut Drive and East Camp Road will also be major routes to access the project site. While traffic will be greatly increased, particularly during construction, safety concerns must be addressed at both the intersection of Highway 20 and East Camp Road where there are no turn lanes as well as at the intersection of Highway 20 and Walnut Drive where again, there are no turn lanes. The DEIR is silent with regard to traffic safety concerns. 6

Furthermore, the number of truck trips is vastly understated. The DEIR references that during construction there will be a need of 15,000,000 gallons of water that would be trucked to the site. Projecting that a water truck can carry 4,000 gallons per load, that equates to 7,500 truck trips during construction. The most likely route for the water trucks would be Highway 20 to East Camp Road to Walnut Drive and to Spring Valley Road. That number of trucks making turns on the State Highway and County Roads without turn lanes creates significant safety issues. The actual number of truck trips will also impact the need for additional road maintenance. 7

6. **HAZARDOUS MATERIALS ASSOCIATED WITH BATTERIES**: The DEIR references that the project will include a battery energy storage system. Batteries are known to have hazardous waste and toxic materials associated with them and have the ability to leak, burn and/or explode. The DEIR fails to adequately analyze what threats the battery energy storage system as proposed will create for both humans, 8

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CLARK & NELSON
ATTORNEYS AT LAW

wildlife and the environment. The DEIR further fails to adequately discuss whether local emergency personnel are capable of responding to an accident at the project site and if not, what training will be necessary. 8

7. **IMPACTS TO COLUSA COUNTY AND THE CITY OF WILLIAMS**: It does not appear that the project will provide any significant revenue source to either the County of Colusa or to the City of Williams. However, it goes without saying that the project will have impacts to county and city roadways, fire and emergency responders, drainage improvements, law enforcement amongst others. There is no analysis as to the economic benefits that would come to the County of Colusa or the City of Williams, nor is there any analysis of the economic costs to the County of Colusa and City of Williams. The citizens of Colusa County and the decision makers should be fully advised of impacts upon public agencies and particularly the fiscal impacts that will result from this project. 9

8. **IMPACTS TO USE AND VALUE OF NEIGHBORING PROPERTY**: As the owners of adjacent and neighboring agricultural property, our clients have concerns over what impact a project of this size and nature will have upon their farming operations and the value of their agricultural realty. The DEIR does not address what impacts a 1,000 acre industrial utility complex will have upon current and future neighboring agricultural properties and the extensive cattle and sheep grazing that occur in the area. The potential impacts include changes to the vistas, potential acceleration of drain waters, roadway impacts, hazardous material exposure, altering the safety and availability of aerial agricultural applications and potential impacts to local wildlife. The DEIR should address and adequately review what these cumulative impacts will have upon nearby property owners, their workers and their property. 10

9. **ADDITIONAL EXPANSION**: Could the creation of a 1,000 acre industrial utility complex lead to additional expansion of this type of use in the area? If so, the DEIR should review what the potential cumulative and future impacts could be to agricultural properties similarly situated within the County of Colusa. Cumulative impacts could be in conflict with Colusa County's General Plan that seeks to preserve and expand the County's agricultural heritage. 11

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW

Thank you for your consideration of these comments and should you have questions with regard to these comments please feel free to contact the undersigned.

Very truly yours,

CLARK & NELSON

By _____
David R. Nelson

DRN:d
cc: Jean Terkildsen
Elizabeth Katsaris
Matthew Ferrini

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Garnett A. Vann

Mailing Address 365 Ruggieri Way, Williams Ca. 95

Telephone No. (daytime) 530-473-2607

E-mail address gvann@vannbros.com

Organization/Affiliation Vann Bros, Vann Family Orchards

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1 We have had our fill of powers lines and disruptio in our agricultural operations related to power lines going though many of our properties. We have alread had our easement agreements broken by P,G+E and Western Power. Our original agreements allowed us to farm under the power lines. Then the lawyers got ahold of it and found loopholes to make us quit farming below the transmission wires. We will vigorously resist any attempt to build this facility.

Signature [signature]

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

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Place
Stamp
Here

Colusa County
Community Development Department
Attn: Mr. Greg Plucker, Director
1213 Market Street
Colusa, CA 95932

Colusa County

EIR Public Meeting
Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Elizabeth Katsaris

Mailing Address

Telephone No. (daytime)

E-mail address katsaris@comcast.net

Organization/Affiliation

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1.) Keeping in mind the threat to public health and safety in the event of a fire, will fire fighting equipment for the Fire Department be kept on site? If so, what type? 1

2.) Are there any alternative projects with a bigger or smaller scope? 2

3.) Is anything about this project going to change? 3

4.) What is the maximum amount of acreage the project could entail? 4

Signature Elizabeth Katsaris

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

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The proposed Solar Project one spring Valley Road is on the western edge of the pacific flyaway. My concern is the migrating ducks and geese will see this reflection and thinking it is water will try to land on these panels. injuring or killing themselves.

Also, this project will not be beneficial to the county or local land owners. best to serve only one land owner.

530-681-6378
Sid La Grande

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Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CALIFORNIA Water Boards

GAVIN NEWSOM GOVERNOR

JARED BLUMENFELD SECRETARY FOR ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

29 November 2021

Colusa County
Community Development Department
1213 Market Street
Colusa, CA 95932
gplucker@countyofcolusa.com

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, JANUS SOLAR PROJECT, SCH#2020070577, COLUSA COUNTY

Pursuant to the State Clearinghouse's 15 October 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Janus Solar Project, located in Colusa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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NOVEMBER 16, 2021

Letter I

VIA EMAIL: GPLUCKER@COUNTYOFCOLUSA.COM
Greg Plucker
County of Colusa
1213 Market Street
Colusa, CA 95932

Dear Mr. Plucker:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE JANUS SOLAR PROJECT, SCH#2020070577

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report for the Janus Solar Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

Project Description

Janus Solar PV, LLC has applied to the Colusa County Community Development Department for a Use Permit to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, to be known as the Janus Solar Project.

The Project would generate and store up to 80 megawatts alternating current on an approximately 1,024-acre site, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, an estimated 768 acres of the 1,024-acre site would be used for the Project. The proposed battery energy storage system (BESS) would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the Project site. The entirety of the Project site is included in a Williamson Act contract.

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project. 1

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]) 2

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at: 3

https://www.calandtrusts.org/resources/conserving-californias-harvest/

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG Farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland). 4

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Conclusion

The Department recommends further discussion of the following issues:

- The Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Janus Solar Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Janus Solar Project

Responses to Public Comments

February 2023

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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A VANCE BOYES

A-1

Comment Summary:

Since the project will have major impact on the road. I believe the road needs to be paved, especially since the county will not have any major tax revenue, at minimum.

Response:

The Draft Environmental Impact Report (DEIR) analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR page [p.] 4.17-6).

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, the **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> "***TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through*

photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.

The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust (PM_{10}) from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C to the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven.

Due to the observed effectiveness of application of the dust suppressant, its use was recommended as part of **Mitigation Measure AQ-1**. To address the concern raised in this comment, the following additions to **Mitigation Measure AQ-1** are proposed:

"AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices:

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- *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
- *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
- *Limit traffic speeds on unpaved roads to 15 miles per hour.*
- *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
- *Curtail construction activities when the County's Air Quality Index exceeds 150.*
- *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
- *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
- *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*
- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:*
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*
- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*

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- *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
- *Soil conditions (damp, dry, etc.)*
- *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, **Mitigation Measure AQ-3** has been included to require the application of dust suppressant once a year to Spring Valley Road for the life of the Project.

"***AQ-3: Long-Term Dust Control***

Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."

The California Environmental Quality Act (CEQA) does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

"***PS-1: Public Services Mitigation Fee***
Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*

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- *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*

- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation Distict, a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District.*"

A-2

Comment Summary:

I feel looking at rolling hills is esthetically better than solar panels.

Response:

Impacts to visual resources are discussed in Chapter 4, Section 4.3 of the DEIR. An additional visual simulation was completed depicting the view from the gate of the commenter and is provided as Appendix D to the Final EIR. This visual simulation is from Key Observation Point (KOP) 6.

KOP 6 is located near Spring Valley Road, approximately 0.2 miles north of the Project site. KOP 6, Orientation 2 depicts views oriented southwest toward the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with relatively flat terrain. Existing structural features include a residence and fencing in the foreground. Vegetation includes grasses and trees. Dominant colors for the landscape are green-brown, tan, and green while the structures are gray, brown, and white. The vegetation consists of irregular, organic forms of contiguous grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area. This KOP also provides a typical view for the occupants of the residence west of Spring Valley Road. Considering the frequent viewing by local residents, viewers would have a moderate sensitivity to the visual changes in the area.

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible from this location by a casual observer. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess gray color and horizontal and vertical lines (fencing). This viewpoint reflects the views of drivers traveling along Spring Valley Road. These impacts would be short term for travelers because they would only be approaching or paralleling the Project site for a limited time and their focus would be on

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the road ahead. This viewpoint also reflects the views of the occupants of the residence west of Spring Valley Road. For views from residence, while appearing as new and visible features, the Project infrastructure would be consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape. As the Project would attract attention to the casual observer and the portion of the Project that would be visible would co-dominate the landscape, the contrast would be considered moderate. However, the Project would not block views of the surrounding agricultural open space or the trees in the middleground. Therefore, the impacts would be less than significant.

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B LEO LAGRANDE

B-1

Comment Summary:

High [unreadable (concern?)] using Spring Valley Rd (gravel) in regards to damaging tree crops and livestock forage.

Defoliation and loss of crop or crops occur when excess dust is present.

Defoliation of an orchard would also effect crop yields the following year.

Response:

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and PM_{10} from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

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road was driven. Due to the observed effectiveness of application of the dust suppressant, its use was recommended as part of Mitigation Measure AQ-1. To address the concern raised in this comment, the following additions to Mitigation Measure AQ-1 are proposed:

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- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*
  - *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
  - *Soil conditions (damp, dry, etc.)*
  - *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, **Mitigation Measure AQ-3** has been included to require the application of dust suppressant once a year to Spring Valley Road for the life of the Project.

"***AQ-3: Long-Term Dust Control***

Once a year generally in late spring the Applicant shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."

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C BOB AND CINDY FREED

C-1

Comment Summary:

Our home is located on East Camp Road, which apparently would be a main thoroughfare for construction and maintenance of the project. With this in mind, we are adamantly opposed to the project. We are aware of several injury accidents, as well as fatalities, at the intersection of Highway 20 and East Camp Road -- there is no turn lane on either roadway, making it a very dangerous area. In addition, East Camp Road is known to flood, closing the roadway in both directions (I've attached photos of from this year). With the proposed construction, more vehicles and trucks will be utilizing Highway 20 and East Camp Road, creating more traffic and likely more accidents. Furthermore, the additional wear and tear of the already rough East Camp Road will only add more maintenance required on said roadway.

Response:

The DEIR analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR p. 4.17-6).

The Transportation Injury Mapping System[1] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties.

[1] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, the **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Project Owner shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Project Owner shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*
>
> *The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."*

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D CLARK & NELSON, ATTORNEYS AT LAW

D-1

Comment Summary:

The proposed project seeks to convert 1,024 acres of real property from its historical use of cattle grazing and sheep grazing to a totally different use of an industrial/commercial utility use. This significant alteration of the use of this real property is sought to be done by means of a use permit. While it is recognized that the Colusa County Zoning Ordinance permits an energy production overlay zone within the Foothill/Agricultural Zoning Classification, it is difficult to believe that the decision makers who adopted the current zoning ordinance contemplated a project in the Foothill/Agricultural zone of this magnitude. The conversion of more than 1,000 acres, from its historical farm and grazing use, to an industrial use, should be attempted only by means of a general plan amendment and rezoning of the property. The potential impacts and changes that would result if this project is built cannot be properly contemplated nor fully understood as a project of this type and of this size has never been developed in Colusa County. Colusa County should not permit and convert more than 1,000 acres from an agricultural use to an industrial use on the hope and expectation that unknown and undiscovered impacts will not occur. The development of this project will change the nature and use of not only the project area but also the surrounding agricultural areas. Solar projects of much smaller size should be considered in agricultural areas to determine what the long-term impacts can be before undertaking a project of more than 1,000 acres.

Response:

As stated in Chapter 4, Section 4.11.2.4 of the DEIR, the County's Zoning Code allows for energy production in areas zoned as Foothill Agriculture and Exclusive Agriculture with a Use Permit, or a Minor Use Permit if the project site is located in an Energy Production Overlay Zone. The County has determined that a Use Permit is required for the Project. Colusa County General Plan **Policy AG 2-1** states that alternative energy is permitted on agricultural land. In support of alternative energy, **Policy AG 2-5** describes that solar facilities should be encouraged.

> ***"Policy AG 2-1****: Agricultural-related industrial support operations shall be permitted on agricultural lands. Such uses may include, but are not limited to, processing, assembly, distribution and warehousing of agricultural materials and commodities and alternative energy systems that provide energy for on-site uses. These uses should be permitted on agricultural lands as principal permitted uses subjected to the standards of the Zoning Ordinance provided the following findings are made:*
>
> *a. The use provides a needed service to the surrounding agricultural area which cannot be provided more efficiently within designated industrial or commercial areas or which requires location in a non-urban area because of unusual site requirements, operational characteristics, or proximity to agricultural goods and products.*
>
> *b. The use avoids prime agricultural lands to the greatest extent feasible.*

c. If the use is sited on productive agricultural lands, less productive agricultural lands are not available in the vicinity.

d. The operational or physical characteristics of the use will not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least one-quarter (1/4) mile radius.

e. The use supports local agricultural productions.

f. The use is compatible with existing uses in the area.

g. The use will not adversely affect agricultural production in the area.

h. The use will not result in significant adverse traffic or air quality impacts.

***Policy AG 2-5:** Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.*

*The Land Use section in the Colusa County General Plan includes **Table LU-1** which outlines the minimum parcel size, maximum dwelling density and allowed uses for each of the land use designations. Categories for the allow uses under Agricultural Upland which the project site is designated as, includes cultivated agriculture, agricultural industrial, livestock and animal keeping, agricultural commercial, agricultural-base tourism, low-intensity recreation, resource production, energy production, single family residential, and farmworker housing. Energy Production under Agriculture Upland states that solar facilities are permitted as allowed uses."*

D-2

Comment Summary:

Furthermore, approval of this project will prohibit the future expansion of prime agricultural property should future water sources be found for the property (Sites Reservoir perhaps). This conversion of agricultural property to an industrial use conflicts with the overriding policy set forth in the General Plan that favors and protects the County's agricultural heritage.

Response:

The Project site is located in the Westside Water District which supplies water for agricultural irrigation. An adequate baseline for agricultural impacts is provided in the DEIR. As described in Section 15125(a) of the CEQA Guidelines, the environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. Under the current environmental setting, the Project site does not contain irrigation infrastructure or an irrigation system connection to the Westside Water District and to assume future access to irrigation infrastructure would be highly speculative. Due to lack of irrigation water, the current use on the Project site is cattle ranching.

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CEQA recognizes that the conversion of prime, unique, or farmland of statewide importance can result in a significant impact on agricultural resources (CEQA Guidelines, Appendix G). In this case, the Project site is grazing land (DEIR at 4.1-1) and is not considered prime, unique, or farmland of statewide importance (DEIR p. 4.1-5). Based on information from the United States Department of Agriculture Natural Resources Conservation Service, there are three soil types found on the Project that may be considered prime farmland when irrigated: Capay clay (approximately 23 percent of the Project site), Clear Lake Clay (approximately 6 percent of the Project site), and Corval loam (approximately 5 percent of the Project site). As stated previously, the property does not have irrigation infrastructure or an existing agreement or connection with the Westside Water District that would supply irrigation water. Therefore, the availability of irrigation water in the future is highly speculative, and conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources due to the conversion of prime, unique, or farmland of statewide importance (DEIR p. 4.1-5).

D-3

Comment Summary:

The DEIR indicates that there will not be any significant impact from drainage in that the water will drain from the property after the project is built in the same way that is does presently. However, the DEIR fails to consider the potential for the accelerated and increased offsite drainage flows, especially those related to peak flows during a storm event. The project contemplates placing 196,000 solar panels over 738 acres of the project site. While currently there are not improvements that would prevent water from rains to permeate into the soil and pond upon the property, the 196,000 solar panels will be impermeable, and the rainwater will accelerate off of the panels and quite likely create a significant increase in downstream drainage. The criteria of the Energy Production Overlay Zone provide in Section E(g) the following: "there shall be no net increase in offsite drainage flows, including peak flows during a storm event." Our clients contend that there is a great likelihood of a significant increase in offsite drainage which must be analyzed and mitigated within the DEIR.

Response:

The 196,000 solar panels would not introduce impervious ground surfaces with the exception of those surfaces required for the battery energy storage system (BESS) foundations, the substation, the operations and maintenance building, tracking assembly piles and inverter foundations. These features would introduce a proportionately small amount of impervious surfaces to the 1,024-acre site. The Project will minimize grading by using portions of the site that are flat and will not significantly alter the existing drainage patterns. As discussed in the DEIR, the Project is not within a flood zone and would include minimal new impervious surfaces. Solar panel posts, fences, generation-tie (gen-tie) line poles, the BESS, the operations and maintenance building, and the substation would not prevent stormwater flow, and the Project's design would follow the natural drainage of the site (DEIR p. 4.10-9).

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Under Section 402 of the Clean Water Act, a National Pollutant Discharge Elimination System (NPDES) General Permit would be required for the Project because it would disturb more than 1 acre of soil with the potential to discharge to the waters of the United States. The NPDES permit would regulate any stormwater discharge associated with construction, and would require the development and implementation of a Stormwater Pollution Prevention Plan that would include Best Management Practices designed to prevent sediment and other pollutants from reaching receiving waters. Additionally, the Stormwater Pollution Prevention Plan would be required to contain visual and chemical monitoring programs for non-visable pollutants (DEIR p. 4.10-3).

Section 44-2.20.20 of the Colusa County Code, states that "there shall be no net increases in off-site drainage flows, including peak flows during a storm event, and water quality measures shall be implemented to reduce stormwater pollutants." The Project would be required to be built compliant with the Colusa County Code.

D-4

Comment Summary:

The DEIR references that dust will be created as part of the construction of the Project. The dust will occur not only on the Project site itself but along unpaved portions of Spring Valley Road which will serve as the primary means of ingress and egress to the Project site. The DEIR proposed that the dust issue be mitigated by watering dust producing areas twice a day by water truck. The DEIR fails to analyze the potentially significant impact upon neighboring almond orchards. It is common knowledge within almond growing districts that the creation of dust near orchards significantly increases the infestation of mites that are detrimental to almond trees and can cause significant and long-lasting impacts to the trees and their production capabilities. The DEIR needs to fully analyze the potential for damage from dust mites and provide mitigation measures that will be more significant than watering twice a day.

Response:

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust (PM_{10}) from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of

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concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C of the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven.

Due to the observed effectiveness of application of the dust suppressant, its use was recommended for as part of **Mitigation Measure AQ-1**. To address the concern raised in this comment, the following additions to Mitigation Measure AQ-1 are proposed:

> ***"AQ-1: Dust Control Measures***
>
> *During construction of the Project, the primary construction contractor shall implement the following practices:*
>
> - *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
> - *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
> - *Limit traffic speeds on unpaved roads to 15 miles per hour.*
> - *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
> - *Curtail construction activities when the County's Air Quality Index exceeds 150.*
> - *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
> - *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
> - *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*

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- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:*
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*
- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*
  - *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
  - *Soil conditions (damp, dry, etc.)*
  - *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, an additional **Mitigation Measure AQ-3** has been recommended that the application be required to apply the dust suppressant once a year in for the life of the Project.

> *"**AQ-3: Long-Term Dust Control***
>
> *Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."*

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the

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economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> ***"PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
>   - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
>   - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-5

Comment Summary:

The DEIR recognizes that there will be numerous transmission poles located in the county road right of way from the project site down Spring Valley Road and then along Walnut Drive to the PG&E substation. The DEIR further advises that these transmission poles will be as high as 80 feet. That results in the poles and transmission cables being some 20 to 40 feet higher than the existing power poles along Spring Valley Road and Walnut Drive. This increase in the number of poles and the height of the poles could have a significant impact upon agricultural aerial applications servicing the orchard and open ground in the area. Poles and wires are a significant hazard to both fixed wing aircraft and helicopters used in agricultural application. Increasing the height of the poles and wires to 80 feet will result in a greater safety hazard for the applicators and may result in aerial application not being feasible in close proximity to the poles and wires.

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Alternatives to the proposed transmission lines, such as underground lines, should be considered.

Response:

Some of the existing transmission lines in the vicinity of the Project exceed 80 feet in height, such that the Project would not introduce pole heights taller than those that exist in the area. Additionally, the gen-tie line for the Project would be built entirely within the public right-of-way and would not intersect private property. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

To further address this comment, additional visual simulations were prepared, including a simulation of the gen-tie line at Spring Valley Road and Beauchamp/Walnut Drive. This KOP is KOP 2, approximately 1.3 miles north of the Project site, as shown in Appendix D of the Final EIR. KOP 2, Orientation 2 depicts views oriented south toward the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to steep terrain in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes trees. Dominant colors for the landscape are green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Beauchamp/Walnut Drive and Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Most of the Project solar facility components, such as the solar photovoltaic (PV) generating components, substation, and BESS, would not be visible from KOP 2, Orientation 2 because of the screening of the Project site by rolling terrain, see Appendix D of the Final EIR. The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend from the northeast corner of the Project site within the County's right-of-way on Spring Valley Road.

A second visual simulation was prepared looking west on Walnut Drive, just west of the Cortina Substation. KOP 6 depicts views oriented west toward Spring Valley Road, approximately 1.9 miles west. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with flat terrain to steep terrain in the background. Existing structural features include Walnut Drive, transmission and utility lines, and agricultural equipment. Vegetation includes trees. Dominant colors for the landscape are green, brown, and tan while the structures are gray, brown, and white. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers

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traveling west along Beauchamp Drive. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location because of the screening of the Project site by vegetation, see Appendix D of the Final EIR. The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend along Walnut Drive from Spring Valley Road to the Cortina Substation.

The colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line will appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (utility and transmission lines). This viewpoint reflects the views of drivers traveling west along Walnut Drive and would be short term because travelers would only be paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from Viewpoint 2B, the visual impacts are considered minor and less than significant.

A third visual simulation was prepared for KOP 7, further south on Spring Valley Road, as shown in Appendix D of the Final EIR. KOP 7 is located on Spring Valley Road, approximately 0.25 miles north of the Project site. KOP 7 depicts views oriented northeast away from the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to hilly terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes grasses and trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. As the orientation of KOP 7 is directed away from the Project site, most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location, see Appendix D of the Final EIR.

For both KOP 2 and KOP 7, the colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line would appear very similar to the structures visible from this location that also possess brown and gray colors and horizontal and vertical lines (fencing, utility line, transmission lines). These impacts would be short-term for travelers because they would only be approaching or paralleling the Project gen-tie line for a

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limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from KOP 2 and KOP 7, the visual impacts are considered minor and less than significant. Regarding aerial agricultural pesticide applications, based on information obtained from the Colusa County Agricultural Commissioner's office[2], there are nine growers with a total of 15 permitted sites adjacent to the proposed gen-tie line. These sites include orchards and field crops. Based on data available for the last three years, there were 27 aerial pesticide applications in 2019, five aerial pesticide applications in 2020, and one aerial pesticide application in 2021. The pole heights proposed as part of the Project are similar to existing obstacles for aerial applicators.

D-6

Comment Summary:

As property owners and residents of the area in question, our clients are very familiar with the local roads and have concerns with regard to the impacts this project would have on the local roads. With Spring Valley Road being unimproved it may not be adequate in its current condition to accommodate the traffic flows during construction, nor for emergency vehicle access to the project site both during construction and afterwards. As mentioned, Spring Valley Road is in large part unpaved and does not have adequate or appropriate drainage facilities. As a result, in times of rain events, the road becomes either unpassable or dangerous to travel upon. While Spring Valley Road presents transportation impacts the additional surrounding roadways will also be impacted. The DEIR acknowledges that Walnut Drive and East Camp Road will also be major routes to access the project site. While traffic will be greatly increased, particularly during construction, safety concerns must be addressed at both the intersection of Highway 20 and East Camp Road where there are no turn lanes as well as at the intersection of Highway 20 and Walnut Drive where again there are no turn lanes. The DEIR is silent with regard to traffic safety concerns.

Response:

The DEIR analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR p. 4.17-6).

[2] Data request response from the Colusa County Agricultural Commissioner's office. January 7, 2022.

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The Transportation Injury Mapping System[3] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*

[3] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."

D-7

Comment Summary:

Furthermore, the number of truck trips is vastly understated. The DEIR references that during construction there will be a need of 15,000,000 gallons of water that would be trucked to the site. Projecting that a water truck can carry 4,000 gallons per load, that equates to 7,500 truck trips during construction. The most likely route for the water trucks would be Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. That the number of trucks making turns on the State Highway and County Roads without turn lanes creates significant safety issues. The actual number of truck trips will also impact the need for additional road maintenance.

Response:

Use of 4,000-gallon capacity water delivery trucks would result in 3,750 round trips or 7,500 one way trips to deliver 15,000,000 gallons of water during construction. The vendor and hauling trips described in Table 4.2-5 Construction Scenario Assumptions, account for these truck trips. Water use for dust control would be significantly reduced due to the use of additional dust suppressant control measures; however, the maximum, reasonable number of trips is included for a conservative analysis.

As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months. **Table 4.2-4** of the DEIR describes five main phases of construction, which include preparation, excavation, utilities/sub-grade, construction, and paving. The shortest phase would be 9 days for preparation and the longest phase would consist of 233 days for construction. During peak construction it is estimated that approximately 200 workers would be commuting to the Project site as seen in **Table 4.17-1** of the DEIR, with 25 percent participating in carpools.

The Transportation Injury Mapping System[4] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

[4] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months. Per **Mitigation Measure AQ-1**, a flagger would be located on Spring Valley Road during peak truck trip periods to manage traffic.

In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*
>
> *The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."*

D-8

Comment Summary:

The DEIR references that the project will include a battery energy storage system. Batteries are known to have hazardous waste and toxic materials associated with them and have the ability to leak, burn and/or explode. The DEIR fails to adequately analyze what threats the battery energy storage system as proposed will create for both humans, wildlife, and the environment. The DEIR further fails to adequately discuss whether local emergency personnel are capable of responding to an accident at the project site and if not, what training will be necessary.

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Response:

As discussed in Chapter 4, Section 4.9, Hazards and Hazardous Materials of the DEIR, Section 608 of the International Fire Code has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

As discussed in the DEIR, all battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (DEIR p. 4.9-17).

Wildfire impacts are discussed in Chapter 4, Section 4.20 of the DEIR. The risk of wildfire due to operation of the BESS component of the Project was analyzed and determined to be a less than significant impact because each BESS used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the International Fire Code and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the BESS would include fire protection systems (DEIR p. 4.20-9).

The Project would include four federally required fire safety elements set forth by the National Fire Protection Association (NFPA):

1. There would be separation requirements which would include larger spacing than required.
2. Software limits and alarms would be installed in state-of-the-art operating systems based on regulations, operational experience, and supplier recommendations.
3. Thermal runaway protection would be tested in accordance with UL9540a.
4. Explosion control for the BESS would include mechanical deflagration prevention ventilation per NFPA 69.

The following fire prevention design measures are included in the Project:

- Fire breaks around the Project site boundary.
- Vegetation and agricultural products located on and around the Project site would be managed.
- Perimeter roads would be 18 feet wide and interior roads would be 9 feet wide to allow access by emergency vehicles.

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- An Emergency Response Plan would be prepared in consultation with the Fire Department and BESS supplier, and local emergency response staff would be trained and oriented at the Project site.
- Infrared cameras would be used to monitor the temperature of enclosed areas.
- Smoke and fire protection where smoke detectors would be provided.
- Gas detection where gas detectors would be provided.
- Fire control and suppression where the BESS would have open sprinkler heads inside the cabinet enclosures with fire department connections outside the fenced area to ensure firefighter safety.

Additionally, over the last year, the Applicant, Chief Gilbert of the Williams Fire Protection Authority (WFPA), and WFPA's consultant have worked together to develop the following **Mitigation Measure FIRE-1, to be included** in Chapter 4, Section 4.20 Wildfire in the EIR:

"***FIRE-1: Wildfire Protection Measures***

- *Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.*
- *Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:*
    - *On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.*
    - *Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval.*

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- *The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.*

- *Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.*
- *As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief."*

D-9

Comment Summary:

It does not appear that the project will provide any significant revenue source to either the County of Colusa or to the City of Williams. However, it goes without saying that the project will have impacts to county or city roadways, fire and emergency responders, drainage improvements, law enforcement among others. There is no analysis as to the economic benefits that would come to the County of Colusa or the City of Williams, nor is there any analysis of the economic costs to the County of Colusa or the City of Williams. The citizens of Colusa County and the decision makers should be fully advised of impacts upon public agencies and particularly the fiscal impacts that will result from this project.

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Response:

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> " ***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
>   - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
>   - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-10

Comment Summary:

As the owners of adjacent and neighboring agricultural property, our clients have concerns over what impact a project of this size and nature will have upon their farming operations and the value of their agricultural realty. The DEIR does not address what impacts a 1,000-acre industrial utility complex will have upon current and future neighboring agricultural properties and the extensive cattle and sheep grazing that occur in the area. The potential impacts include changes to the vistas, potential acceleration of drain waters, roadway impacts, hazardous material exposure, altering the safety and availability of aerial agricultural applications and potential

impacts to local wildlife. The DEIR should address and adequately review what these cumulative impacts will have upon nearby property owners, their workers and their property.

Response:

In the DEIR, impacts to agricultural resources are addressed in Chapter 4, Section 4.1, impacts to visual resources are addressed in Chapter 4, Section 4.3, impacts to hydrology and water quality resources are discussed in Chapter 4, Section 4.10, impacts to transportation are included in Chapter 4, Section 4.17, hazards and hazardous materials impacts are discussed in Chapter 4, Section 4.9, and impacts to biological resources are addressed in Chapter 4, Section 4.4. Cumulative impacts to each of these resources are discussed in their respective sections.

Given the prevalence of existing transmission lines in the vicinity of the Project which exceed 80 feet in height, the gen-tie line for the Project would not introduce a new element to the area with which aerial applicators are not currently encountering. Additionally, the gen-tie line for the Project would be built entirely within the public right-of-way and would not intersect private property. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

As mentioned in comment D-4, a dust suppressant study was conducted to measure the amount of dust picked up by vehicles during construction using a dust suppressant such as "Dust-Off." Mitigation Measure AQ-1 would reduce the potential impacts dust may have on the surrounding environment.

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> "***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*

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- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
  - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-11

Comment Summary:

Could the creation of a 1,000 acre industrial utility complex lead to additional expansion of this type of use in the area? If so, the DEIR should review what the potential cumulative and future impacts could be to agricultural properties similarly situated within the County of Colusa. Cumulative impacts could be in conflict with Colusa County's General Plan that seeks to preserve and expand the County's agricultural heritage.

Response:

The Land Evaluation and Site Assessment (LESA; Appendix B to the DEIR) addresses potential impacts on agricultural production on the Project site and a Zone of Influence. This study and the Agricultural Resources section of the DEIR (Chapter 4, Section 4.1) provide analysis that demonstrates the Project would have a less than significant impact on agricultural resources on the Project site and in adjacent areas.

The Colusa County General Plan includes the following policies related to agricultural land and energy development:

Policy AG 1-2: *Lands designated for agricultural use shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:*

a. The lot(s) for which conversions is requested is adjacent to agriculture or agricultural support uses (e.g., receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities)

b. Conversion will not be detrimental to existing agricultural operations

c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of designated urban area

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d. *The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of conservation lands from nuisances associated with typical agricultural practices*

e. *No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.*

f. *The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding*

Policy AG 2-5: *Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.*

Policy LU 2-11*: Develop accommodations for the development of large-scale commercial energy production, such as solar, on agricultural parcels. Such parcels shall require the following:*

- *A Use Permit.*
- *An Energy Production (EP) Overlay Zone.*
- *Detailed and rigorous site planning and development.*

Such projects shall only be located on agricultural parcels with marginal or poor farmland. Prime farmlands are not appropriate for this type of development.

The Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County south of the project site, or more preferably near the Cortina Substation as a battery energy storage project. This undefined, potentially future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time, but are anticipated to include battery storage within 1 mile of the Cortina Substation. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still defining the project site, which is anticipated to be less than 25-acres and limited to approximately 30 battery storage units. Project proponents have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area. Environmental impacts would be analyzed as part of the application process, should the currently undefined project be proposed through a Use Permit application.

The Community Development Department is interested in maintaining the agricultural character of the area and intends to site future, potential projects to avoid cumulative impacts to agriculture in the area. Given that the scope of the Beauchamp Project is unknown at this time, it would be speculative for the County to attempt to analyze its cumulative impacts, such that it is not considered a probable, future project and it is not included in the cumulative projects evaluated in the EIR.

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the

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economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> "***PS-1: Public Services Mitigation Fee***
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> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
>   - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
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> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

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E VANN BROS, VANN FAMILY ORCHARDS

E-1

Comment Summary:

We have had our fill of power lines and disruptions in our agricultural operations related to power lines going through many of our properties. We have already had our easement agreements broken by PG&E and Western Power. Our original agreements allowed us to farm under the power lines. Then the lawyers got ahold of it and found loopholes to make us quit farming, below the transmission wires. We will vigorously resist any attempt to build this facility.

Response:

Thank you for providing context for your previous experience with transmission lines. Existing transmission lines in the vicinity of the Project exceed 80 feet in height, such that the Project would not introduce pole heights taller than those that exist in the area.

The gen-tie line for the Project would be built entirely within public right-of-way. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

Most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location because of the Project site screening by vegetation (Appendix D of the Final EIR). The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend along Walnut Drive from Spring Valley Road to the Cortina Substation.

The colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line will appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (utility and transmission lines). This viewpoint reflects the views of drivers traveling west along Walnut Drive. These impacts would be short term for travelers because they would only be paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from Viewpoint 2B, the visual impacts are considered minor and less than significant.

A third visual simulation was prepared for KOP 7, further south on Spring Valley Road, as shown in Appendix D of the Final EIR. KOP 7 is located on Spring Valley Road, approximately 0.25 miles

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north of the Project site. KOP 7 depicts views oriented northeast away from the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to hilly terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes grasses and trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. As the orientation of KOP 7 is directed away from the Project site, most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location, see Appendix D of the Final EIR.

For both KOP 2 and KOP 7, the colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line would appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (fencing, utility line, transmission lines). These impacts would be short-term for travelers because they would only be approaching or paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from KOP 2 and KOP 7, the visual impacts are considered minor and less than significant.

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F ELIZABETH KATSARIS

F-1

Comment Summary:

Keeping in mind the threat to public health and safety in the event of a fire, will firefighting equipment for the Fire Department be kept on site? If so what type?

Response:

As discussed in Chapter 4, Section 4.9, Hazards and Hazardous Materials of the DEIR, Section 608 of the International Fire Code has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

As discussed in the DEIR, all battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving fires (DEIR p. 4.9-17).

Training sessions with the local fire department will be conducted at the facility so that local firefighting personnel can become familiar with the facility equipment and appropriate emergency procedures.

The Project would include four federally required fire safety elements set forth by the NFPA:

1. There would be separation requirements which would include larger spacing than required.
2. Software limits and alarms would be installed in state-of-the-art operating systems based on regulations, operational experience, and supplier recommendations.
3. Thermal runaway protection would be tested in accordance with UL9540a.
4. Explosion control for the BESS would include mechanical deflagration prevention ventilation per NFPA 69.

The following fire prevention design measures are included in the Project:

- Fire breaks around the Project site boundary.
- Vegetation and agricultural products located on and around the Project site would be managed.

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- Perimeter roads would be 18 feet wide and interior roads would be 9 feet wide to allow access by emergency vehicles.
- An Emergency Response Plan would be prepared in consultation with the Fire Department and BESS supplier, and local emergency response staff would be trained and oriented at the Project site.
- Infrared cameras would be used to monitor the temperature of enclosed areas.
- Smoke and fire protection where smoke detectors would be provided.
- Gas detection where gas detectors would be provided.
- Fire control and suppression where the BESS would have open sprinkler heads inside the cabinet enclosures with fire department connections outside the fenced area to ensure firefighter safety.

Additionally, over the last year, the Applicant, Chief Gilbert of the Williams Fire Protection Authority (WFPA), and WFPA's consultant have worked together to develop the following **Mitigation Measure FIRE-1, to be included** in Chapter 4, Section 4.20 Wildfire in the EIR:

"***FIRE-1: Wildfire Protection Measures***

- *Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.*
- *Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:*
    - *On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.*
    - *Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling*

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software. The computational fluid dynamic modeling shall be submitted for review and approval.

- *The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.*

- *Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.*
- *As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief."*

F-2

Comment Summary:

Are there any alternative projects with a bigger or smaller scope?

Response:

As discussed in Chapters 3 and 5 of the DEIR, four alternatives to the Project were analyzed, including the No Project Alternative, the Distributed Solar Alternative, the Reduced Acreage Alternative, and the Northeast Site Alternative.

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No Project Alternative

In the No Project alternative, the Project site would continue to be used for agricultural grazing and the existing environmental setting would be maintained. Changes to the setting, including changes to the landscape (visual resources, habitat, and land use/agriculture); Project related impacts such as construction noise, traffic, and air emissions would not occur; and potential ground disturbance impacts to cultural and tribal resources, wildlife habitat would not occur. Additionally, the environmental benefits of renewable energy generation would not be realized from solar development of the site.

Distributed Solar Alternative

The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County, which would increase energy efficiency and renewable energy availability. Under this alternative, solar PV panels would be mounted on existing rooftops, such that no new land would be disturbed. It is anticipated that a similar amount of rooftop acreage (approximately 768 acres) would be required for the Project's 80 megawatts (MW) of solar generating capacity. Similar to the proposed Project, the Distributed Solar Alternative would be designed to operate year-round using solar PV technology to convert solar energy into direct current electricity. The energy generated could be used for on-site uses with the potential to be shared using a community solar arrangement that allows multiple users to share power from a single local source. No new construction of transmission facilities or electrical substations would be required for the power generated by distributed solar PV systems.

Reduced Acreage Alternative

Compared to the Project, the Reduced Acreage Alternative would reduce the Project's impacts to biological resources, cultural resources, and noise. Though none of these Project impacts are significant after mitigation, the Reduced Acreage Alternative, by reducing the acres of land disturbed and the proximity of noise-emitting facilities to offsite receptors, would reduce the potential for biological, cultural, and noise impacts compared to the Project. The Reduced Acreage Alternative also entails less surface disturbance, less construction dust, reduced construction and decommissioning emissions, and reduced demand for water. The Reduced Acreage Alternative would not meet the Project Objectives to generate 80 MW of electricity at the point of interconnection (POI) in a cost-effective manner. It would only generate up to 50 MW of electricity and would not be economically viable to develop or be commercially financeable due to its reduced capacity, and it would generate less economic benefits to the County.

The Northeast Site Alternative

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used for solar and ancillary facilities as the Project (768 acres) in order to maximize the capacity to generate electricity. Due to the anticipated set-aside areas for giant garter snake (*Thamnophis gigas*) along the existing agricultural canals, solar arrays would be required to be distributed throughout the site rather than concentrated in a single area. The scattered distribution of solar arrays would result in less efficient production of electricity and a significant decrease in capacity compared to the Project's

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80 MW. Compared to the Project, the Northeast Site Alternative is anticipated to have increased impacts to agricultural and biological resources, due to its occurrence on prime farmland, and because it includes habitat for the federally and state threatened giant garter snake.

Section 2.5 (Cumulative Projects) of the Draft EIR discusses other notable projects in the County, including one solar and 3 non-solar projects. In addition, the Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County south of the project site, or more preferably near the Cortina Substation as a battery energy storage project. This undefined, potentially future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time, but are anticipated to include battery storage within 1 mile of the Cortina Substation. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still defining the project site, which is anticipated to be less than 25-acres and limited to approximately 30 battery storage units. Project proponents have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area._Environmental impacts would be analyzed as part of any application process, should the currently undefined project be proposed through a Use Permit application.

F-3

Comment Summary:

Is anything about this project going to change?

Response:

The Project is described in Chapter 2, Project Description of the DEIR. According to Section 15064 of the CEQA Guidelines, a new CEQA document would be required if substantial changes are proposed to the Project that would require major revisions to the DEIR. Substantial changes might occur if there were new significant environmental impacts or a substantial increase in the severity of previously identified environmental impacts. Any new CEQA document required due to substantial changes to the Project would be circulated for public review.

The changes described to the DEIR to address public and agency comments and minor errata, including the additions to **Mitigation Measure AQ-1** and the addition of **Mitigation Measures AQ-3, PS-1, TRANS-1, and PS-1**, are not considered substantial changes. The changes do not result in new significant impacts or a substantial increase in the severity of previously identified environmental impacts, but are intended to further address less than significant impacts and correct minor editorial issues in the DEIR.

F-4

Comment Summary:

What is the maximum amount of acreage the project could entail?

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Response:

The Project size is described in Chapter 2 of the DEIR. The Project site is 1,024 acres, of which only an estimated 768 acres would be used for the Project. As discussed in Chapter 3, Alternatives, the Applicant used a number of criteria to efficiently site the Project (DEIR p. 3-3). These criteria included the following:

- Sufficient incoming solar radiation.
- Flat terrain (less than 15 percent slope across the majority of the site).
- Minimal environmental constraints, such as significant wetlands, protected species habitat.
- Site devoid of "permanent" structures, including orchard trees.
- Enough acreage for desired project size.
- Contiguous acreage.
- Capacity of point of interconnection.
- Distance to point of interconnection.

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G SID LAGRANDE

G-1

Comment Summary:

The proposed solar project on spring valley road is on the western edge of the pacific flyway. My concern is the migrating ducks and geese will see this reflection and thinking it is water will try to land on the panels, injuring or killing themselves.

Response:

The potential risks to migrating birds is discussed in Chapter 4, Section 4.4, Biological Resources of the DEIR. Although data from PV solar array-type facilities indicate instances of avian mortality resulting from collisions, the best available scientific information to date does not indicate a significant risk of substantial avian mortality occurring at facilities such as the Project. Current research on the topic indicates that though avian species, and specifically aquatic habitat avian species, may perceive PV solar facilities as waterbodies, it remains unclear the proportion of species that might actually land or attempt landing.[5] Risk of mortality to aquatic birds from nearby, local waterfowl hunting resulted in 30,555 waterfowl kills during the 2020-2021 season, which is much higher than that posed by PV solar facilities.[6, 7] The DEIR concludes that the Project operations and maintenance would have no substantial adverse effects on special-status migratory birds, and the impact would be less than significant with mitigation incorporated (DEIR p. 4.4-28 and 4.4-29).

G-2

Comment Summary:

Also, this project will not be beneficial to the county local landowners but to serve only one landowner.

Response:

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

[5] Kosciuch, K.; Riser-Espinoza, D.; Moqtaderi, C.; Erickson,W. Aquatic Habitat Bird Occurrences at Photovoltaic Solar Energy Development in Southern California, USA. Diversity 2021, 13, 524. https://doi.org/10.3390/d13110524.

[6] Colusa National Wildlife Refuge. Free Roam Hunt Results Season 2020-2021.

[7] Sacramento National Wildlife Refuge Complex. Hunt Results Season 2020-2021.

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"***PS-1: Public Services Mitigation Fee***

Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
    - *The PSMF fee may be pro-rata should the solar and/or battery components become operationalin phases throughout the year and/or for being operational for a portion of the year.*
- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

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H CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

H-1

Comment Summary:

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water issues/basin plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

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This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

Response:

Applicable water quality plans and regulations are discussed in Chapter 4, Section 4.10 of the DEIR.

H-2

Comment Summary:

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits1

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (L1D)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

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For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca .gov/centralva lley/water issues/storm water/ind ustrial ge neral permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification

Waste Discharge Requirements - Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to

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Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: http://waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

Response:

Applicable water quality plans and regulations are discussed in Chapter 4, Sections 4.4 and 4.10 of the DEIR.

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I CALIFORNIA DEPARTMENT OF CONSERVATION, DIVISION OF LAND RESOURCE PROTECTION

I-1

Comment Summary:

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

Response:

CEQA recognizes that the conversion of prime, unique, or farmland of statewide importance can result in a significant impact on agricultural resources (CEQA Guidelines, Appendix G). In this case, the Project site is grazing land (DEIR p. 4.1-1) and is not considered prime, unique or farmland of statewide importance (DEIR p. 4.1-5). As such, and as recognized by the DEIR, conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources (DEIR p. 4.1-5). This conclusion is buttressed by a LESA – a tool recommended be used by lead agencies in Appendix G of the CEQA Guidelines to determine the significance of the conversion. In this case, the project specific LESA prepared for this Project concludes that "the Project will not result in a significant loss of farmland and will not have a significant impact on agricultural land use." (Appendix B to DEIR, LESA Analysis at p. 1).

The County disagrees that mitigation is required in this instance because there is no evidence that the Project would result in a significant impact due to conversion of unirrigated, grazing land to a renewable energy use.

I-2

Comment Summary:

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conversation easements, among other measures, as potential mitigation (See Cal. Code Regs., tit. 14 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The

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conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

Response:

The Department of Conservation letter asserts that the Project will have a significant impact on California's agricultural land resources because it involves "the conversion of agricultural land" and therefore the County should require mitigation in the form of purchase of conservation easements or payment of mitigation fees.

The County disagrees that mitigation is required in this instance because there is no evidence that the Project would result in a significant impact on agricultural resources.

Mitigation is required to address a project's "significant adverse impacts." (CEQA Guidelines Section 15126.4). As recognized in the DEIR, where a project does not result in significant adverse impacts, mitigation is not warranted. The executive summary of the DEIR summarizes the conclusions of the analysis of impacts to agricultural resources and concludes that the conversion of grazing land is not significant and that "no mitigation [is] required."

The assertion that the Project has a significant impact on agricultural resources and requires mitigation is not supported by the information and analysis provided in the DEIR. The DEIR properly concludes that the Project's impacts on agricultural resources is not significant. As such, no mitigation is required.

I-3

Comment Summary:

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

https://www.calandtrusts.org/resources/conserving-californias-harvest/

Response:

Thank you. Comment noted.

I-4

Comment Summary:

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the

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holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland).

Response:

The case cited by the Department of Conservation–Kings and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal. App. 5 814 ("KG Farms") is not applicable to this Project. This case addressed the potential conversion of thousands of acres of prime, unique, and farmland of statewide importance due to oil and gas exploration activities over a 20-year time period. The EIR in that instance concluded that this conversion would be considered "significant." Here, in contrast, the conversion of grazing land is not considered significant. Therefore, the court's discussion of the adequacy of mitigation offered in the Kern County oil and gas EIR is not relevant to the Project.

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3 MINOR REVISIONS TO THE DRAFT EIR

3.1 INTRODUCTION

This section includes minor edits to the Draft EIR. These modifications resulted from minor clarifications and staff-initiated changes.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE DRAFT EIR

Table ES-1 is revised on pages ES-4, ES-5, ES-17, ES-18, and ES-19 as follows:

Potential Impacts	Level of Significance	Mitigation Measure
IMPACT 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less than Significant Impact	**AQ-1: Dust Control Measures** During construction of the Project, the primary construction contractor shall implement the following practices ~~during all construction related activities~~: • All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. • When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained. • Limit traffic speeds on unpaved roads to 15 miles per hour • Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduc dust associated with truck traffic. • Curtail construction activities when the County's Air Quality Index exceeds 150. • Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period. • During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The

Potential Impacts	Level of Significance	Mitigation Measure
		traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below. • Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles. • The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to: • Read and understand applicable mitigation measures and have them available at the job site • Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities • Use contingency control measures when primary controls are ineffective • Monitor the worksite for compliance with the dust control mitigation measures • Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities. • Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information: • Date • Time • Wind speed • Temperature • Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity • Soil conditions (damp, dry, etc.) • Corrective actions taken, if needed **AQ-3: Long Term Dust Control** Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.

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Potential Impacts	Level of Significance	Mitigation Measure
PUBLIC SERVICES		
IMPACT 4.15-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? Other public facilities?	No Impact	~~No mitigation required.~~ **PS-1: Public Services Mitigation Fee** Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval: • A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. • The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project. o The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. o The PSMF fee may be pro-rata should the solar and/or battery components be put into operation in phases and/or operational for a portion of the year. • The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District.
TRANSPORTATION		
IMPACT 4.17-1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant Impact	~~No mitigation required.~~ **TRANS-1: Road Inspection and Repairs** Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works

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Potential Impacts	Level of Significance	Mitigation Measure
		staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director. Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director. The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.
IMPACT 4.20-2: Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?	Less Than Significant Impact	**FIRE-1: Wildfire Protection Measures** • Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary. • Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief: o On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections

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Potential Impacts	Level of Significance	Mitigation Measure
		compatible with responding fire apparatus. The source and supply for the water shall be clearly identified. o Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval. • The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements. Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis. • As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.

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Chapter 2 Project Description

Page 2-11

2.4.1.1.3.6 Access and Circulation

Access to the Project area would be via a main entrance on Spring Valley Road and/or a secondary access along private right-of-way also connecting to Spring Valley Road. An access gate would be provided at the site entry. Internal service roads would be built to access the Project, for ingress and egress to the Project site, to individual Project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would provide access to the inverter equipment pads and substation. The perimeter roads would be a minimum of 18 feet wide and interior roads would be a minimum of 9 feet wide and would be sufficient for Colusa County and California Department of Forest and Fire Protection (CAL FIRE) access.

Page 2-13

2.4.1.4 Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and an approximately 1,000 foot span of transmission line that extends from the County road right-of-way for Walnut Drive adjacent to the Cortina Substation property ~~line~~ to the ~~new~~ Project's bay ~~station~~ within the existing footprint of the ~~PG&E facility~~ Cortina Substation. All PG&E improvements will be constructed within the Cortina Substation property boundary ~~and~~/or affect existing PG&E structures. To accommodate the gen-tie line, PG&E would potentially increase the heights of up to four existing 115 kV transmission structures west of the Cortina Substation from a current height of 110 feet to a maximum height of up to 135 feet, and within the Cortina Substation property relocate 1-2 existing poles adjacent to Cortina Substation to create space for entry of the Project's gen-tie line.

Network upgrades include a grounding system, steel support structures, outdoor lighting, and outlets, and a disconnect switch. Improvements would also include installation of underground conduits, pull boxes, and junction boxes. Civil foundation improvements consisting of site surfacing and grading would be incorporated within the substation facility.

Interconnection facilities to be constructed at the Cortina Substation would include a circuit breaker, disconnect switches, surge arresters, and a dead-end/pull off structure. A line current differential relay scheme and breaker failure and reclosing relays would be installed. Improvements would also include the installation of fiber termination for the gen-tie line.

Page 2-20 and 2-21

2.5 CUMULATIVE PROJECTS

Cumulative impacts refer to the combined effect of proposed Project impacts with the impacts of other past, present, and reasonably foreseeable future projects. According to the CEQA Guidelines Section 15355 "cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the proposed Project when added to other closely

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related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. In addition, as stated in the CEQA Guidelines Section 15064 (h)(4), "the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed Project's incremental effects are cumulatively considerable."

The CEQA Guidelines Section 15130 (b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of two sources, either:

1) A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
2) A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative analysis provided in this Draft Program EIR utilizes the first method and is based on a list of future projects provided by the County. Cumulative project land uses and intensities are provided in Table 2-1 and shown on Figure 2-7.

The Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County to the south of the project or near the Cortina Substation as a battery energy storage project. This undefined, potential future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time but are anticipated to include battery storage within 1 mile of the Cortina Substation. Further, the project ownership is understood to be changing which could entail further changes to the project. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still determining the location of the project site, which is anticipated to be less than 25-acres. Proponents of the Beauchamp Project have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area. Environmental impacts would be analyzed as part of the application process, should the currently undefined project be proposed through a Use Permit application.

The Community Development Department is interested in maintaining the agricultural character of the area and intends to site future, potential projects to avoid cumulative impacts to agriculture in the area. Given that the scope of the Beauchamp Project is unknown at this time, it would be speculative for the County to attempt to analyze its cumulative impacts, such that it is not considered a probable future project and it is not included in the cumulative projects evaluated in the EIR.

Agriculture and Forestry

Page 4.1-5

Impact 4.1-1: *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* **(No Impact)**

Based on information from the United States Department of Agriculture Natural Resources Conservation Service, there are three soil types found on the Project that may be considered prime farmland when irrigated: Capay clay (approximately 23 percent of the Project site), Clear Lake Clay (approximately 6 percent of the Project site), and Corval loam (approximately 5 percent of the Project site). As stated previously, the property does not have irrigation infrastructure or an existing agreement or connection with the Westside Water District that would supply irrigation water. Therefore, the availability of irrigation water in the future is highly speculative, and conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources due to the conversion of prime, unique, or farmland of statewide importance.

The Project site is designated as Farmland of Local Importance by the California Department of Conservation and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, such that there would be no impact.

Section 4.2 Air Quality

Page 4.2-21

AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices ~~during all construction related activities~~:

- All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.
- When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.
- Limit traffic speeds on unpaved roads to 15 miles per hour.
- Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.
- Curtail construction activities when the County's Air Quality Index exceeds 150.
- Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.
- During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.
- Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.
- The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:

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- Read and understand applicable mitigation measures and have them available at the job site
- Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities
- Use contingency control measures when primary controls are ineffective
- Monitor the worksite for compliance with the dust control mitigation measures
- Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.

- Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:
  - Date
  - Time
  - Wind speed
  - Temperature
  - Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity
  - Soil conditions (damp, dry, etc.)
  - Corrective actions taken, if needed

AQ-2: Construction Equipment Requirements

During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

AQ-3: Long Term Dust Control

Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.

Section 4.15 Public Services

Page 4.15-2 through 4.15-4

IMPACT 4.15-1: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

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i) Fire protection

~~**No Impact.**~~ **Less than Significant Impact.** The Williams Fire Protection Authority would provide fire services to the Project site. The station is located at 810 E Street in the city of Williams and is approximately 12 miles from the Project site. While t~~T~~he Project would be designed in compliance with federal, state, and local worker safety and protection codes and regulations which would minimize the potential for the occurrence of fire~~,~~, the construction of the Project would introduce a greater fire risk than exists today. The Project is not anticipated to contribute an increase in population that would cause an increase in the demand for fire protection.

In addition, Project maintenance and operation may introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and photovoltaic arrays may also be identified as a potential ignition source. However, the potential fire risk is low for these Project components. All battery components for the battery energy storage system would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Although the overall fire risk is low, there is the potential for increased calls for fire service during the construction and life of the project greater than what exists today. **Mitigation Measure PS-1** would provide general funding for provision of public services in Colusa County, such that the costs for potential increased fire protection would be less than significant.

~~Therefore, the proposed Project is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.~~

ii) Police protection

Less than Significant Impact ~~**No Impact.**~~ The Project site would be serviced by the Colusa County Sheriff's Department. The County's Sheriff's office is located at 929 Bridge Street in the city of Colusa and is approximately 17 miles to the east. ~~The Project is not anticipated to contribute an increase in population that would increase the demand for police protection. No new residences are proposed as part of the Project. The construction and operation of the Project would not substantially increase the demand for police services.~~

The facility would be secured with chain link fencing along the perimeter of the Project site. Access to the facility would be provided by individual site entry points. Controlled security lighting would be installed and would allow for the Project site to be monitored remotely. Lights would be installed at substations for maintenance and security purposes.

~~By implementing these measures, the Project would not result in any substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which~~

~~could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.~~

While the Project includes design features that would help secure the site, the construction of the Project would potentially increase sheriff dispatches as part of emergency responses associated with the Project. **Mitigation Measure PS-1** would provide general funding for provision of public services in Colusa County, such that the costs for potential increased police protection would be less than significant.

iii) Schools

No Impact. The nearest school is Williams Elementary School which is 6.1 miles away from the Project site at 1404 E Street in the city of Williams. The Project is not anticipated to contribute an increase in population or the associated potential increase in school-aged children, and therefore would not result in any increase demand for schools.

While the project could employee up to 200 employees during the 11-month construction period, it is anticipated that the majority of these workers would temporarily commute during this period. Once constructed, permanent employment would include up to three employees. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.

iv) Parks

No Impact. The nearest park ~~from the Project site~~ is 11.3 miles from the Project site. The Northview Park is located at 180 Virginia St., Williams, CA 95987. The Project is not anticipated to contribute an increase in population, and therefore would not result in any increase demand for park facilities.

Thus, the proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any park services. Parks and other recreational resources are discussed further in Section 4.16, Recreation.

v) Other public facilities?

No impact. The Project is not anticipated to contribute to increased population growth. It is not anticipated that the demand for public facilities such as libraries or parks would be created. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any other public facilities.

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Mitigation: ~~None required.~~ **PS-1: Public Services Mitigation Fee**

Prior to issuance of a building permit for the solar and/or battery components of the project, project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.
- The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the project.
    - o The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.
    - o The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.
- The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."

Section 4.17 Transportation

Page 4.17-6

IMPACT 4.17-1: *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?* **(Less than significant Impact)**

The LOS analysis performed for the Traffic Analysis Memorandum provided in Appendix J relies on the conservative estimates due to the lack of traffic count data. Given the remoteness of the Project site, the local roads are believed to have far fewer vehicles than their capacity. Applying the conservative estimate of 800 vehicles per day under current conditions, during the peak hour there would be 80 or fewer vehicles on the road using the Highway Capacity Manual standard estimation method of peak hour being 10 percent. The Highway Capacity Manual capacity for a single free flow lane is 1,800 vehicles per hour (TRB 2016). These intersections are two-way stop-controlled intersections, so they have one free-flowing lane in each direction. The estimated total number of vehicles during the peak hours, taking into account 80 vehicles per hour at Walnut Drive and at East Camp Road currently, plus 150 vehicles generated by Project construction, would be 230 to 310. The actual capacity of the intersection is far less than the sum of the two lanes since there would be a break in the traffic for stopped vehicles; however, the estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The LOS calculation for Walnut Drive and Spring Valley Road is provided as Appendix A and yields a LOS A during peak construction. Based on this conservative estimate, it can be reasonably concluded that the LOS will be C or better during construction.

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Because the existing roadways would still be functioning under their estimated capacity, there will be no need to mitigate for traffic and a Traffic Management Plan is not anticipated to be needed for this Project.

During the construction phase, service roads would be constructed in between the solar arrays and around the Project site. Signage indicating the speed limit and stop signs would be posted where appropriate. Due to the remoteness of the Project site, it is not expected to interfere with any bicycle or pedestrian facilities.

The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the Project impact would be less than significant.

Mitigation: ~~None required.~~ **TRANS-1: Road Inspection and Repairs**

Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.

Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.

The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.

Section 4.20 Wildfire

Page 4.20-8 through 4.20-9

IMPACT 4.20-2: *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?* **(Less than Significant Impact)**

Construction and Decommissioning

During Project construction and decommissioning, the primary fire hazards would be heat or sparks from vehicles and construction equipment. These hazards could potentially ignite dry vegetation at the site, especially during the warmer, dry months between June and October. Additionally, construction activities such as welding and grinding could generate sparks which would increase the likelihood of ignition. Therefore, dependent on the time of year and location of

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construction activities at the Project site, there could be a temporary increase in exacerbated fire risk in the area.

As discussed in Section 4.20.2 Regulatory Setting, wildfires release large amount of air pollutants, which can pose as a harmful exposure to first responders such as firefighters, as well as the surrounding communities. The Project site includes relatively flat topography with some rolling hills, and sparse vegetation. While the use of vehicles and equipment on the Project site could introduce an ignition source that could lead to the spread of wildfire, the risk of such an impact would be low. Due to the short-term duration of construction as well as the existing flat topography, lack of vegetation on-site, and distance to population centers, a potential ignition from Project construction is not likely to lead to the spread of wildfire. Therefore, impacts to wildfire risk from Project construction and decommissioning would be less than significant.

Operation

The Project would include battery energy storage systems and other supporting electrical equipment elements that may be susceptible to fire. However, each battery energy storage system used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the IFC, which has been adopted by the State of California, to minimize risk of fire from stationary battery energy storage systems and contain fire in the event of such an incident, and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the battery energy storage system would include fire protection systems. Intermittent maintenance activities could increase the potential for ignition on-site due to the presence of vehicles and use of equipment; however, given the low frequency and nature of maintenance activities as well as the site topography, vegetation, and surrounding land uses, Project operation and maintenance would not significantly exacerbate existing wildfire risks. The potential impacts related to wildfires would be less than significant.

Mitigation: FIRE-1: Wildfire Protection Measures

- Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.
- Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:
    - On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.

- Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval.
- The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.

- Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.
- As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.

Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, and 4.20

Pages 4.1-13, 4.2-21, 4.3-18, 4.4-34, 4.5-24, 4.6-7, 4.7-12, 4.8-7, 4.9-17, 4.10-10, 4.11-4, 4.12-3, 4.13-19, 4.14-4, 4.15-4, 4.16-3, 4.17-8, 4.18-3, 4.19-8, 4.20-10

PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and an approximately 1,000-foot span of transmission lines that ~~would~~ extends from ~~where the Applicant's gen-tie line terminates at the boundary of PG&E's~~ the County road right-of-way for Walnut Drive adjacent to the Cortina Substation property to the Project's bay within the existing footprint of the ~~available PG&E~~ Cortina Substation ~~bay~~. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. ~~The~~ All PG&E improvements ~~made~~ would be constructed within the ~~existing~~ Cortina Substation property boundary ~~footprint~~ and/or affect existing PG&E structures. To accommodate the gen-tie line, PG&E would potentially increase the heights of up to four existing 115 kV transmission structures west of the Cortina Substation from a current height of 110 feet to a maximum height of up to 135 feet, and within the Cortina Substation property relocate 1-2 existing poles adjacent to Cortina Substation to create space for entry of the Project's gen-tie line.

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APPENDIX A
PUBLIC NOTICES

COLUSA COUNTY

NOTICE OF AVAILABILITY

DRAFT ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT (PD-3829/UP 20-01), SCH Number 2020070577

NOTICE IS HEREBY GIVEN THAT the County of Colusa, as the Lead Agency, has prepared a Draft Environmental Impact Report (DEIR) for the proposed Use Permit (UP) and Williamson Act contract cancellation to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, commonly known as the Janus Solar Project (Project).

PROJECT LOCATION: The Project is approximately 6.5 miles southwest of the City of Williams. State Highway 20 runs about one mile from the Project site, north and west. The proposed Project would be located on three parcels (APN's 018-050-005, -006, and -013) totaling 1,023.9 acres currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site.

PROJECT DESCRIPTION: The Project consists of three major components: a solar energy generating facility, the battery energy storage system (BESS), and the generation tie-line. The solar facility would include arrays of solar PV modules (or panels) and support structures, power inverters and transformers/power conditioning stations, and an on-site substation. The Project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system. Other solar facility components would include a project substation, access roads, perimeter fences, telecommunications infrastructure, a meteorological data collection system, signage, lighting, stormwater facilities, and an operations and maintenance building.

The BESS is expected to be located adjacent to the aforementioned substation. Batteries would be contained within enclosures. The combined footprint for the BESS would be approximately 5 acres. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers. The BESS enclosures would also house required heating, ventilation, and air conditioning (HVAC) and fire protection systems.

The on-site substation would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on approximately 59 new poles of up to 80 feet in height. The gen-tie line also would include fiber optic line for communications.

PUBLIC REVIEW PERIOD: The 45-day public review period for the DEIR begins on October 15, 2021 and ends on November 29, 2021. All comments must be received within this time period. Written comments should be submitted to Greg Plucker, Community Development Director, 1213 Market Street, Colusa, CA 95932 or to gplucker@countyofcolusa.com.

DOCUMENT AVAILABILITY: The DEIR and other project documentation is available for review online at: https://www.countyofcolusa.org/996/Janus-Solar-Project. Hard copies are available for review at the Colusa Main Library at 738 Market St. in Colusa, CA 95932, the Williams Branch Library at 901 E Street in Williams, CA 95987, and the Community Development Department at 1213 Market Street, Colusa, CA. 95932.

SCHEDULE PUBLIC MEETING: A public meeting has been scheduled for Thursday, November 4, 2021 at Granzella's Conference Room, 391 6th St., Williams, CA 95987 from 6:00 pm to 7:30 pm.

SIGNIFICANT ANTICIPATED ENVIRONMENTAL EFFECTS: The DEIR evaluates the Project's potentially significant impacts and recommends mitigation measures to avoid/reduce impacts. The Project is not expected to result in any significant, unmitigated impacts.

HAZARDOUS WASTE SITES: The proposed project is not located on any hazardous waste sites lists enumerated under Section 65965.5 of the Government Code.

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

QUESTIONS: If you have any questions about this project, please contact Greg Plucker, County of Colusa, Community Development Department by phone at (530) 458-0480 or by email at gplucker@countyofcolusa.com.

Dated: October 15, 2021

/s/ Melissa Kitts, Deputy Clerk

10/21/2021 – WPR #2021-5056

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Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX B
RECIPIENTS OF THE FINAL EIR

Individuals
Bob and Cindy Freed
Brent Edward LaGrande
Catherine Maureen Ahart
Clifford Allan Myers
David Nelson
Diane Frost
Elizabeth Ferrini Katsaris
Garnett Vann
James Charter
Jean Ferrini
Jean Terkildsen
Jeremiah and Jessica Karlonas
Joe Ferrini
Jonathan and Laura Zilli
Larry and Darlene Farmer
Leo LaGrande
Matt Ferrini
Matt LaGrande
Matthew Ferrini
Richard Mora
Salt Creek Orchards Group
Sid LaGrande
Spring Valley Ranch Partnership
Stephen Marsh
Thomas and Perry Charter
Vance and Nancy Boyes
Vann Brothers General Partnership
Ward Charter

State/Federal
Cal Fire
California Department of Wildlife Region 2
California Energy Commission
California Public Utiltiies Commission
Caltrans
Central Valley Regional Water Quality Control District
Department of Conservation Land Resource Protection
Pacific Gas and Electric
Reclamation District #1004
US Fish and Wildlife
Western Area Power Administration Sierra Neveda Region
Williams Fire Protection Authority

Local Agencies
Agricultural Commissioner
Air Pollution Control District
County Assessor
Environmental Health
Kent Boes - Supervisor District 3
Public Works
Sherrif's Department

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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APPENDIX C

DUST SUPPRESSANT EFFECTIVENESS STUDY PHOTO LOG

Photo 1: **Description:** Test #1: Untreated roadway, truck traveling at 15 mph	

Photo 2: **Description:** Test #2: Road treated with dust suppressant, truck traveling at 15 mph	

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Photo 3: **Description:** Test #2: Untreated roadway, truck traveling at 25 mph	

Photo 4: **Description:** Test #2: Treated with dust suppressant, truck traveling at 25 mph	

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Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Photo 5: **Description:** Test #3: Untreated roadway, truck traveling at 40 mph.	

Photo 6: **Description:** Test #3: Treated with dust suppressant, truck traveling at 40 mph	

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX D
ADDITIONAL PHOTOGRAPHIC SIMULATIONS



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS LAR PROJEC

Colusa C :y, CA

PHOTO SIMULA N

Key Obs ation
Point 0Z
Beauchan







Photograp ormation

Time of photogra	3:35pm
Date of photogra	3/16/21
Weather conditio	Mostly Sunny
Viewing directio	South
Latitude:	39.120208°
Longtitude:	-122.263393°

Disclaimer: visu tions and
plans are for re ce only;
Not for constru

TETRA TECH

RWE

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS

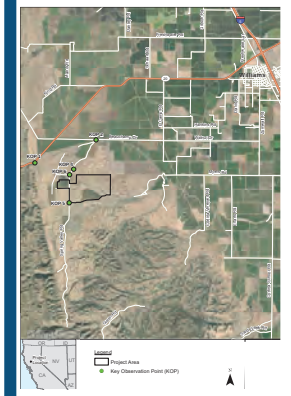


JANUS SOLAR PROJECT

Colusa County, CA

PHOTO SIMULATION

Key Observation Point 06:
Spring Valley RD Reside



Photograph Information

Time of photograph:	3:55
Date of photograph:	12/06/
Weather condition:	Fog
Viewing direction:	Southwe
Latitude:	39.10141
Longtitude:	-122.28169

Disclaimer: visualizations and plans are for reference only; Not for construction

TETRA TECH

RW

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus

Attachment #8.a



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS LAR PROJEC

Colusa C :y, CA

PHOTO SIMULA N

Key Obs ation
Point 07
Spring Val d





Photograp ormation

Time of photogra	2:58pm
Date of photogra	3/16/21
Weather conditio	Mostly Sunny
Viewing direction	Northeast
Latitude:	39.104781°
Longtitude:	-122.278892°

Disclaimer: visu tions and
plans are for re ce only;
Not for constru

TETRA TECH

RWE

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
AG-1: Williamson Act Cancellation	The Applicant shall file a Petition for Cancellation of Contract for each of the three Williamson Act Contracts on the Project site, for consideration by the Colusa County Board of Supervisors, prior to construction.	Pre-construction	RWE
AQ-1: Dust Control Measures	During construction of the Project, the primary construction contractor shall implement the following practices during all construction related activities: •All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. •When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained. •Limit traffic speeds on unpaved roads to 15 miles per hour. •Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic. •Curtail construction activities when the County's Air Quality Index exceeds 150. •Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period. •During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below. •Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles. •The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to: oRead and understand applicable mitigation measures and have them available at the job site oImplement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities oUse contingency control measures when primary controls are ineffective oMonitor the worksite for compliance with the dust control mitigation measures oMaintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities. •Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information: oDate oTime oWind speed oTemperature oMinutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity oSoil conditions (damp, dry, etc.) oCorrective actions taken, if needed	Construction	RWE/Construction Contractor

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Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
AQ-2: Construction Equipment Requirements	During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.	Construction	RWE/Construction Contractor
AQ-3: Long-Term Dust Control	Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.	Construction/Operation	RWE
BIO-1: Protection of Special Status Species	**Parry's Rough Tarplant** A pre-construction survey for Parry's rough tarplant shall be conducted in work areas with potential habitat no more than 14 days prior to construction activities during the blooming period (May to October). If Parry's rough tarplant populations are located outside of the Project construction footprint (including staging areas), a qualified biologist shall flag an appropriate zone to completely avoid impacts to any individuals. If necessary based on the timing of the construction work, populations may also be flagged based on previous survey data of the population extents.	Pre-construction, between May and October	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Parry's Rough Tarplant** If Parry's rough tarplant populations cannot be avoided, a qualified biologist shall prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. Temporary impacts (impacts in areas that would be restored to natural conditions) may be mitigated by salvaging the first 6 inches of topsoil during ground disturbance, storing on-site and protecting the soil from weed seed dispersal, and then returning the soil horizon to its original profile to keep seeds at the appropriate soil depth. Permanent impacts (impacts in areas that would not be restored to natural conditions) may be mitigated by enhancing other Parry's rough tarplant habitat within or outside the Project site. Topsoil would not be salvaged in the case of permanent impacts, and other habitat enhancement methods would be used, such as seed collection and propagation, in other non-impacted locations.	Construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Burrowing Owl** The Project owner shall have pre-construction surveys performed no less than 14 days prior to the initiation of equipment staging or ground-disturbing activities (e.g., vegetation clearing or grading) and within 24 hours prior to these activities. A qualified biologist shall conduct pre-construction surveys on the site and 150-meters around the site (access permitting) in areas with suitable burrowing habitat to locate any active breeding or wintering BUOW burrows and to check known burrows. Areas that have been plowed within 12 months prior to the start of ground-disturbing activities are not considered suitable habitat. The survey methodology shall be consistent with the methods outlined in the CDFW (2012) Staff Report on Burrowing Owl Mitigation and shall consist of walking parallel transects 23 to 66 feet (7 to 20 meters) apart, noting any potential burrows with fresh BUOW sign or presence of BUOWs, and visiting potential burrows during the timeframe described in the protocol. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities. Copies of the survey results shall be submitted to CDFW and the Colusa County Planning Department.	Pre-construction	RWE/Environmental Contractor

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MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-1: Protection of Special Status Species	**Burrowing Owl** If BUOWs are detected on the Project site or within 150 meters during the pre-construction survey, a Project-specific mitigation plan shall be prepared for CDFW review and approval and implemented to protect BUOWs and their nest sites. No ground-disturbing activities, such as vegetation clearance, grading, or equipment staging shall be permitted within 330 feet from an active burrow during the breeding season (February 1 to August 31), unless otherwise approved by a qualified biologist. During the non-breeding (winter) season (September 1 to January 31), no ground-disturbing work or equipment staging shall be permitted within a buffer of 165 feet from the active burrow. Depending on the level of disturbance, a smaller buffer may be established by a qualified biologist based on the visibility and sensitivity responses of each individual BUOW or pairs in consultation with CDFW.	Pre-construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Burrowing Owl** If burrow avoidance is infeasible during the non-breeding season or during the breeding season where resident BUOWs have not yet begun egg laying or incubation or where the juveniles are foraging independently and capable of independent survival, a qualified biologist shall implement a passive relocation program in accordance with the CDFW (2012) Staff Report on Burrowing Owl Mitigation. If passive relocation is anticipated due to on-site BUOW populations, a Burrowing Owl Exclusion Plan in accordance with CDFW (2012) Staff Report on Burrowing Owl Mitigation would be included in the Project-specific mitigation plan prior to passive relocation activities.	Construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Swainson's Hawk** If construction (i.e., equipment staging, vegetation removal, or ground disturbance) is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys or additional measures are required for Swainson's hawk. During the breeding season (March 1 to September 15), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site. The survey shall focus on potential nest sites within a 0.5 mile buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000) and occur no more than 10 days prior to construction activities.	Pre-construction, only if construction is to occur during breeding season	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Swainson's Hawk** Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by Swainson's hawk without causing intrusive disturbance. If active Swainson's hawk nests are found, a 0.5-mile buffer shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest), adult and juvenile Swainson's hawks have left the area, or the breeding season has ended. Encroachment into the buffer for Swainson's hawk must be authorized by the CDFW.	Pre-construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**American Badger** A pre-construction survey for the American badger shall occur during the burrowing owl surveys. Any active American badger dens shall be avoided by establishing a minimum 50-foot buffer around the den. No construction activities shall occur within this buffer unless a qualified biologist determines that the den is inactive.	Pre-construction	RWE/Environmental Contractor

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MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-2 WEAP and BMPs for Biological Resources	Prior to and for the duration of construction activities, the Project owner, or its contractor, shall implement a Worker Environmental Awareness Program to train all on-site construction personnel how to recognize and protect biological resources on the Project site. The Worker Environmental Awareness Program training shall include a review of the special-status species and other sensitive biological resources that could exist in the Project area, the locations of sensitive biological resources and their legal status and protections, and measures to be implemented for avoidance of these sensitive resources, highlighting Parry's rough tarplant, burrowing owl, Swainson's hawk, American badger, nesting birds, and protected waters and wetlands.	Pre-construction/construction	RWE/Environmental Contractor
BIO-2: WEAP and BMPs for Biological Resources	The Project owner shall limit the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. Buffers and avoidance areas established for biological resources, as described in **BIO-1** and **BIO-3** above, shall be delineated with stakes and/or flagging prior to construction. Construction-related activities and use of vehicles and equipment shall not occur within protected buffers or avoidance areas.	Pre-construction/construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Any sensitive habitats, including riparian areas and state and federally protected wetlands, within 50 feet of the Project impact areas shall be flagged in the field by a qualified biologist prior to Project construction. To the extent feasible, the greatest buffer (up to 50 feet) should be flagged around the sensitive habitat. No work will occur in the flagged areas. The avoidance areas will be maintained for the duration of construction activities in the vicinity of these areas.	Pre-construction/construction	RWE/Environmental Contractor
BIO-2: WEAP and BMPs for Biological Resources	To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches with a 2-foot or greater depth shall be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected by on-site workers for trapped animals. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape. If a special-status species is trapped, the USFWS and/or CDFW shall be contacted immediately.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	All construction pipes, culverts, or similar structures with a 4-inch or greater diameter that are stored at a construction site for one or more overnight periods shall be covered and/or thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until a qualified biologist has been consulted and the animal has either moved from the structure on its own accord or until the animal has been captured and relocated by the biologist. No handling of special-status species shall occur without consultation with the applicable agencies (CDFW, USFWS).	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Vehicles and equipment parked on the site during construction shall have the ground beneath the vehicle or equipment inspected for the presence of wildlife prior to moving	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Vehicular traffic shall use existing routes of travel. Cross country vehicle and equipment use outside of the Project properties shall be prohibited.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	A speed limit of 20 miles per hour shall be enforced within all construction areas.	Construction	RWE/Construction Contractor

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MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

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Condition/ Section	Requirement	Timing	Responsible Party
BIO-2: WEAP and BMPs for Biological Resources	A long-term trash abatement program shall be established for construction, operation, and decommissioning and submitted to the County. Trash and food items shall be contained in closed containers and removed daily to reduce the attractiveness to wildlife such as common raven (Corvus corax), coyote (Canis latrans), and feral dogs.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Workers shall be prohibited from bringing pets to the Project site and from feeding wildlife in the vicinity.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Intentional killing or collection of any wildlife species shall be prohibited.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Rodenticides shall not be used within the Project site except within buildings and disturbance to mammal burrows shall be avoided and minimized.	Construction	RWE/Construction Contractor
BIO-3: Protection of Nesting Birds	If construction (i.e., vegetation removal or ground disturbance) is scheduled to commence outside of the bird nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required for nesting birds, including raptors. During the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site where construction is planned. The survey shall focus on potential nest sites within a 500-foot buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted no more than 14 days prior to construction activities. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities.	Pre-construction, if construction activities occur during nesting season	RWE/Environmental Contractor
BIO-3: Protection of Nesting Birds	Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by migratory birds and all locally breeding raptor species without causing intrusive disturbance. If active nests are found, a suitable buffer (e.g., 200 feet for non-listed raptors, 50 feet for non-listed birds) shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest) or the breeding season has ended. Encroachment into the buffer may occur at the discretion of a qualified biologist for non-listed species.	Pre-construction	RWE/Environmental Contractor

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Condition/ Section	Requirement	Timing	Responsible Party
CUL-1: Cultural Resource Worker Education/Training	Prior to Project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the Project proponent shall conduct a worker education awareness program for Project construction personnel. A qualified archaeologist will be retained for the Project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities. During construction, the Applicant will provide the training to all new construction personnel. The cultural resource training will include an overview of applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and procedures to follow in the event an inadvertent discovery (Inadvertent Discovery Plan discussed below) is encountered, including appropriate treatment and respectful behavior of a discovery (e.g., no posting to social media or photographs). Per Mr. Kinter's request, Laverne Bill, Cultural Resources Manager of the Yocha Dehe Wintun Nation, shall be notified to participate in the cultural sensitivity/environmental training to discuss or provide text from a tribal cultural perspective regarding tribal cultural resources within the region during the initial pre-construction environmental training	Pre-construction	RWE/Environmental Contractor
CUL-2: Inadvertent Discovery of Archaeological Resources During Construction	A qualified archaeologist shall be retained to prepare an Inadvertent Discovery Plan for the Project and to be on-call in the event of an inadvertent discovery. The Inadvertent Discovery Plan will provide protocols and notification procedures in the event of an inadvertent discovery. During Project construction (e.g., ground disturbing activities such as vegetation removal, excavation, trenching, grading), should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find shall cease and the qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or NRHP criteria (as applicable). If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agencies and any local consulting Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Under CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, Project reroute or re-design, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local consulting Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as an historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2. In regard to an inadvertent discovery of human remains: existing regulations require that if human remains and/or cultural items defined by Health and Safety Code, Section 7050.5, are inadvertently discovered, all work in the vicinity of the find would cease and the Colusa County Coroner (Sheriff-Coroner Unit Telephone Number: 530.458.0200) would be contacted immediately. If the remains are found to be Native American as defined by Health and Safety Code, Section 7050.5, the coroner will contact the NAHC by telephone within 24 hours.	Pre-construction/construction	RWE/Environmental Contractor

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Condition/ Section	Requirement	Timing	Responsible Party
CUL-3: Inadvertent Discovery of Human Remains During Construction	The County and Applicant should continue to consult with interested tribes throughout the planning process and construction of the Project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) shall be notified to participate in monitoring visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities (e.g. grading and trenching). The retained on-call Secretary of Interior qualified archaeologist shall assist in the preparation of a cultural resource monitoring plan and inadvertent discovery plan (CUL-2) that will include the worker resource education, inadvertent discovery procedures, and outline the guidelines for cultural resources monitoring. The Project archaeologist will coordinate with local tribes regarding the monitoring plan and tribal cultural resource monitoring of subsurface ground disturbing Project activities. At the completion of construction, a final monitoring report shall be prepared for the Project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the Project. The report will be submitted to the County and the NWIC.	Construction	RWE/Colusa County
GEO-1: Paleontological WEAP	Before starting construction activities, on-site personnel should be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities (an unanticipated find).	Pre-construction	RWE/Environmental Contractor
GEO-2: Unanticipated Find Contingency	A qualified paleontological specialist, meeting the Secretary of the Interior's Professional Qualification Standards for the Society of Vertebrate Paleontology shall be retained by the Project Owner on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources (an unanticipated find) and determine if additional study is warranted. If the significance of the find under CEQA or California Public Resources Code, Section 21082 does not warrant such study, the qualified paleontologist may decide to record the find and allow work to continue. If the discovery proves significant under CEQA, preparation of a paleontological treatment plan, testing, or data recovery may be required at the discretion of the paleontological specialist.	Construction	RWE/Environmental Contractor
NOISE-1: Noise Minimization	The Project shall implement the following construction management protocols to minimize noise impacts during construction: - Maintain all construction tools and equipment in good operating order according to manufacturers' specifications; - To the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable. Some limited activities, such as concrete pours, would be required to occur continuously until completion; - Equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks; - For construction devices that utilize internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating material mounted on the engine housing consistent with manufacturers' guidelines, if possible; - Limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities, together with appropriate material handling equipment; and - Utilize a Complaint Resolution Procedure to address any noise complaints received from residents.	Construction	RWE/Construction Contractor

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FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
PS-1: Public Service Mitigation Fee	Prior to issuance of a building permit for the solar and/or battery components of the project, project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval: •A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. •The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the project. oThe PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. oThe PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year. •The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."	Pre-Construction/Operation	RWE
TRANS-1: Road Inspection and Repairs	Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director. Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director. The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.	Pre-Construction	RWE

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Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
FIRE-1: Wildfire Protection Measures	•Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary. •Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief: oOn-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified. oBattery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval. oThe battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements. •Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis. •As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.	Pre-Construction	RWE/Environmental Contractor

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USE PERMIT #20-01 (PD-3829)
JANUS SOLAR PV, LLC
COLUSA COUNTY PLANNING COMMISSION

March 1, 2023
DATE

UP #20-01 (PD-3829)
PERMIT NO.

018-050-005, 006, and 013
ASSESSORS PARCEL NO.

Pursuant to the provisions of the Zoning Ordinance of the County of Colusa JANUS SOLAR PV, LLC is hereby granted a Use Permit in accordance with the application filed to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure subject to all of the following Conditions of Approval:

CONDITIONS OF APPROVAL

A. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of the Use Permit constitutes cause for the revocation of said permit in accordance with the procedures set forth in the Colusa County Code and Zoning Ordinance.

B. Unless otherwise provided for in a Condition of Approval to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use to the satisfaction of the zoning administrator.

C. The use shall be limited to the project described in the Janus Solar Final EIR certified by the Planning Commission attached as Exhibit "A" to the Commission's approval Resolution. Minor changes may be approved by the Zoning Administrator pursuant to Section 44-1.80.030 of the County Code. Changes deemed major or significant in nature by the Zoning Administrator shall require an application amendment which must be reviewed by the Planning Commission.

D. All requirements of the Mitigation and Monitoring Program adopted by the Planning Commission in Exhibit "B" of the Commission's approval Resolution are herein incorporated by referenced as conditions of this Use Permit approval.

E. The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors and assigns of the Permittee.

F. The use granted by this permit must be established within 24 months per the County Code. Upon written request by the applicant, the original review authority for the permit may extend the time limit for the permit per the County Code. If any use for which a Use Permit has been granted is not established within 24 months and no time extension has been granted, this Use Permit shall become null and void and re-application and a new permit shall be required prior to establishment of the use.

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G. The project developer agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding brought against the County within 180-days after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding. The County shall promptly notify the applicant of any such claim, action, or proceeding and will cooperate in its defense. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations under this condition.

H. The project developer shall comply with all other applicable federal, state, and local laws, statutes, ordinances and regulations, including Colusa CUPA Business Plan requirements.

I. The project developer shall comply with the current version of the California Building Standards Code adopted in Chapter 5 of the County Code in effect at the time of building permit submittal.

J. Prior to building permit issuance, the Applicant shall submit a Local Tax Purchasing Plan to the Community Development Director for review and approval which details the requirements and actions that will be taken to procure equipment and materials necessary for the development of the project in a manner that maximizes the amount of sales tax able to be captured and allocated to Colusa County.

K. The applicant shall track the number and species of birds that may have died as a result of impacting solar panels throughout the life of the project. Any bird fatalities incidentally observed by operations staff should be logged. This information shall be collected on a calendar year basis and no later than January 31 of each year, the total number of bird deaths believe to occur as a result of solar panel strikes shall be submitted to the Community Development Director. The information shall include the total number of deaths per month and species to the satisfaction of the Community Development Director.

L. The final color of the metal battery enclosures shall be submitted to the Community Development Director for review and approval prior to installation. In general, the color shall be non-reflective and earth tones to blend into the surrounding environment

M. The approval of this Use Permit is contingent upon the Board of Supervisors approving the cancellation of the properties' Williamson Act Contracts and said cancellation being finalized prior to the expiration of the Use Permit pursuant to the time lines detailed in these conditions. Once the contract has been cancelled, acceptance back into the County's Williamson Act program shall be consistent with Colusa County's Williamson Act Contract program and policies in effect at the time of any re-entry application. No contract re-entry shall occur in any event until after the Project and has been fully decommissioned and returned to its pre-Project state.

N. Project related semi-truck construction traffic and off-site construction shall be limited to Mondays through Friday 7:00 am to 7:00 pm. On-site construction activities shall be limited to Mondays through Friday 7:00 am to 7:00 pm and from 8:00 am though 5 pm on Saturday and Sundays.

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O. Prior to commencement of construction, the Applicant shall identify a single point of contact to receive any complaints (including but not limited to noise, traffic, and other issues) and shall forward this contact and their contact information to the Community Development Director. The Applicant shall also mail a notice of this contact information to property owners adjacent to the project development. Within 48 hours of receiving any complaint, the complaint contact shall notify the Community Development Director of any complaint.

P. Prior to construction commencing, the application shall contact Caltrans and the Colusa County Public Works Department to determine any appropriate locations for Construction Warning signs along Highway 20 and along County Roads. The placement of such signage shall be subject to Caltrans and the Public Works Department's specifications. The results of these determinations shall be submitted to the Community Development Director for review and approval prior to construction commencing,

Q. Should metal power poles be used for the gen-tie connection, the poles shall be finished in a non-reflective (flat) dark brown color to resemble the coloration of adjacent wooden power poles. Prior to installation of the poles, the finish shall be submitted to the Community Development Director for review and approval.

R. Prior to permit issuance, the applicant shall pay all required fees, including but not limited to the Williams Fire Authority determined development impact fees

S. At least two years prior to the decommissioning of plant, the applicant shall submit a decommissioning plan to the Community Development Director for review and approval. This plan shall detail the actions required to return the property to its pre-development condition. An engineer's estimate of the cost of this decommissioning shall accompany the plan and prior to the approval of said plan, a bond in the amount of the cost of decommissioning shall be submitted to the County.

T. Prior to installation of any security fencing, the design of this fencing shall be submitted to the Community Development Director for review and approval. In general, the design of the fencing shall incorporate rural fencing characteristics to the greatest extent possible and avoid industrial or institutional designs.

U. Prior to issuance of building permits, the Applicant shall submit a status of all requirements contained in the Mitigation and Monitoring Report Program to the Community Development Director. Said status shall specify the status and timing of completion of all mitigation measures to the satisfaction of the Community Development Director.

V. This approval shall become effective ten (10) days from the date of this decision unless appealed pursuant to Section 44-1.80.080 of the County Code. Any such appeal must be filed within 10 days from this approval by submitting an appeal request in writing together with the applicable fee to the Colusa County Board Clerk. The appellant shall clearly identify in the appeal documentation the specific reasons for the appeal and the relief requested.

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TECHNICAL MEMORANDUM

To: Greg Plucker, Colusa County

From: Jamie Gomes and Sean Fisher

Subject: Colusa County Janus Solar Facility Economic Impact Analysis; EPS #212142

Date: January 9, 2023

Introduction and Project Overview

Colusa County (County) retained Economic & Planning Systems, Inc. (EPS) to prepare an economic impact analysis (Analysis) of the proposed Janus Solar Facility (Project), an 80-megawatts alternating current (MWac) solar facility plus battery energy storage system (BESS), located in the western unincorporated portion of the County. The Project is being proposed by Janus Solar PV, LLC, a subsidiary of RWE Solar Development, LLC (Applicant). The Project is anticipated to encompass 768 acres of 1,024 acres of land owned by a private landowner. The Project consists of three major components: a solar energy generating facility, energy storage system, and the generation tie-line. The proposed BESS would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 3 miles northeast of the Project site.

The Project is located approximately 6.5 miles southwest of the City of Williams. The Project is to be located on 3 adjacent parcels zoned for foothill agriculture and are being used for cattle grazing.

The purpose of this Analysis is to estimate the quantifiable one-time construction and ongoing operational impacts of the proposed Project on the local economy with respect to jobs,

The Economics of Land Use

Economic & Planning Systems, Inc.
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Sacramento, CA 95814
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Los Angeles

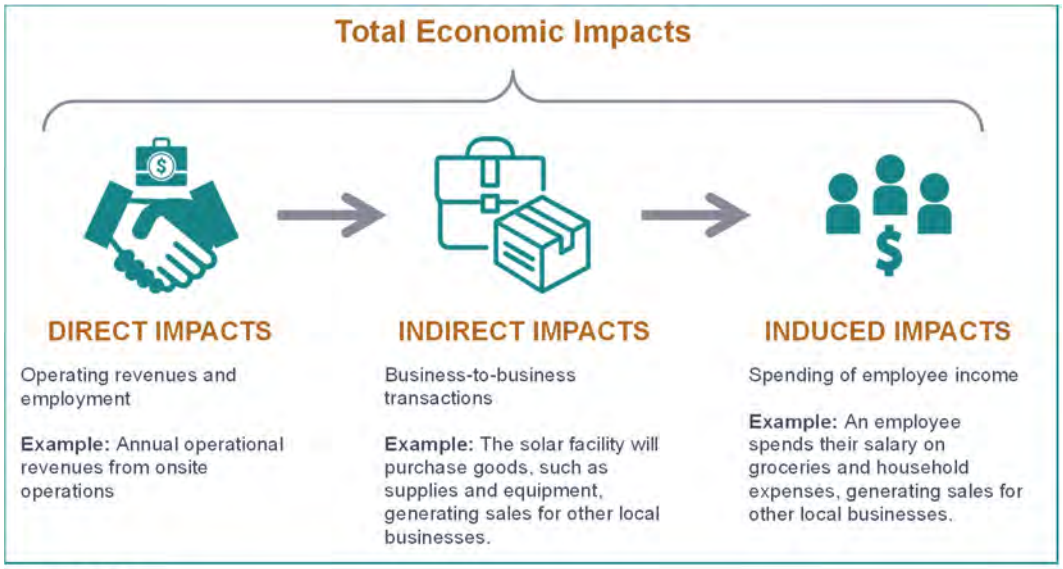
www.epsys.com

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income, and total economic output.[1] The economic stimulus generated by the Project will have a multiplying effect throughout the economy as local businesses, consumers, and employees associated with the Project make local expenditures. This Analysis quantifies these impacts using an input/output (I/O) economic modeling system, which measures the change in regional economic activity resulting from a specific economic stimulus.

In this Analysis, the local economy is defined as Colusa County (County), and the economic impacts measured include the direct contributions of the Project, as well as indirect and induced impacts resulting from Project construction and operations. **Figure 1** illustrates the activities captured by this Analysis.

Figure 1. Economic Impact Analysis Components



Source: EPS.

In addition, this Analysis includes an estimate of revenues generated by the Project to the public sector of the County.

[1] Total economic output refers to the value of goods and services produced in a county as a result of a project's buildout operations.

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Economic Impact Results

Table 1 summarizes the estimated one-time construction impacts, ongoing annual direct, indirect, and induced impacts, and public-sector revenues generated by the Project in the County:

- The construction of the Project is anticipated to generate $15.9 million in one-time economic impacts, supporting 90 jobs.
- On an annual ongoing basis, Project operations are anticipated to generate $4.0 million annually in total economic impacts, supporting 6 new jobs in the County.
- This Analysis includes an estimate of tax revenues generated in the County. The construction of the Project is anticipated to generate $788,000 in one-time fiscal revenues to the County. On an annual ongoing basis, the Project is anticipated to generate tax revenue to support public-sector operations ranging from $155,000 in the first year of operations to $22,000 once all assets have depreciated (years 12 and beyond).[2]

One-Time Construction Economic Impact Results

One-time economic impacts are generated by construction and as such are limited to the development period of the construction. To the extent that construction activity is short-term and construction labor markets are tight, construction impacts may represent a shift of resources from other projects in the County. This report, therefore, reports gross economic impacts, not accounting for potential shifts in resources. To the extent that construction labor is used temporarily and laborers may live outside of the County, this Analysis is based on the assumption that construction activities will not generate induced impacts. Construction impacts are based on the anticipated construction employment estimates and hard construction costs for the proposed Project, as provided by the Applicant.

[2] Ongoing public sector revenues include annual property tax revenues estimated assuming a dual use scenario in which the BESS would in any part be fueled by the existing power grid, resulting in a reduced solar exclusion of 75% of the property value for the BESS not assessed for property tax purposes.

Table 1
Colusa County Janus Solar Facility
Economic Impact Analysis
Summary of One-Time and Ongoing Impacts (Rounded 2022$)

Activity/Impact Categories	Estimated Economic Impacts (2022$)
Estimated Economic Impacts of Project Construction and Operations	
Colusa County Impacts	
One-Time Economic Impacts	
One-Time Construction Impacts [1]	$15.9 M
One-Time Construction Jobs (Job Years) [2]	90
One-Time Fiscal Revenues	$788,000
Annual Ongoing Economic Impacts	
Annual Ongoing Operational Impacts [3]	$4.0 M
Annual Ongoing Operational Jobs (Annual Average) [4]	6
Annual Ongoing Fiscal Revenues	$22,000

Source: IMPLAN, 2019 Dataset; RWE Solar Development, LLC; EPS.

[1] Includes direct and indirect impacts.
[2] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire construction period.
[3] Includes direct, indirect, and induced impacts of the anticipated Project.
[4] Reflects Stabilized Operational employment for the Project. Employment includes both full- and part-time workers.

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One-time economic impacts stemming from construction of the Project are estimated to generate a **total output of $15.9 million** (measured in 2022 dollars). It is anticipated that construction of the Project will generate **90 job-years** over the anticipated construction timeline, including 83 direct and 7 indirect job years.[3]

Ongoing Economic Impact Results

Ongoing economic impacts are measured on a gross annual impact basis, not accounting for shifts in consumer expenditures from other local alternatives. Based on the anticipated operating expenditure of the Project after stabilized operations are reached, approximately **$4.0 million in total economic activity** (measured in 2022 dollars) is estimated to be generated in the County annually. This level of economic output represents direct, indirect, and induced impacts.

The Project is estimated to result in **6 full- and part-time jobs** in the County as a result of ongoing, annual Project operations, including 3 direct (on-site) Project jobs, 2 indirect jobs, and 1 induced job. These full- and part-time jobs are estimated to generate approximately **$752,000 in earned employee compensation (wages and benefits)**.

Public-Sector Revenues

This Analysis estimates tax revenues resulting from the Project that will flow to the County resulting from Project construction and ongoing operations. This Analysis focuses on major sources of tax revenue only, including property tax, property tax in lieu of vehicle license fees, property transfer tax, and sales tax revenues. Under a dual-use scenario, in which only a portion of the assessed BESS is eligible for the State of California's (State) Active Solar Energy System Exclusion (Exclusion), it is estimated that Project operations will generate public-sector tax revenues ranging from approximately **$155,000 in the first year of Project operations** to **$22,000 annually after the Project facilities have depreciated in value (years 12 and beyond)** with an **additional $788,000 in one time County revenues** related to Project construction (measured in 2022 dollars).

[3] Note that the employment figures reported for construction impacts represent total job years lasting over the duration of the Project and could reflect the same job that extends over multiple years. For instance, a general laborer employed for 2 years during construction activity would represent 2 job years. Construction employment in any given month of Project development may exceed total job year estimates.

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Detailed Analysis Findings and Assumptions

The following section provides the detailed results of the Analysis, as well as the assumptions used to calculate each impact.

One-Time Construction Impacts

Impacts associated with construction of the Project through buildout are measured on a one-time basis. Construction activity generates a short-term burst of economic activity that dissipates once construction is complete. One-time impacts include the value of new construction, improvements to existing infrastructure, employment created, and income earned during Project construction. The duration of one-time impacts is limited to the development period of the Project. One-time economic impacts are calculated based on the anticipated Project construction employment estimates provided by the Project Applicant. Based on information provided by the Project Applicant, it is estimated that construction of the Project will last approximately 9 months with employment estimates of up to 175 employees during any given month. As the economic impacts are estimated based on annual job years, EPS converted the monthly job estimates to an annual job year estimate. The conversion of monthly to annual job estimates is shown on **Table B-1** in **Appendix B**.

The section below details the one-time economic impacts results for construction of the Project.

One-Time Project Construction

Table 2 details the estimated one-time economic impacts associated with construction of the Project. The resulting impacts are described below:

- **Annual Output:** Construction operations are estimated to generate approximately $14.5 million in direct one-time industry output. Local spending will result in $1.4 million in indirect one-time impacts for a total one-time industry output impact of $15.9 million.
- **Employee Compensation:** Of the $14.5 million in direct industry output reported above, approximately $7.1 million will be received by construction employees in the form of salary, wages, and benefits. Indirect employee compensation impacts total approximately $402,000, for a total annual employee compensation impact of approximately $7.5 million.
- **Annual Employment:** The 83 direct job years support 7 indirect job years for a total employment impact of 90 job years.

Table 2
Colusa County Janus Solar Facility
Economic Impact Analysis
Detailed One-Time Economic Impacts of Project Construction (Rounded 2022$)

Construction

Activity/Impact Categories	Source	Impact Type			Total One-Time Impacts
		Direct	Indirect	Induced [1]	
Key Input					
Estimated Construction Jobs (Annual)	Table B-1	83			
Colusa County One-Time Impacts					
Colusa County Output [2]					
Industry Output (excl. Income)		$7,464,000	$957,000	$0	**$8,421,000**
Income [3]		$7,056,000	$402,000	$0	**$7,458,000**
Total		**$14,520,000**	**$1,359,000**	**$0**	**$15,879,000**
Colusa County Employment (Annual Average) [4]		83	7	0	**90**

Source: IMPLAN, 2019 Dataset; RWE Solar Development, LLC; EPS.

[1] Note that total construction impacts include direct and indirect impacts only; induced impacts were not estimated because construction activities are temporary and thus are not anticipated to generate net new household expenditures in the local economy.

[2] Analysis based on construction activity generated in Colusa County data. Output is the amount of business expenditures on goods and services retained within the County economy.

[3] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).

[4] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire estimated construction period of the Project.

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Ongoing Operations

This report estimates the ongoing economic impacts occurring annually as a result of the Project operations in the County. Ongoing economic impacts capture the direct, indirect, and induced impacts generated by annual operations of the Project. Impacts associated with these economic activities are estimated based annual ongoing Project operational expenditures, provided by the Project Applicant, reflecting stabilized operations.

Ongoing Project Operations

Table 3 summarizes the total estimated annual ongoing impacts associated with Project operations. The resulting impacts are described below:

- **Annual Output:** Project operations are estimated to generate approximately $3.6 million in direct industry output annually. Local spending will result in approximately $318,000 in indirect industry output impacts and $145,000 in induced impacts annually for a total industry output impact of $4.0 million on an annual basis.
- **Employee Compensation:** Of the $3.6 million in direct industry output reported above, approximately $626,000 will be received by employees employed in the Project in the form of salary, wages, and benefits. Indirect and induced employee compensation impacts total approximately $126,000 for a total annual employee compensation impact of approximately $752,000.
- **Annual Employment:** The 3 direct jobs will generate approximately 2 indirect and 1 induced jobs annually for a total employment impact of approximately 6 jobs on an annual basis.[4]

Additional Public-Sector Revenues

The Project will generate additional revenues to the County. This Analysis focuses on major sources of tax revenues, including property tax and sales tax revenues, as shown in **Table 4**. Based on the State's Revenue and Taxation Code section 73, active solar facilities are eligible for the State Exclusion program, which allows for development of active solar facilities with no increase in assessed value for construction of active solar facilities. The property tax revenues estimated in this analysis are based on estimating methodologies derived from the Guidelines for Active Solar Energy Systems New Construction Exclusion (Guidelines), published by the State Board of Equalization in December 2012.

[4] Job estimates reflect total full- and part-time employment, adjusted for seasonality but not adjusted for hours worked per day.

Table 3
Colusa County Janus Solar Facility
Economic Impact Analysis
Detailed Annual Economic Impacts of the Ongoing Project Operations (Rounded 2022$)

Annual Ongoing Impacts

Activity/Impact Categories	Impact Type			Total Annual Ongoing Impacts
	Direct	Indirect	Induced	
Key Input				
Ongoing Project Operating Expenditures [1]	$3,550,000			
Colusa County Annual Ongoing Operating Impacts				
Colusa County Output [2]				
Industry Output (excl. Income)	$2,924,000	$230,000	$107,000	**$3,261,000**
Income [3]	$626,000	$88,000	$38,000	**$752,000**
Total	**$3,550,000**	**$318,000**	**$145,000**	**$4,013,000**
Colusa County Employment (Annual Average) [4]	3	2	1	**6**

Source: IMPLAN, 2019 Dataset; RWE Solar Development, LLC; EPS.

[1] Reflects stabilized operational expenditures as provided by the Project Applicant.
[2] Analysis based direct employment generated in Colusa County data. Output is the amount of business expenditures on goods and services retained within the County economy.
[3] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).
[4] Reflects stabilized operational employment. Employment includes both full-time and part-time workers. Due to the types of employment resulting from the Project, total ongoing employment impacts reflect full time equivalent employment estimates.

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Table 4
Colusa County Janus Solar Facility
Economic Impact Analysis
Summary of One-Time and Annual Fiscal Revenues (Rounded 2022$)

County Revenue Type	Source	Estimated Revenues (2022$)		
			Dual Use Scenario [2]	
		No Exclusion Scenario [1]	Initial Value [3]	Depreciated Value [4]
Estimated Fiscal Impacts of Project Construction and Operations				
Colusa County Revenues				
One-Time Fiscal Revenues				
Property Transfer Tax	Table A-1	$3,245	$3,245	$3,245
Sales Tax [5]	Table A-2	$784,483	$784,483	$784,483
Total One-Time Fiscal Revenues		**$787,728**	**$787,728**	**$787,728**
Annual Ongoing Fiscal Revenues				
Property Tax [6]	Table A-3	$404,489	$102,395	$14,788
Property Tax in Lieu of Vehicle License Fees	Table A-3	$206,876	$52,370	$7,564
Total Annual Ongoing Fiscal Revenues		**$611,364**	**$154,766**	**$22,352**

Source: RWE Solar Development, LLC; EPS.

[1] Represents a scenario estimating the maximum property tax revenue available assuming there is not a property tax exclusion.
[2] A dual use scenario reflects a scenario in which the battery storage facilities on-site would be in some way fueled by the existing energy infrastructure and not be solely charged by the solar facilities. Under this scenario, 25 percent of assessed value for the battery storage system would not be eligible for property tax exclusions
[3] Estimates reflect the revenues associated with the total taxable assessed value of the Project under the dual use scenario prior to any assumed depreciation.
[4] Estimates reflect the revenues associated with the total taxable assessed value of the Project in Year 12, including depreciation of personal property values under a dual use scenario.
[5] Includes both the one percent Bradley Burns local sales tax rate and the half cent proposition 172 public safety sales tax revenues. Ongoing estimates of sales tax revenues resulting from employee spending is anticipated to be negligible and have not been estimated in this analysis.
[6] Property tax estimates shown reflect only the County's share of property tax revenues. For the full 1 percent property tax generated by the Project, refer to Table A-3.

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This Analysis estimates public-sector revenues under two scenarios related to the State's Exclusion program:

- **No Exclusion Scenario:** The No Exclusion Scenario is provided for informational purposes and estimates the public sector revenues generated by the project assuming no Exclusion for any portions of the Project. No depreciation is assumed in the No Exclusion Scenario.
- **Dual Use Scenario:** The Dual Use Scenario reflects a likely operational scenario for the project in which the BESS will in part be fueled using the existing energy grid and not exclusively new solar facilities. Based on information provided in the Guidelines, this scenario assumes that the active solar facilities within the Project would be eligible for the Exclusion and the dual-use BESS would be eligible for a partial (75 percent) Exclusion. The Dual Use Scenario assumes the value of the BESS will depreciate for the first 12 years of Project operations.

Under the no Exclusion Scenario construction of the Project is anticipated to generate $788,000 in one-time County revenues and ongoing Project operations are anticipated to generate $611,000 in additional public-sector tax revenue.

Under the Dual Use Scenario, construction of the Project is anticipated to generate $788,000 in one-time County revenues and ongoing Project operations are anticipated to generate $155,000 in additional public-sector tax revenue in the initial year of operations decreasing as the Project depreciates in value to $22,000 annual for year 12 and beyond.

The Analysis estimates additional public-sector revenues using a marginal-revenue case-study approach, which simulates actual revenue generation resulting from new development. The following sections detail the additional public-sector tax revenues generated by the Project and the case-study methodologies used to calculate each revenue source.

One-Time Revenues Generated by Project Construction

Property Transfer Tax

Real property transfer tax is based on the value of the portion of the Project land to be purchased through a fee simple property sale prior to Project development. Real property transfer tax revenue projections are identified in **Table A-1** in **Appendix A**.

Sales Tax

Sales tax revenue is based on estimated taxable sales and the Bradley-Burns local 1-percent Uniform Local Sales Tax rate as summarized in **Table A-2** in **Appendix A**. Due to local purchasing agreements entered into between the County and the Project Applicant, it is anticipated that sales tax generated by Project construction would be registered to a local property in the unincorporated

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Colusa County. Based on information provided by the Project Applicant, construction of the Project is estimated to result in $3.25 million in sales taxes. Due to the local purchasing agreement, the Analysis assumes that all sales tax related to construction materials and services would be generated in Colusa County. The County's share of sales tax revenue is estimated using the share of total sales tax rates benefitting the County, including the Bradley Burns sales tax rate, local transportation taxes, and Proposition 172 public safety sales tax. As shown on Table A-2, Project construction is estimated to generate $784,000 in sales tax revenue to the County.

In total, construction of the Project is anticipated to generate $788,000 in one-time County revenues under all scenarios.

Ongoing Annual Revenues Generated by Project Operations

Property Tax Revenues

The Analysis estimates property tax revenues generated by the Project annually under each Exclusion scenario. The Project is estimated to create $174.9 million in assessed value (net of existing land value) including $174.1 million in BESS uses and $1.0 million in other real property, including streets, fencing, and other uses not directly related to solar operations.

No Exclusion Scenario

The No Exclusion Scenario estimates annual property tax revenues based on the total value of real property and the BESS with no Exclusion applied. Under this scenario, the Project is estimated to generate $404,000 in property tax revenues to the County General Fund, annually.

Dual Use Scenario

The Dual Use Scenario assumes that the BESS would be in part fueled using energy from the existing power grid and not fully from new solar facilities and would be eligible for a partial exclusion, as detailed in the Guidelines. Due to the dual-use categorization, the BESS would be eligible for a 75 percent exclusion, with property taxes being generated on only 25 percent of the total BESS value. The real property would not be eligible for Exclusion. In addition to the partial Exclusion, the Dual Use Scenario includes annual depreciation of BESS facility values, with the Project being fully depreciated to 13 percent of the beginning value by year 12 of Project operations. In the initial year of Project operations, the Project is estimated to generate $102,000 in property tax revenue benefitting the County General Fund. After the Project fully depreciates in year 12, it is estimated that the Project will generate $15,000 in property taxes, annually.

Estimated annual property tax revenue resulting from development in the Project is presented in **Table A-3** in **Appendix A**. The estimated assessed values for Project land uses are assumed to remain static in 2022-dollar values—real growth in assessed value is not estimated. The property taxes the County will receive are derived from the total assessed value of the Project, as provided by the Project

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Applicant, and the estimated post-Educational Revenue Augmentation Fund (ERAF) share of the 1 percent ad valorem property tax rate to the County.

Property Tax in Lieu of Vehicle License Fee

The Analysis uses a formula provided by the State Controller's Office to forecast Property Tax in Lieu of Vehicle License Fees (PTIL VLF). PTIL VLF is calculated by taking the percentage increase in the County's assessed value resulting from the Project under each scenario and applying that percentage increase to the County's current State allocation of PTIL VLF revenue, as shown in the County's Fiscal Year (FY) 2021-22 budget. This calculation is shown in **Table A-3** in **Appendix A**. As shown, the Project is anticipated to generate approximately $207,000 in PTIL VLF revenues to the County under the No Exclusion Scenario. Under the Dual Use Scenario, the Project is anticipated to generate approximately $52,000 in PTIL VLF revenues in the initial year of operations and $8,000 annually beginning in year 12.

Economic Impact Modeling Framework

The Analysis uses an I/O modeling framework to quantify the project's one-time and ongoing contributions to countywide output, employment, and labor income. The I/O modeling framework is premised on the concept that industries in a geographic region are interdependent in the sense that they purchase output from and supply input to other industries. This regional economic analysis relies on IMPLAN (Impact Analysis for Planning) software, an I/O model that draws on data collected by the IMPLAN Group, LLC, from several state and federal sources, including the Bureau of Economic Analysis, the Bureau of Labor Statistics, and the Census Bureau. The model is used widely for estimating economic impacts across a wide array of industries and economic settings.

Regional economic impact analysis and I/O models in particular provide a means to estimate total regional effects stemming from a particular industry. Specifically, I/O models produce quantitative estimates of the magnitude of regional economic activity resulting from some initial activity (e.g., business operations or building construction). I/O models rely on economic "multipliers" that mathematically represent the relation between the initial change in one sector of the economy and the effect of that change on economic output, income, or employment in other local industries. These economic data provide a quantitative estimate of the magnitude of shifts in jobs and revenues in the regional economy.

Economic impacts using an I/O model are based on an initial change in output or employment in a specific industry sector. The model then translates the initial change into changes in demand for output from other interdependent sectors, corresponding changes in demand for inputs to those sectors, and so on. These effects commonly are described as direct, indirect, or induced and generally are defined as follows:

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- The **direct** effect represents the change in output or employment attributable to a certain economic activity. In this case, the annual operations of the Project and the entities directly receiving spending related to the building construction project (e.g., construction contractors, equipment vendors, and consultants).
- The **indirect** effect results from industry-to-industry transactions required to satisfy the direct effect. This effect is a measure of the change in the output of suppliers linked to the industry that is directly affected.
- The **induced** effect consists of impacts from employee spending in the local economy. Specifically, the employees of directly and indirectly affected businesses generate this effect by purchasing goods and services in the local economy. For instance, employees of these businesses spend their paychecks on household needs such as groceries, retail purchases, health care, or mortgage or rent payments, all of which are considered to be induced effects.

The total impact is the sum of the direct, indirect, and induced effects. The total effect measures the impact of an activity as it "ripples" throughout the regional economy. For this Analysis, the regional economy is defined as the County. IMPLAN generates a model of the industrial structure and household profile for the County economy, which in turn determines the extent to which spending is captured and recirculated in the local economy rather than being allowed to leak outside the County. In the following sections, the regional economic effects described above are reported in three categories:

- **Annual Output:** Annual output measures the value of goods and services produced in the County as a result of business operations. Projected Project operational expenditures were used to estimate ongoing annual output of the Project. Construction employment was used to estimate one-time construction impacts.
- **Employment:** Employment estimates the total number of jobs, both full time and part time, created as a result of project operations. Employment is reported in job years. Construction employment represents total job-years over the life of the project (1 job lasting 2 years would be reported as an employment impact of "2").
- **Labor Income:** Labor income reflects the estimated amount of direct, indirect, and induced annual employment income (salaries, wages, and benefits) resulting from the associated employment. It is important to note that labor income is a component of industry output and is not an additive economic impact.

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I/O Modeling Considerations

The current IMPLAN dataset relies on I/O relations derived from 2019. Although 2020 data is available, due to the unique nature of the economy as the COVID-19 pandemic impacted the global economy, EPS believes the 2019 data provides a more accurate and reasonable approximation of conditions on an ongoing basis.

All economic impacts depicted in this Analysis reflect gross impacts. As such, the economic impacts do not account for potential shifts in resources or shifts in consumer expenditures from other local alternatives. The I/O methodology is based on the assumption that an industry's demand for goods and services results in a corresponding increase in supply and therefore employment. This implies that key industry suppliers can increase output rather than shift output from one set of consumers or products to another. This assumption may not hold in areas with tight labor or capital markets because companies may find it difficult to obtain these inputs or other resources necessary to expand production. In these cases, accommodating an establishment's demand for labor and other inputs may come at the expense of other establishments in the same or related sectors or may need to be satisfied by increased imports from outside the study area. This phenomenon often is referred to as "crowding out" because the stimulated sector tends to crowd out other sectors, which can reduce the net economic gain.

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APPENDICES:

Appendix A: Fiscal Revenue-Estimating Tables

Appendix B: Project Construction Employment Estimates

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX A:

Fiscal Revenue-Estimating Tables

Table A-1 One-Time Real Property Transfer Tax A-1

Table A-2 Estimated One-Time Taxable Sales and Use Tax Revenue from Project Construction A-2

Table A-3 Estimated Annual Property Tax Revenues A-3

Table A-1
Colusa County Janus Solar Facility
Economic Impact Analysis
One Time Real Property Transfer Tax (2022$)

Description	Assumption/ Source	Estimated Annual Property Transfer Tax Revenue
Rate per $1,000 of AV	$0.55	
One Time Transfer Tax Revenue	[1]	$3,245

Source: Colusa County Auditor-Controller; EPS.

[1] One time transfer tax revenue based on the fee simple purchase value of the portion of the Project area to the purchased via a fee simple property sale as provided by the Project Applicant.

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Table A-2
Colusa County Janus Solar Facility
Economic Impact Analysis
Estimated One-Time Taxable Sales and Use Tax Revenue from Project Construction (2022$)

Item	Formula	Source/ Assumptions	Annual Sales Tax Revenue
Estimated Sales Tax			
Total Estimated Sales Taxes Generated by Project Development [1]	*a*		$3,250,000
Annual Sales Tax from New Development	***b = a***		**$3,250,000**
Annual Sales Tax Revenue			
Colusa County Share			
County Bradley Burns Local Sales Tax Revenue	*c = b * 1.00%/7.25%*	1.0000%	$448,276
County Local Transportation Sales Tax Revenue	*d = b * 0.25%/7.25%*	0.2500%	$112,069
Prop 172 Public Safety Sales Tax Revenue	*e = b * 0.50%/7.25%*	0.5000%	$224,138
Total Colusa County	***f = c + d + e***	**1.7500%**	**$784,483**
State of California	*g = b * 5.50%/7.25%*	5.5000%	$2,465,517
Total Sales Tax Revenues	***h = b***	**7.2500%**	**$3,250,000**

Source: Colusa County; California State Board of Equalization; EPS.

[1] Based on information provided by the Project applicant Project construction is estimated to generate $3.25 million in sales taxes for materials and service costs. It is anticipated that the Project will be required to establish a local address for billing/delivery of goods resulting in all sales generating local sales tax revenues. Colusa County share of revenues is estimated based on Colusa's share of the total sales tax rate in the County.

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Table A-3
Colusa County Janus Solar Facility
Economic Impact Analysis
Estimated Annual Property Tax Revenues (2022$)

Item	Assumption/ Source	Formula	Estimated Property Tax Revenues (2022$)		
			No Exclusion Scenario [1]	Dual Use Scenario [2] Initial Value [3]	Dual Use Scenario [2] Depreciated Value [4]
Taxable Assessed Value					
Real Property		*a*	$1,041,023	$1,041,023	$1,041,023
Personal Property (Battery Storage Facility)					
Total Value		*b*	$174,148,984	$174,148,984	$22,639,368
Percentage Taxable		*c*	100%	25%	25%
Total Taxable Personal Property Value		*d = b * c*	**$174,148,984**	**$43,537,246**	**$5,659,842**
Total Taxable Project Assessed Value		*e = a + d*	**$175,190,007**	**$44,578,269**	**$6,700,865**
Less Existing Property Base Value	[5]	*f*	($307,002)	($307,002)	($307,002)
Net Taxable Assessed Value		*g = e - f*	**$174,883,005**	**$44,271,267**	**$6,393,863**
Property Tax Revenue (1% of Assessed Value)	1.0000%	*h = g * 1.00%*	$1,748,830	$442,713	$63,939
Estimated Property Tax Allocation [6]					
Colusa County General Fund	23.1%	*i = h * 23.13%*	$404,489	$102,395	$14,788
Other Agencies/ERAF	76.9%	*j = h * 76.87%*	$1,344,341	$340,317	$49,150
Total Colusa County General Fund Property Tax		***k = i***	**$404,489**	**$102,395**	**$14,788**
Property Tax In-Lieu of Motor Vehicle In-Lieu Fee Revenue (VLF)					
Total Unincorporated County Area Assessed Value		*l*	$2,950,220,068	$2,950,220,069	$2,950,220,070
Total Assessed Value of Project		*m*	$174,883,005	$44,271,267	$6,393,863
Total Assessed Value		*n = l + m*	**$3,125,103,073**	**$2,994,491,336**	**$2,956,613,933**
Percent Change in AV		*o = m / n*	5.93%	1.50%	0.22%
Property Tax In-Lieu of VLF [7]	**$3,489,925**	***p = o * $3,489,925***	**$206,876**	**$52,370**	**$7,564**

Source: Colusa County; Colusa County Treasurer Tax Collector; RWE; EPS.

[1] Represents the maximum property tax revenue available assuming all personal property were to be taxable prior to any assumed depreciation.
[2] A dual use scenario reflects a scenario in which the battery storage facilities on site would be in some way fueled by the existing energy infrastructure and not solely be charged by the solar facility. Under this scenario, 25 percent of assessed value for the battery storage system would be taxable.
[3] Represents the total taxable assessed value of the Project under the dual use scenario prior to any assumed depreciation.
[4] Represents the total taxable assessed value of the Project in Year 12, including depreciation of personal property values under a dual use scenario.
[5] Existing value reflects the existing land value for the three parcels containing the Project. As existing improvements are anticipated to remain on the property in the ownership of the existing landowners, no reduction is made for existing improvements.
[6] Property tax allocation based on information provided by the Colusa County Treasurer Tax collector
[7] Property tax in-lieu of VLF amount derived from the Final Fiscal Year 2021-22 Colusa County Budget.

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APPENDIX B:

Project Construction Employment Estimates

Table B-1 Estimated Project Construction Employment Estimates.....B-1

Table B-2 Existing Project Parcel Values.....B-2

Table B-1
Colusa County Janus Solar Facility
Economic Impact Analysis
Estimated Project Construction Employment Estimates

Item	Estimated Construction Jobs: Monthly Employment	Estimated Construction Jobs: Annual Job Estimate [1]
Construction Employment		
Month		
April	45	4
May	95	8
June	135	11
July	155	13
August	175	15
September	175	15
October	155	13
November	45	4
December	20	2
Total Annual Jobs Estimate		**83**

Source: RWE Solar Development, LLC; EPS.

[1] IMPLAN estimates jobs using an annual job estimate, meaning a job lasting for 6 months would count as 0.5 jobs. To estimate annual construction jobs, monthly construction employment was divided by 12 and summed for all months.

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Table B-2
Colusa County Janus Solar Facility
Economic Impact Analysis
Existing Project Parcel Values

Parcel	Existing Assessed Value			
	Land	Improvement	Personal	**Total**
Parcel Number				
018-050-005	$186,756	$232,628	$618,720	**$1,038,104**
018-050-006	$74,921	$0	$0	**$74,921**
018-050-013	$45,325	$74,652	$0	**$119,977**
Total	**$307,002**	**$307,280**	**$618,720**	**$1,233,002**

Source: RWE Solar Development, LLC; Parcelquest; Colusa County Assessors Office; EPS.

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

NOTICE OF PUBLIC HEARING:
FINAL ENVIRONMENTAL IMPACT REPORT AND USE PERMIT FOR THE JANUS SOLAR PROJECT

NOTICE IS HEREBY GIVEN THAT that the Colusa County Planning Commission will conduct a Public Hearing on Wednesday, March 1, 2023 at 9:00 a.m., or as soon thereafter as the matter can be heard, in the Board of Supervisors Chambers located at 546 Jay Street, Suite 108, Colusa, CA, to consider the following:

Public Hearing: The Planning Commission will hold a public hearing to consider all public testimony on the adequacy of the response to comments to the Draft EIR previously prepared and circulated and whether to adopt a resolution which would: (1) certify the Final Environmental Impact Report (SCH Number 2020070577); adopt the Mitigation and Monitoring Reporting Program; and approve the Use Permit for the Janus Solar project (PD-3829/UP 20-01). All persons are invited to attend and be heard.

Project Location: The Project is approximately 6.5 miles southwest of the City of Williams. Access to the site is provided by Spring Valley Road and is approximately 1.64 miles to the south of the Spring Valley Road/Walnut Drive street intersection. The proposed Project would be located on three parcels (APN's 018-050-005, -006, and -013) totaling 1,023.9 acres currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site.

Project Description: The project would include: (1) approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system and ancillary infrastructure; (2) a battery energy storage system (BESS) consisting of batteries, battery storage system enclosures, ancillary infrastructure and fire protection systems; (3) and an on-site substation that would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on new poles of up to 80 feet in height.

Environmental Review: The 45 day public comment period for the Draft EIR began on October 14, 2021 and ended on November 29, 2021. Comments received during the comment period were responded to and those comments and responses are included in the Final EIR.

Document Availability: The Final EIR, Draft EIR and other project documentation is available for review online at: https://www.countyofcolusa.org/996/Janus-Solar-Project. Hard copies are available for review at the Colusa Main Library at 738 Market St. in Colusa, CA 95932, the Williams Branch Library at 901 E Street in Williams, CA 95987, and the Community Development Department at 1213 Market Street, Colusa, CA. 95932, (530) 458-0480. Additional documentation is available for review in accordance with

Agenda Scheduling Deadlines at the Office of the Clerk of the Board, 547 Market Street, Ste. 102, Colusa, CA (530)458-0508.

If you have questions or concerns regarding this matter, or would like to submit comments you may do so to the following: Secretary to the Planning Commission, 1213 Market Street, Colusa, CA (530)458-0483, or by e-mail at gplucker@countyofcolusa.com.

If you challenge the proposed project or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearing.

Dated: February 7, 2023

By: ORIGINAL SIGNED
Melissa Kitts, Deputy Clerk

Attachment: Attachment #1 March 1 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Planning Commission
546 Jay Street, Suite 108
Colusa, CA 95932

SCHEDULED

Meeting: 04/05/23 09:00 AM
Department: Community Development
Category: Public Hearing
Prepared By: Melissa Kitts
Initiator: Greg Plucker
Sponsors:
DOC ID: 9002

PLANNING COMMISSION (ID # 9002)

Detail

Applicant: Janus Solar PV, LLC
General Plan: Agriculture Upland (AU)
Agriculture General (AG)

File: Use Permit #20-01 (PD-3829)
Zoning: Foothill Agriculture (F-A)
Exclusive Agriculture (E-A)

Formal Title / Summary

Janus Solar Use Permit #20-01 (PD-3829)

Action Requested

Open and continue the Public Hearing on the Final Environmental Impact Report and Use Permit for the Janus Solar Project to 9:00 a.m., May 6, 2023, Planning Commission meeting.

DETAILED DESCRIPTION/BACKGROUND OF REQUEST

Additional public comment letters have been received and are attached to this report for review prior to the May 6, 2023 meeting. Janus Solar PV, LLC (Applicant) has applied for a conditional use permit to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure. The project would generate and store up to 80 megawatts of electricity on an approximately 768 acres of a 1,024-acre site. The proposed battery energy storage system (BESS) would extend the period of time each day that the project could contribute the PV-generated energy to the electrical grid. The project would connect to the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the project site by aboveground electrical lines. Contingent upon project approval, the Board of Supervisors would consider the cancellation of the property's existing Williamson Act contract.

The County of Colusa (County), as the CEQA Lead Agency, has prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document the analysis of the potential direct, indirect, and cumulative impacts of the proposed project.

APN:

018-050-005-000, 018-050-006-000, and 018-050-013-000

LOCATION:

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

The project site is located approximately 6.5 west/southwest from the City of Williams. Access to the site is provided by Spring Valley Road and is approximately 1.64 miles to the south of the Spring Valley Road/Walnut Drive street intersection. Please refer to Figure 2-1 (Project Location) of the Draft Environmental Impact Report (DEIR) for the specific location.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Overview

Pursuant to the California Environmental Quality Act (CEQA), when a discretionary project (such as the subject Use Permit) is submitted to the County for approval, the County acting as the Lead Agency must determine:

(1) Whether the project is covered by either Statutory or Categorical Exemption;

(2) If not exempt, if there is no possibility that the project would have the potential to cause a significant impact, or if potential significant impacts are mitigated below the level of significance then a Mitigated Negative Declaration can be prepared; or

(3) If there is reasonable information that the project may have a significant impact on the environment despite any potential mitigation measures, then an Environmental Impact report must be prepared.

When staff originally reviewed the proposed application, staff determined that given the size and scope of the project that it was reasonable to determine that the project could have potential significant effects upon the environment. As such, the Community Development Department, as the CEQA Lead Agency, prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2020070577) to document the analysis of the potential direct, indirect, and cumulative impacts of the proposed project.

An EIR is primarily an informational document intended to inform the public agency decision-makers (in case of a Use Permit the Planning Commission), other responsible agencies, and the general public of the potentially significant effects of a proposed project. The EIR discloses all known potentially significant impacts; identifies feasible means to minimize or mitigate those effects; and considers reasonable alternatives to the project that might further reduce significant impacts while still attaining the project objectives. The decision-making body then must consider the information in an EIR before taking action on the proposed project.

An EIR is prepared in two key stages. First, a Draft EIR (DEIR) is prepared and distributed

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

for public and agency review. Once comments on the DEIR are received, responses to those comments and any additional relevant project information are prepared and compiled in a Final EIR (FEIR). Both of these documents (i.e., the DEIR and the FEIR), along with any related technical appendices, represent the complete record of the EIR.

Throughout this staff report, the term EIR may be used to refer to the DEIR together with the Final EIR, Appendices, and all other studies and documents prepared as part of the environmental review process since these documents represent the totality of the EIR record, However, when referring to just the "Draft EIR" document, the term DEIR will be used and when referring to just the "Final EIR" document, the term FEIR will be used.

Ultimately, the EIR is used by the agency's decision making body to weigh the environmental impacts against a proposed project in order to make an informed decision. In the case of the Janus Solar Use Permit, the Planning Commission is the decision making body for the Use Permit and the Board of Supervisors is the decision making body for the proposed Williamson Act contract cancellation.

Process

In preparing the EIR, the following is a general overview of the process that has been undertaken:

≠# July, 2020 the required Tribal Cultural Resources Notification of Consultation Opportunity pursuant to Public Resources Code § 21080.3.1 was sent.

≠# July, 2020, the Notice of Preparation of the DEIR was sent to the State Office of Planning and Research (OPR) for distribution to State agencies.

≠# October, 2021, the Notice of Availability along with the Notice of Completion for the Janus Solar DEIR was sent to the State's OPR which informed State responsible agencies of the availability of the DEIR for review and started the 45-day period for the DEIR.

≠# October, 2021, the Notice of Completion for the Janus Solar DEIR was also sent to adjacent property owners, local agencies and published in the Williams Pioneer newspaper. In addition, this notice informed the public of a neighborhood meeting which was held in November, 2021 in order to provide an opportunity to learn about the project and provide initial comments.

≠# February, 2023, the Final Environmental Impact Report was published. Responsible agencies, surrounding property owners, and all individual and agencies that commented on the DEIR were notified of its completion and of the

public hearing for consideration of the FEIR and Use Permit at the Planning Commission's March 1, 2023 meeting.

≠# February 9, 2023, the public hearing notice informing the public about the Planning Commission's consideration of the FEIR and Use Permit at its March 1, 2023 meeting was posted in the Williams Pioneer newspaper.

The EIR is now before the Planning Commission for your review and consideration as part of proposed Janus Solar Use Permit application. Prior to acting upon the proposed Use Permit, the Planning Commission must consider the totality of the EIR record including any written comments received on the adequacy of the FEIR and proposed Use Permit.

PROJECT AND SITE DESCRIPTION:

Section 2.1 (page 2-1) through Section 2.4 (page 2-20) of the DEIR contains a detailed description of the proposed project. In general, the project consists of three major components: a solar energy generating facility, an energy storage system, and the generation tie-line (Figure 2-2 of the DEIR). A general overview of each component is as follows:

Solar Energy Generating Component

The solar energy generating component would consist of PV solar modules (also known as panels) arranged into arrays supported by a racking system and tracker units that track the sun. Each tracking assembly would consist of steel posts on which the frames for the PV modules rest. Each tracker would hold PV modules mounted on this metal framework structure and range between 6 and 13 feet above grade, depending on the topography. The trackers are organized in rows in a uniform grid pattern or solar array and the project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system. The PV modules themselves would be dark blue or black in color, with anti-reflection coating to minimize light reflection.

The project would include a substation anticipated to be located in the northwest portion of the project site. The substation would include a step-up transformer to increase the output voltage from the module blocks (34.5 kV) to the voltage of the 60-kV gen-tie line, protective relay and metering equipment, utility and customer revenue metering, lightening arrestor, disconnect, circuit breaker and a station service transformer that would provide power to the substation and its weatherproof control house.

The overall footprint of the project's on-site substation is anticipated to be

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approximately three acres with gen-tie power poles up to 80 feet in height. An emergency generator for use in the event that the regional transmission system fails also would be at this substation; this emergency generator would provide emergency power until the regional transmission system restores operations.

A complete description of this component is contained within Section 2.4.1.1 of the DEIR.

Energy Storage System

The battery energy storage system (BESS) is expected to be located adjacent to the project's substation. Batteries would be contained within metal enclosures measuring approximately 20 to 60 feet long, 8 to 12 feet wide, and 8 to 12 feet in height and situated on concrete pads. The maximum combined footprint for the BESS would be approximately 3.5 acres. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers.

Each BESS container would contain a safety system that would be triggered automatically when the system senses imminent fire danger. The fire safety system inside each enclosure would shut down the unit if any hazard indicators are detected. If the safety system detects a potential issue as detected by the smoke and temperature sensors, the batteries would be automatically de-energized by opening the electrical contacts, and HVAC units and fans would be shut off.

A complete description of this component is contained within Section 2.4.1.2 of the DEIR.

Generation Tie-Line

Energy produced from the solar arrays would be collected at the project's substation and transmitted to the existing PG&E-owned Cortina Substation along Walnut Avenue. In order to interconnect the project to the Cortina Substation, the Applicant would construct a new 60 kV gen-tie line that would extend from the project's on-site substation about 2 miles within the County's ROW on Spring Valley Road to reach Walnut Drive. At Walnut Drive, the transmission line would be located within the Colusa County road ROW for approximately 2 miles on existing, retrofitted, or new poles to the Cortina substation. Along this route, the gen-tie line would cross the Colusa-Tehama Canal, administered by USBR. The gen-tie line would include tubular steel poles of up to 80 feet in height. The Applicant's gen-tie construction would terminate at the PG&E Cortina Substation property line. At the Cortina Substation, PG&E would construct network upgrades, interconnection facilities, and a span of transmission line that extends from the Cortina Substation property line to the new bay station within the existing footprint of the PG&E facility. All PG&E improvements would be constructed

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within the existing Cortina Substation footprint.

A complete description of this component is contained within Sections 2.4.1.3 and 2.4.1.4 of the DEIR.

PROJECT CONSTRUCTION:

Project construction would consist of two major stages. The first stage would include site preparation, grading, and preparing staging areas and on-site access routes. The second stage would involve assembling the trackers and constructing electrical interconnection facilities. It is anticipated that construction would occur during an 11-month period and would occur primarily during daylight hours, Mondays through Fridays 7:00 am to 7:00 pm and potentially 8:00 am to 8:00 pm on Saturdays and Sundays. The applicant proposes potential nighttime hours if necessary for material and equipment deliveries and/or where the schedule has been delayed due to weather or other events. These nighttime activities would be performed with temporary lighting, which would be directed downward to minimize impacts to neighboring properties and wildlife in the project vicinity.

The on-site construction workforce would consist of laborers, craftspeople, supervisory personnel, and support personnel. The on-site assembly and construction workforce is expected to reach a peak of approximately 200 workers; the average number of workers on-site is anticipated to be approximately 50 to 150. On average, it is anticipated that 25 percent of worker trips to the site would be in carpools. Workers would commute to the site from nearby communities and given the number of workers required it is anticipated that some would travel from more-distant areas in the Sacramento Valley area.

DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) SUMMARY:

As previously discussed, a DEIR or the project has been prepared pursuant to the requirements of the California Environmental Quality Act. Detailed information about the project's potential impacts are contained with the DEIR documents. The following is an overview of the issues considered in the DEIR:

Section 4.1 Agriculture and Forestry Resources

The project site largely consists of grazing land with some areas used for dryland crop production and has been classified as Farmland of Local Importance under the California Department of Conservation's Farmland Mapping and Monitoring Program. The entirety of the project site is included in a Williamson Act contract. The applicant has filed a Petition for Cancellation of Contract for the Williamson Act contract. In order to cancel the contract, the County must find (1) that other public concerns

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outweigh the objectives of the Williamson Act and (2) that there is no proximate noncontracted land that is both available and suitable for the proposed use or that development of the contracted land would provide more contiguous patterns of urban development (Government Code Section 51282(c)).

As stated in the EIR, development of the proposed solar facility is in the public interest in order to address the State's goal of generating emissions-free electricity energy. The proposed project would assist the State of California in achieving its goal of providing electricity 100 percent GHG emissions free by 2045. The subject property is not prime farmland and its conversion would not have a significant adverse effect on agricultural resources.

Mitigation Measure AGR-1 requires the Applicant to file a Petition for Cancellation of Contract for the Williamson Act contract on the project site and approval of the Petition for Cancellation would be required prior to development of the project. With incorporation of this mitigation measure, the EIR determined that impacts to agricultural resources were reduced to a level that is less than significant.

Section 4.2 Air Quality

Air pollutant emissions associated with the project would occur over the short term from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust from soil disturbance activities. Construction activities would produce combustion emissions from construction equipment engines and motor vehicles transporting the construction crew, equipment, and materials. Exhaust emissions from construction activities would vary daily as activity levels change.

Once constructed, the project would operate seven days per week and 365 days per year. Only occasional, on-site maintenance is expected to be required following commissioning. Operations and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment.

An air quality analysis report (Appendix "C" of the DIER) has been prepared to evaluate potential air quality and greenhouse gas (GHG) impacts associated with the proposed solar project. As detailed, during construction, unmitigated NOx emissions would exceed the BCAQMD daily and annual significance thresholds. However, mitigated NOX emissions would fall below the BCAQMD significance thresholds. Both unmitigated and mitigated ROG emissions are below the annual threshold of significance. Both unmitigated and mitigated PM10 emissions are below the daily threshold of significance.

Unmitigated and mitigated daily operational emissions are below significance thresholds for all pollutants. During the longer-term operational phase, the project would have routine inspection and maintenance activities that would result in a net

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increase in emissions although, the increase in emissions would not exceed any significance threshold. Construction and operational emissions are summarized in Tables 7, 8, and 9 of Appendix "C".

The mitigation measures that have been included require that during construction of the project, all disturbed areas including soil piles, areas that have been graded, and unpaved roads shall be watered twice daily during dry conditions and when feasible covered and enclosed by the construction contractor. Materials transported offsite shall be wetted and covered securely and at least 2 feet of freeboard maintained. In addition, traffic speeds on unpaved roads shall be limited to 15 miles per hour and construction activities shall be curtailed when the County's Air Quality Index exceeds 150.

In addition, a dust suppressant will be required to be applied to Spring Valley Road, the unpaved road accessing the site, before and during the construction period as needed to reduce dust associated with truck traffic. During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road and shall enforce a 15 mile per hour speed limit for heavy vehicles on unpaved roads, and shall monitor and log dust conditions. Additional long term dust control measures are also required.

During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

With incorporation of these mitigation measures, the EIR determined that impacts to air quality are less than significant.

Section 4.3 Aesthetics

Although some portion of the project site may be visible from a relatively large area, the degree of visibility would depend on distance and view angle. Generally, the project site would be most visible from viewpoints within 1 mile, while site visibility would diminish as distance increases and view angle decreases. Air quality, including dust and other visible particulates, can affect visibility in the area. Distance is only one of the factors that determine visibility of a site from a viewpoint. Terrain, vegetation, and structural features can obscure views that might otherwise be available at a certain distance.

In order to evaluate the potential visual impact of the project, a Visual Impact

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Assessment was prepared to identify and evaluate the potential visual and aesthetic impacts associated with construction and operation of the project (Appendix "D" of the DEIR). Potential visual impacts were characterized by determining the level of visual contrast introduced by the project based on comparing existing conditions and photo simulations. Visual contrast is a means to evaluate the level of modification to existing landscape features. Existing landscape is defined by the visual characteristics (form, line, color, and texture) associated with the landform (including water), vegetation, and existing development. The level of visual contrast introduced by a project can be measured by changes in the visual characteristics that would occur because of project implementation. The greater the difference between the character elements found within the existing landscape and with a proposed project, the more apparent the level of visual contrast.

In the visual impact analysis Key Observation Points (KOPs) were identified based on locations from which the project infrastructure would potentially be visible and noticeable to the casual observer. The "casual observer" is considered an observer who is not actively looking or searching for the project, but who is engaged in activities at locations with potential views of the project, such as hiking or driving along a scenic road. If the project infrastructure is not noticeable to the casual observer, visual impacts can be considered minor to negligible.

Based on the visual impact analysis, the EIR determined that project impacts to aesthetics would be less than significant, and no mitigation measures were required.

Section 4.4 Biological Resources

The project site is located in northern California within the Sacramento Valley Subregion of the Great Central Valley Region. This region experiences hot, dry summers, mild winters, and annual rainfall averaging between roughly 5 and 25 inches. Elevation at the project site ranges from approximately 144 to 331 feet. The project site currently supports cattle grazing and grain cultivation. Vegetation on the project site includes non-native grassland, cultivated grain fields, low growing herbaceous plants, and disturbed riparian areas and drainages with sparse native and non-native trees, as well as non-native cultivated tree rows along the proposed gen-tie line. Wetlands and standing water also occur in small areas on the project site

Vegetation communities of the project were mapped within the Biological Survey Area (BSA) during the surveys, which is defined as the project site and 150-meter buffer. No CDFW sensitive natural communities were found. All vegetated areas of the project site have previously been or are currently being used for grazing and/or cultivation of common wheat.

The proposed project site supports an assortment of plants and wildlife and provides shelter, cover, roosting, foraging, and breeding habitats to mammals, birds, invertebrates, reptiles, and amphibians as year-round residents, seasonal residents,

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and/or migrants. Overall, the project site supports low quality wildlife habitat since it is disturbed by cattle grazing and grain cultivation and lacks complex vegetation communities. During the 2019, 2020, and 2021 field surveys, 93 native and non-native plant species, six mammals, 35 birds, six invertebrates, three reptiles, and two amphibian species were recorded within the BSA.

To evaluate the potential impacts, a habitat characterization report was prepared (Appendix "E1" of the DEIR), a biolocifcal survey report was prepared (Appendix "E2" of the DEIR, and a Burrowing Owl Report was prepared (Appenix "E3" of the DEIR).

The EIR identified potential impacts to the following plant and animal species: Parry's rough tarplant, burrowing owl, Swainson's hawk, and American badger. Mitigation measures, including project site pre-construction surveys for the species, have been incorporated into the project to address potential impacts to these species. In addition, mitigation measures including Worker Environmental Awareness Training, Best Management Practices for Biological Resources including limiting the areas of disturbance, flagging sensitive habitats including riparian areas and state and federally protected wetlands, covering excavated holes and trenches with plywood at the end of the work day, and enforcement of a maximum speed limit of 20 miles per hour will also be required. Finally, during the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the project site where construction is planned.

With incorporation of these mitigation measures, impacts to biological resources were defined as being reduced to a level that is less than significant.

Section 4.5 Cultural Resources

The construction of the proposed project is not anticipated to impact historic or unique resources. Based on the background studies and the Phase I field survey, there are no known resources found in the project area or within the transmission line corridor that meet CEQA's definition of a historical resource or unique resource.

Construction activities related to trenching, excavating and grading could potentially impact previously unidentified, buried archaeological resources. To address this impact, prior to project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the project proponent would conduct a worker education awareness program for project construction personnel. A qualified archaeologist will be retained for the project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities.

In addition, a qualified archaeologist would be retained to prepare an Inadvertent Discovery Plan for the project and to be on-call in the event of an inadvertent discovery. The Inadvertent Discovery Plan will provide protocols and notification

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procedures in the event of an inadvertent discovery. During project construction, should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find would cease and the qualified archaeologist would be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or NRHP criteria (as applicable).

The County and Applicant would continue to consult with interested tribes throughout the planning process and construction of the project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) would be notified to participate in monitoring of visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities. At the completion of construction, a final monitoring report would be prepared for the project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the project. With these mitigation measures required, the DEIR determined that the impacts to cultural resources are less than significant.

Section 4.6 Energy

California's Renewable Portfolio Standard (RPS) Program was enacted in 2002 and accelerated in 2006, requiring investor-owned utilities to obtain 20 percent of their electric supply from renewable energy sources, such as solar, by 2010. On April 12, 2011, Governor Brown signed Senate Bill (SB) 2X, requiring California retail electric providers, such as PG&E, to procure 33 percent of their retail energy sales from eligible renewable sources by 2020. In October 2015, Governor Brown signed into legislation SB 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030. On September 10, 2018, Governor Brown signed SB 100, establishing that 100 percent of all electricity in California must be obtained from renewable and zero-carbon energy resources by December 31, 2045.

The project would assist the state of California in achieving or exceeding its RPS and greenhouse gas (GHG) emissions reduction objectives by developing and constructing a new California RPS-qualified 80 MW solar power generating facility. Potential impacts to energy have been determined to be less than significant by the DEIR and that no mitigation measures are required.

Section 4.7 Geology, Soils and Paleontological Resources

The surface geologic unit mapped within the project site is Plio-Pleistocene alluvium (QPc). This unit is assessed as having moderate paleontological sensitivity and therefore, a moderate probability of containing fossils. The local geologic unit that stratigraphically underlies the QPc surface unit is Cretaceous sedimentary rock (Ku), which also is considered to have moderate (though little known) paleontological sensitivity. This unit has contained fossils at other locations, including one that is only 3 miles from the project site.

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To address potential impacts, prior to construction activities on-site personnel would be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities. In addition, a qualified paleontological specialist would be retained on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources and determine if additional study is warranted. With these mitigation measures required, the DEIR determined that the impacts to geology and soils are less than significant.

Section 4.8 Greenhouse Gases

Construction of the project would increase greenhouse gas (GHG) generation, which can contribute to global climate change. The project will also decrease GHG emissions by providing renewable power.

Construction emissions would be associated with vehicle engine exhaust from construction equipment and vehicles, equipment and material deliveries, and construction worker commuting trips. Construction-related GHG emissions are considered temporary and short term.

While GHG would be generated from construction and occasional operation and maintenance activities, the project would result in a net reduction in GHG from the production of solar energy that would potentially replace energy generated by fossil fuels. The project would assist in the attainment of the State's goals by using a renewable source of energy that could displace electricity generated by fossil-fuel-fired power plants, and therefore would comply with the goals and objectives of the State.

Potential impacts to greenhouse gases have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.9 Hazards and Hazardous Materials

The project would not involve the routine transport, use, or disposal of hazardous materials, as defined by the Hazardous Materials Transport Uniform Safety Act. The majority of the waste generated during construction would be non-hazardous, and consist primarily of cardboard, wood pallets, wire, scrap metal, common trash, and wood wire spools. Most construction waste would be disposed of at a non-hazardous landfill or at a recycling facility whenever feasible. Construction would generate an average of approximately 20 cubic yards of non-hazardous solid waste per week over the period of construction. Sanitary waste would be managed using portable toilets and hauled for off-site disposal.

During construction of the project, diesel and gasoline fuels and other hazardous materials such as oils, solvents, hydraulic fluids, and paints commonly associated with

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construction equipment may be stored on-site. These materials would be stored and handled in a manner to prevent accidental release, i.e., consistent with the hazardous materials handling Best Management Practices (BMP) and other measures contained within the required Stormwater Pollutions Prevention Plan (SWPPP), which would require them to be stored within locked aboveground containers with secondary containment.

With these protections in place, potential impacts to hazards and hazardous materials have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.10 Hydrology and Water Quality

The portions of the project site that would be disturbed for construction are relatively flat, with little potential for any concentrated runoff to occur. Construction would involve the use of bulldozers, graders, semi-trucks, and various other types of heavy equipment for vegetation removal, grubbing, grading, and installation of roads and other facilities. These construction activities would involve minor changes to on-site topography; however, these activities would potentially loosen existing surface soils and sediments, increasing the potential for erosion during storm events. Water used for dust suppression also has the potential to generate runoff that could transport sediments and dissolved solids. The use of construction equipment on-site may involve the accidental release of fuel, oils, brake dust, lubricants, antifreeze, and other potentially hazardous substances at the project construction site. These water quality pollutants could be delivered to surface water bodies during storm events, and/or be infiltrated into groundwater and the underlying aquifer, resulting in the degradation of water quality.

The project will be subject to compliance with the NPDES General Permit for Stormwater Discharge Associated with Construction and Land Disturbance Activities (Construction General Permit). The Construction General Permit would include development and implementation of a SWPPP. The objectives of a SWPPP are to identify pollutant sources that may be delivered off-site (in the form of runoff) and affect the quality of stormwater discharge; to implement site controls and practices to reduce stormwater pollution; and to protect water quality of receiving waters. The SWPPP would include site-specific BMPs to minimize erosion on-site and reduce or otherwise prevent conditions of erosion and stormwater runoff.

Diesel and gasoline fuels and other hazardous materials such as oils, solvents, hydraulic fluids, and paints commonly associated with construction equipment would be stored and handled in a manner to prevent accidental release, i.e., consistent with the hazardous materials handling BMPs, Spill Prevention, Control, and Countermeasure Plan, and other measures contained within the required SWPPP.

With implementation of the General Construction Permit conditions, including the preparation and implementation of a SWPPP, Spill Prevention, Control, and

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Countermeasure Plan, and associated BMPs, potential impacts to hydrology and water quality have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.11 Land Use and Planning

The project site is on three parcels of private land that total approximately 1,024 acres and is currently operated as a cattle ranch. To avoid environmental constraints, approximately 768 acres of the 1,024-acre site would be used for the project. The project site is surrounded by rural residential, agricultural fields, and undeveloped land. Spring Valley Road runs through the project site from north to south. The gen-tie line follows Spring Valley Road north to Walnut Drive at which point it follows Walnut Drive to PG&E's Cortina substation. The nearest community to the project site is the city of Williams, which is located approximately 6.5 miles northeast. The project site lies within the County's jurisdiction and land uses on the project site are governed by the County's General Plan and Zoning Ordinance.

The project would not physically divide an established community as the construction, operation, and decommissioning phases of the project do not propose any features that would create a physical barrier that would hinder existing community access. Additionally, the project would not involve the removal of any existing publicly used means of access. Therefore, the project would not physically divide an established community.

The project site is zoned Foothill Agriculture (F-A) and Exclusive Agriculture (E-A). These zone districts allow for commercial scale solar facility projects through the Use Permit process, as described in Zoning Code §44-2.20.30. Compliance with conditions of approval for the Use Permit will ensure the project will not conflict with the underlying F-A and E-A zones. Potential impacts to land use and planning have been determined by the DIER to be less than significant and no mitigation measures are required.

Section 4.12 Mineral Resources

Based on the geologic setting, the only mineral resources with the potential to occur near the project site are aggregate resources. Alluvial geologic units in the region are potential sources of sand and gravel that could have value as a mineral resource commodity. Because sand and gravel are low-value, high-volume resources, the economic value and feasibility of developing them is predicated on the existence of high local demand from the construction industry. The closest gravel mine is Lovelady Ranch, which has been closed for a number of years, approximately 20 miles northwest of the project site.

There are no active mining claims within the project site, nor is there any locatable mineral activity within the project site boundary. Based on the geological environment and historical trends, the potential for occurrence of locatable minerals is low within the

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surrounding area. However, none of these resources occurs within 30 miles of the project site and they are unlikely to be found within the geologic units that underlie the site or surrounding area. Potential impacts to mineral resources have been determined by the DEIR to be less than significant and no mitigation measures are required.

Section 4.13 Noise

The project site is surrounded by rural residential, agricultural fields, and undeveloped land. The nearest residential properties are located directly adjacent to the southern project boundary and the northwestern project boundary, while a mixed residential/agricultural property is located directly adjacent to the northern project boundary. Spring Valley Road runs through the project site from north to south. The gen-tie line follows Spring Valley Road north to Walnut Drive at which point it follows Walnut Drive to PG&E's Cortina substation.

Human response to noise varies considerably from one individual to another. Effects of noise at various levels can include interference with sleep, concentration, and communication, and can cause physiological and psychological stress and hearing loss. Given these effects, some land uses are considered more sensitive to ambient noise levels than others. In general, residences, schools, hotels, hospitals, and nursing homes are considered to be the most sensitive to noise. These locations are referred to as noise sensitive areas (NSAs). Places such as churches, libraries, and cemeteries, where people tend to pray, study, and/or contemplate also are NSAs. Commercial and industrial uses are considered the least noise sensitive. As shown in Figure 4.13-1 of the DEIR, there are multiple residences near the project site.

Construction of the project will occur over approximately 11 months and has the potential to generate noise impacts from construction equipment and related activities to surrounding properties and residences. Construction of the project may cause short-term, but unavoidable noise impacts that could be loud enough at times to temporarily interfere with speech communication outdoors and indoors with windows closed at two of the neighboring residences, and with windows open at two other residences. The noise levels resulting from the construction activities would vary significantly depending on several factors such as the type and age of equipment, specific equipment manufacture and model, the operations being performed, and the overall condition of the equipment and exhaust system mufflers.

As proposed, project construction would occur between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 8:00 p.m., Saturday and Sunday in compliance with Section 13-8 of the County Code. Once the project is constructed and operational, the primary noise sources are the inverters, transformers, battery storage heating, ventilation, air conditioning (HVAC) units, and battery storage inverters. Noise from normal operations is not anticipated to be significant.

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To address potential noise impacts during construction, the project will be required to implement construction management protocols which include: maintain all construction tools and equipment in good operating order according to manufacturers' specifications; limit use of major excavating and earth-moving machinery to daytime hours; to the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable; equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks; limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities; and utilize a Complaint Resolution Procedure to address any noise complaints received from residents. With these mitigation measures required, the DEIR determined that noise impacts will be less than significant.

Although the DEIR has determined that noise levels would not be a significant impact and comply with the County Code, County staff believes that through the Use Permit restrictions a condition should be added that limits the import or export of materials and heavy equipment to just Monday through Friday and that on-site construction hours on weekends should be limited to 8:00 a.m. though 5 p.m.

Section 4.14 Population and Housing

The project site is located approximately 6.5 miles southwest of the city of Williams. It is reasonable to assume that construction workers may drive approximately 50 miles to the project site during construction, operation, or decommissioning from the surrounding counties of Butte, Glenn, Lake, Sutter, and Yolo. In 2019, Colusa County had an estimated population of 21,547 representing an approximate 0.7 percent increase from the 2010 population of 21,419. The city of Williams had a higher rate of growth during the 2010-2019 period, but its actual growth was only 314 persons. The city of Colusa had an estimated population of 6,060 in 2019, an approximate 2.6 percent decrease from 2010.

In 2020, Colusa County had an estimated 8,227 housing units with a vacancy rate of 6.7 percent such that there were 716 vacant housing units. The number of households is expected to increase by 7 percent in Colusa County over the period from 2020-2028. The County is expected to increase housing by 526 units between 2019 and 2028.

The project is not anticipated to increase the need for additional housing units as workers would be expected to commute to the site from local and regional towns and cities, rather than relocate. Therefore, construction, operation, and decommissioning of the project is not expected to require substantial numbers of new housing units. Potential impacts to population and housing have been determined by the DEIR to be less than significant and no mitigation measures are required.

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Section 4.15 Public Services

The Williams Fire Protection Authority will provide fire services to the project site. The fire station is located in the city of Williams and is approximately 7 miles from the project site. The project will be designed in compliance with federal, state, and local worker safety and protection codes and regulations which will minimize the potential for the occurrence of fire.

Project maintenance and operation may introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and photovoltaic arrays may also be identified as a potential ignition source. However, the potential fire risk is low for these project components. All battery components for the battery energy storage system would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system.

A Battery Storage Fire Management Plan is also required to be submitted to the Williams Fire Authority for review and approval. This mitigation measure requires the battery containers to receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, would conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory would provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards.

In addition, a Wildland Fire Management Plan is required to be submitted to the Williams Fire Authority. The Plan would detail implementation measures to control and maintain the vegetation throughout the project site to eliminate wildland fire hazards.

To encourage and incentivize the construction of commercial solar projects, the State of California has passed legislation which excludes properties developed with commercial solar facilities from paying increased property taxes that would normally be generated by physical improvements. This loss of additional property tax revenue has the potential to financially impact both the County and public service providers (i.e. fire protection, sheriff, parks and recreation, etc.). To address this impact, a mitigation measure is included which requires the project proponents to enter into a Public Service Mitigation Agreement with the County.

The Agreement will require the payment of a Public Service Mitigation Fee (PSMF) to the County each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored, and the Use Permit is no longer activated (voided) by the County. The PSMF is a total of $110,000 which is paid directly to the County for unrestricted County General Fund uses. In addition, a $15,000

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payment would be paid to the Maxwell Park and Recreation District, a $15,000 payment would be paid to the City of Williams to be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment would be paid to the Arbuckle Park and Recreation District.

With these mitigation measures, the DEIR has determined that impacts to Public Services will be less than significant.

Section 4.16 Recreation

Increases in use of recreational facilities typically are associated with substantial increases in population or a substantial reduction in the availability of existing parks or other recreational facilities. The project site is not located within or adjacent to a residential area, or within the immediate vicinity of any parks or recreational facilities, and there no parks or existing recreational facilities located on the site. No residential facilities are proposed as part of the project. However, as previously discussed to offset any short-term or long-term impacts to the area's recreation districts, a PSMF would be paid for the life of the project.

Section 4.17 Transportation

State Route (SR) 20 runs as close as 1 mile from the project site, to the north and west. Interstate 5 runs north to south, approximately 7.2 miles east of the project site. The western portion of the site is intersected by Spring Valley Road, an undivided, two-lane County road. Walnut Drive, also a two-lane, undivided County road, provides access from Spring Valley Road to State Route 20 north of the project site.

Due to the site's rural location, current traffic on the roads immediately adjacent to the project is light. The Caltrans data available for Colusa County includes I-5 and SR 20. I-5 included 30,800 vehicles per day, and SR 20 included 5,900 vehicles per day within Colusa County. Near the project location the roads are rural without dedicated turn lanes. The existing traffic is expected to be light, and based on experience with similar projects, rural roads like these are estimated to have between 500 and 800 vehicles per day, or less than 100 vehicles during peak hour.

Spring Valley Road is a two-lane undivided County road that provides access from the site via Walnut Drive to SR 20. Most vehicle trips generated by the project would travel through the intersection of Spring Valley Road and Walnut Drive to get to the project site. Travelers from Colusa and Williams would be expected to access the site from SR 20 via East Camp Road, to Beauchamp Road, which transitions to Walnut Drive. There are no dedicated turn lanes onto or off of Spring Valley Road or Walnut Drive in the vicinity of the project site. Average annual daily traffic and peak hour volumes on Spring Valley Road and Walnut Drive are not available.

Peak hours for traffic generated by the project are expected to be daily between 6:00

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a.m. and 7:00 a.m. and between 6:00 p.m. and 7:00 p.m., when construction workers would commute to and from the project site. It is expected that nearly all workers would arrive and leave during the peak hours. Conservatively, a small number of workers are included as either leaving during the morning peak hour or arriving during the evening peak hour.

Once constructed, the project would operate 7 days per week and 365 days per year. Only occasional, on-site maintenance is expected to be needed following commissioning. Initially, personnel would likely visit the project site daily or weekly, but it is anticipated that eventually maintenance visits would be reduced to once a month or less, such that facility operations would generate little traffic.

Operation and maintenance activities would require up to three workers performing visual inspections, monitoring plant performance, executing minor repairs, and responding to needs for plant adjustment. On intermittent occasions, the presence of 5 to 30 workers may be required for repairs or replacement of equipment, panel cleaning, and other specialized maintenance. Due to the infrequent operations and maintenance worker trips to the site, there would be no impact to peak hour traffic associated with ongoing operations of the project.

Construction of the project has the potential to damage area roads. The applicant will be required to conduct both pre-project and post-project inspections of construction access routes approved by the Colusa County Public Works Director that are used during construction of the project. Damage determined to have been caused by project construction would be repaired to the satisfaction of the Public Works Director. With this mitigation measure required, the DEIR has determined that the project would have less than a significant impact.

Section 4.18 Tribal Cultural Resources

The project area and surrounding region is within the ancestral territory of the Patwin band of the Southern Wintun people. An ethnographic review of tribal cultural resources was performed and review of available ethnographic documents. In addition, AB 52 tribal notification consultation letters were sent out to tribes.

Construction activities related to the project has the potential to impact tribal cultural resources. Implementation of the three previously discussed Cultural Resources mitigation measures (Cultural Resource Worker Education/Training), Inadvertent Discovery of Archaeological Resources During Construction, and Native American Tribal Consultation and Monitoring, will also ensure that tribal resources are appropriately addressed, therefore, reducing any potential impacts to less than significant.

Section 4.19 Utilities and Service Systems

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The relevant utility or service systems for the project are the water supply, wastewater, stormwater, solid waste disposal, gas and electrical, and telecommunication utilities that would provide service to the project site.

Current water facilities on-site are one hand dug well and several manmade reservoirs currently used to water the land for cattle grazing. The city of Williams is the purveyor of a public water system located approximately 11.4 miles from the project site. The City has indicated that it can provide water for the project through a fire hydrant located at 180 N. Virginia Way in the city of Williams. Water obtained from the fire hydrant would be trucked to the project site.

The DEIR determined that the project would primarily require water during construction for dust control and that total water volume that would be used during construction was 46 acre-feet (approximately 15,000,000 total gallons). However, as previously discussed dust suppressant would be used on Spring Valley Road. Not only would this reduce dust levels, but it would reduce the number of water trucks and amount of water necessary to control the dust on Spring Valley Road.

During operation and maintenance, water would be used for panel washing and maintenance. The expected annual water consumption during operation would be approximately 1 acre-foot per year (approximately 326,000 gallons). No new wells would be constructed as part of the project. The proposed project would not require or result in the relocation or construction of new or expanded water treatment facilities. Due to the relatively low amount of water used during the construction and operation of the life of the project, it is anticipated that the project would have sufficient water supplies during normal, dry, and multiple dry years.

The proposed project would not require permanent wastewater treatment connection due to the small number of employees during operation. Portable toilets would be on-site for permanent employees. Portable units would be provided for workers during construction. Removal of the portable units would not affect the operation or function of wastewater facilities that are located on or adjacent to the project.

No on-site stormwater detention facilities are planned nor would the project require the construction or relocation of stormwater drainage facilities. The project has been designed so that site drainage would continue to follow the natural drainage pattern. None of the project facilities would prevent stormwater flow. Site preparation and construction activities would be performed in accordance with a SWPPP, or similar plan as appropriate, which incorporates stormwater BMPs to reduce the adverse effects of erosion and sedimentation.

Based on this information, potential impacts to utilities and service systems have been determined by the DEIR to be less than significant and no mitigation measures are required.

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Section 4.20 Wildfire

The primary fire protection services in the vicinity of the project site are provided by the Williams Fire Protection Authority (WFPA). The WFPA's service area encompasses approximately 135 square miles in the City of Williams and the surrounding unincorporated area. The WFPA provides a full range of emergency response services, which include structural, wildland, and confined space fire suppression, basic response to hazardous materials incidents, and basic life support medical services.

As previously discussed a series of fire management plans are required to mitigate potential fire risks, including wildland fire risks. With these mitigation measures and review and approval required by the Williams Fire Authority, potential wildfire impacts are less than significant.

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) SUMMARY:

The 45-day public review period for the DEIR began with the filing of the Notice of Completion (NOC) on October 14, 2021 with the Governor's Office of Planning and Research and ended on November 29, 2021. In addition, notices were mailed directly to property owner's in the vicinity and published in the Williams Pioneer informing the public of the opportunity to review the DEIR, the public review time period, and that a public meeting had been scheduled for November 4, 2021 at Granzella's Conference Room to introduce the project and provide an early opportunity to provide initial comments.

Upon conclusion of the public review period, nine comments were received from seven property owners and their representative and two State agencies. Since that time, County staff, the EIR consultant, and the applicant have worked on addressing the submitted comments, performed additional analysis and studies, and incorporated a series of revisions. The totality of this effort represents the FEIR document which is attached to this staff report. The FEIR provides an analysis and response to each of the issues identified in the submitted comments. Because several comments contained the same issues, there is some duplication of the FEIR responses.

The totality of the comments (including from State agencies) and responses thereto in the FEIR must be fully reviewed and considered. In order to provide an overview of the identified issues contained within the submitted comments by the general public, a summary has been developed as detailed below. Please note that this is a generalized summary of comments submitted by the general public for informational purposes and the formal responses contained with the FEIR are required to be fully considered prior to action on the project.

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1.) Traffic

a. Spring Valley Road: The entrance to the project site is Spring Valley Road, a gravel County Road. A concern has been raised that construction traffic would negatively impact the road and the resultant dust could negatively impact the production and health of the adjacent orchards.

In June 2022, a field study was conducted to observe the degree of effectiveness of the dust suppressant that has been historically used by private landowners on unpaved, rural County roads adjacent to orchards. A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders existing orchards. In addition, a section of the roadway was also left untreated so that a direct comparison could be made between the treated roadway and the untreated roadway. A semi-truck with a loaded travel trailer traveled along the treated and untreated road at speeds of 15 MPH, 25 MPH, and 40 MPH.

As shown in the photographs of Appendix "C", the application of dust suppressant was extremely effective in mitigating dust generation at all speeds. This observation is consistent with field observations of the Road Department staff where Dust-Off has been historically applied on County Roads to control dust and prevent it from impacting adjacent crops. However, in order to ensure dust is not created, Mitigation Measure AQ-1 has been developed which includes a number of requirement including: (1) that the applicant apply the dust suppressant per County standards prior to and during construction as necessary to prevent dust; (2) construction traffic speed on Spring Valley Road be limited to 15 MPH; (3) during peak travels periods a traffic control flagger will be present on Spring Valley Road to enforce the 15 MPH speed limit and monitor and log dust conditions; and (4) each day during construction, the construction contractor shall keep a daily log of dust and weather conditions. In addition, prior to the application of the dust suppressant, Spring Valley Road will be graded to ensure a flat uniform surface.

In addition to this requirement, before and during construction an additional mitigation measure (AQ-3: Long-Term Dust Control) has been developed which requires the applicant to apply the dust suppressant once a year (generally in late spring) to ensure that dust generated by the applicant's operational traffic and other local traffic does not impact the surrounding orchards. The timing and rate of application of the dust suppressant is required to be to the satisfaction of the Public Works Director.

b) Road Conditions: A concern has been expressed that the area roadways are not adequate to support the proposed construction traffic and may be damaged because of this traffic.

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The area roadways are currently heavily impacted by existing agriculturally related trucking operations. The proposed construction traffic will be of limited term and is not expected to negatively impact the existing roads in the area. However, as discussed in the FEIR, to ensure that any impacts to the areas roadways are fully mitigated, Mitigation Measure TRANS-1 has been developed which requires that a pre-project inspection and a post-project inspection of road conditions be conducted in consultation with the Public Works Director to ensure that access roads are not negatively impacted by the additional traffic associated with the project. If the Public Works Director determines that construction related traffic has damaged County roadways, the applicant is required to fix this damage.

c) Safety Concerns: A concern was expressed about traffic safety at both the intersection of Highway 20 and East Camp Road and Highway 20 and Walnut Drive where there are no turn lanes.

As detailed in the FEIR, the Transportation Injury Mapping System (TIMS) data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will access the project site from Highway 20 and East Camp Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019 and two minor accidents with complaints of pain in 2015 and 2016. These accidents appear to be the result of non-attentiveness of the drivers as the line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the project traffic itself is not anticipated to contribute to a greater accident rate.

However, to bring added awareness of project related construction traffic to motorists, a condition of the Use Permit requires that the applicant install construction traffic warning signage along Highway 20 as required by Caltrans and along county roads as required by the Public Works Director.

2.) Economic Impact

Lack of Tax Revenue: A concern has been raised that the project would generate little tax revenue to off-set the cost of public services.

Unlike many other businesses in California, portions of solar development can be excluded from property taxes per State law. This property tax exclusion results in solar projects not providing the tax revenue needed to offset public services that they may require. CEQA requires an analysis of physical impacts to the environment from a

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project; it does not require analysis of social and economic impacts. Under CEQA, "an economic or social change by itself is not be considered a significant effect on the environment". However, Community Development Department staff believes that potential economic impacts that may result in County service constraints must be fully considered in the review of any project so that all aspects of the project are fully evaluated. In order to review the projects potential fiscal impacts, the County commissioned an economic impact analysis.

As detailed in the Janus Solar Facility Economic Impact Analysis dated January 9, 2023 (Attachment #1):

a) The construction of the project is anticipated to generate $15.9 million in onetime economic activity (supporting 90 jobs) and generate $788,000 in onetime fiscal revenues to the County;

b) On an annual ongoing basis, project operations are anticipated to generate $4.0 million annually in total economic activity (supporting 6 new jobs in the County); and

c) On an annual ongoing basis, the project is anticipated to generate tax revenue directly to the County ranging from $155,000 (including Vehicle In-Lieu fees) in the first year of operations to $22,000 (including VLF) once all assets have depreciated (years 12 and beyond).

In the short-term, the project would generate significant economic activity and benefit. In the long term, project operations would add additional economic activity over the cattle operations that exist today. With respect to property taxes, the State's solar property tax exclusion does significantly reduce what property taxes would be received from the developed project. However, it is important to note that even fully depreciated; the property tax payments would be greater than is being collected today.

Currently, under the Williamson Act, the project site generates approximately $15,212 in total annual property taxes, with the County receiving approximately $3,514. As part of the project, the property will be removed from the Williamson Act and the first year total tax revenue is estimated to be approximately $495,083 ($442,713 in property taxes and $52,370 in VLF) with the County receiving approximately $154,765, or $151,251 more than currently being collected. Please note that in addition to the County, all other agencies in the project site's Tax Rate Area (Williams School District, Yuba Community College District, Williams Fire Authority, and the Colusa Groundwater Authority) will also be receiving considerable more tax revenue than they are currently. Even after the equipment is fully depreciated in year 12, the total amount of tax revenue is estimated

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to be approximately $71,503 ($63,939 in property taxes and $7,564 in VLF) with the County receiving approximately $22,352, or $18,838 more than currently being collected.

While the County, as well as the other agencies in the project site's Tax Rate Area, will be receiving considerably more in tax revenues than is currently being collected, staff was nonetheless concerned that the developed project would generate additional public service demands than the existing uses on the property are generating and whether the additional tax revenue would pay for any increased public service demand. As detailed in Chapter 3 of the FEIR (Minor Revisions to the Draft EIR), a Public Services Mitigation Fee has been developed to ensure that any potential public service is fully mitigated. As required, each year for the life of the public, the developer will pay $110,000 directly to the County Colusa for unrestricted use. In addition, the developer is also required to pay annually $15,000 to the Maxwell Park and Recreation District, $15,000 payment to the City of Williams to support the Williams Park and Recreation Department, and $15,000 to the Arbuckle Park and Recreation District.

In summary, between the one-time revenue, the on-going operational revenue, the increased property taxes, and the Public Service Mitigation Fee payments, the project will have a positive economic impact while ensuring that public services are fully funded.

3.) Visual Impact

Potential Visual Impact: A concern was expressed about the aesthetics of the project.

Section 4.3 of the DEIR provides the initial analysis of the project aesthetics. In this analysis, Key Observation Points (KOPs) were identified based on locations from which the project would potentially be visible and noticeable to a casual observer. A "casual observer" is considered an observer who is not actively looking or searching for the project, but who is engaged in activities at locations with potential views of the project, such as hiking or driving along a road.

In total six KOPs were selected as representative vantage points in the landscape that offer motorists traveling on area roadways and local residents' views of the proposed project site. Please refer to Figure 4.3-1 of the DIER for the KOP's locations. These KOPs provide views of each side of the project site from publicly accessible areas. In general, this analysis found that the visibility of the project would be limited except for vehicles traveling along Spring Valley Road. With respect to visual impacts along Spring Valley Road, the DEIR found that the project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible to the casual observer (DEIR Figure 4.3-7). The DEIR found that although a portion of the project that would be visible, the contrast would be considered moderate and the

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view would be short term for travelers as they approached the project as their focus would be on the road ahead. A complete discussion of the views from the 6 KOP's is contained on pages 4.3-16 - 4.3-17.

In addition to the visual analysis contained in the DEIR, Appendix "D" of the FEIR included additional photo simulations of the project showing what the power poles along Beauchamp Drive (Walnut Avenue). As is shown, the appearance of the poles would not be out of character with the existing streetscape. It should be noted that the poles that were visually modeled are a dark brown color. In order to ensure that the visual appearance matches the photo simulation, a condition in the Use Permit has been included which requires if metal poles are used, that the finish be a flat, dark brown color to resemble the existing wooden power poles.

4.) Obstruction of Agricultural Aerial Operations

A concern was expressed that the new gen-tie power poles would interfere with agricultural related aerial operations.

To evaluate this concern, the County's Agricultural Commissioner's office was contacted regarding the potential impact. Based on information obtained from the Agricultural Commissioner's Office, there are nine growers with a total of 15 permitted sites adjacent to the proposed gen-tie line route . These sites include orchards and field crops. Based on data available for the last three years, there were 27 aerial pesticide applications in 2019, five aerial pesticide applications in 2020, and one aerial pesticide application in 2021. The pole heights proposed as part of the project are similar to existing obstacles for aerial applicators and based on discussions with the Agricultural Commissioner; the introduction of the new gen-tie poles would not prevent agriculturally related aeronautic operations from occurring.

5.) Migratory Bird Impacts

A concern was expressed that birds migrating along the Pacific Flyway would mistake the solar panels as a water body resulting in their deaths when landing.

The potential risks to migrating birds is discussed in Chapter 4, Section 4.4, Biological Resources of the DEIR. In general, the available data from PV solar array-type facilities indicate some instances of avian mortality resulting from collisions. However, the best available scientific information to date does not indicate a significant risk of substantial avian mortality occurring at facilities such as the proposed project. The current research on the topic indicates that though avian species, and specifically aquatic habitat avian species, may perceive PV solar facilities as waterbodies, it remains unclear the proportion of species that might actually land or attempt landing. As the Commission is aware, local waterfowl hunting in the County is a significant source of economic

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activity in the County. For example, during the 2020-2021 season some 30,555 waterfowl were harvested just in the Colusa National Wildlife Refuge and Sacramento National Wildlife Refuge Complex. In comparison to any waterfowl deaths as a result of the project, the annual recreational hunting bird harvest in the Colusa County will far exceed any accidental bird deaths as a result of the project.

As previously stated, research on this issue has been limited. Staff believes that the project would provide an opportunity to development statistically information on this matter. As such, a condition has been developed which requires the applicant to log any bird deaths as a result of solar panel impacts and submit this information to the County on an annual basis so that this information can be quantified.

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) COMMENTS:

As of the writing of the staff report, staff has received four written comments on the FEIR. Although we expect that there will be a number of verbal comments presented at the project's hearing.

Williams Fire Authority

The first comment was received from the Williams Fire Authority (Attachment #2). In the letter, the Fire Authority expresses a concern that should there ever be a fire, despite the mitigation measures, it would result in a potentially significant impact due to operational staffing issues. In addition, the Fire Authority has a grant that will expire in February 2024 potentially resulting in the current two-man fire crews having to go back to a one-man fire crews. The Fire Authority believes that a specific fire public service mitigation fee is required in order to ensure that if there is a fire that it can be adequately staffed from an operational perspective. As of the writing of this staff report, the Fire Authority and project proponents are discussing the required level of funding to ensure the proposed project does not result in a significant operational impact to the Williams Fire Authority. An update will be provided at the meeting.

Department of Conservation

A second letter was received on March 20, 2023 from the Department of Conservation (Attachment #3). The letter stated that the FEIR did not address:

- The Project's compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.

- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

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The DEIR did discuss the Williamson Act and requirement for the contract cancellation process in numerous sections including but not limited to Section 4.1 - beginning at Page 4.1-10, Section 4.14 - beginning at Page 4.1-5, Section 4.1.2.2.1 - beginning at Page 4.4-1, Impact 4.1-2 - beginning at Page 4.1-5, and Section 4.11.2.2.1 - beginning at Page 4.11-1. In addition, early on the project review the applicant met with the Board of Supervisor's Williamson Act ad hoc committee (then Supervisors Evans and Carter) to discuss the project and to consider whether the project was considered a compatible use or not with agricultural operations on site. During this effort, the ad hoc committee considered the County's existing Williamson Act program's enabling resolution. Please refer to Attachment #4 (Resolution 02-82) for the Board's resolution setting forth the current permitted and compatible uses. Item #19 of Compatible Uses lists "*The erection, construction, alteration or maintenance of gas, electric, water or communication utility facilities.*" While the proposed project is an electric utility facility, it will displace any permitted agricultural use on site. As such, the ad hoc committee believed that given this displacement the project was not compatible with agricultural uses on the site and, therefore, recommended that the existing Williamson Act contracts should be cancelled. Ultimately, the full current Board of Supervisors will make this determination.

Beth Ferrini Katsaris

A third comment letter was received from Beth Ferrini Katsaris (Attachment #5). The comment letter raised concerns with:

(1) Answers included in the application's project questionnaire where it was indicated that the project would not have change scenic views, the character of the general area, the amount of dust in the vicinity, noise levels, or cause a substantial demand for municipal;
(2) The Williamson Act Cancellation process and the recommendation from the Board's Ad-Hoc Committee;
(3) The response to the Department of Conservations DEIR comments;
(4) The threat to public safety from fire; and
(5) The compatibility of the project to the rural character of Spring Valley Road and consistency with the County's General Plan.

The comments were summarized above and the Commission should refer to the letter for the complete wording of the comments.

Clark and Nelson

David Nelson, representing Jean Terkildsen, Matthew Ferrini, and Elizabeth Katsaris, submitted a comment letter on the EIR documentation (Attachment #6). The

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comment letter raised concerns with:

(1) The project lacks consistency with Colusa County's General Plan; and
(2) The subject property is ineligible for inclusion within the Energy Production Overlay Zone.

The comments were summarized above and the Commission should refer to the letter for the complete wording of the comments.

Matt Ferrini also submitted a comment letter (Attachment #7). In general, the letter shared his concerns with the land use and visual change that the proposed project would have to Spring Valley, is opposed to the conversion of the agricultural ground into a commercial solar facility and the adverse effect on surrounding owner and residents, and believes that the project is not consistent with the rural character of Spring Valley.

The comments were summarized above and the Commission should refer to the letter for the complete wording of the comments.

Finally, as of the writing of the staff report, Jean Terkildsen also submitted a comment letter (Attachment #8). In general, her comment letter expressed concerns that the project could provide additional commercial and industrial encroachment into the Spring Valley area, the impact on property values, and the provision for fire protection.

Her comments were summarized above and the Commission should refer to the letter for the complete wording of the comments.

With respect to the Katsaris, Ferrini, Nelson, and Terkildsen comment letters, staff will provide additional information when the project is heard by the Commission. However, staff wanted to provide the letters to the Commission at the earliest time with this Staff report package.

USE PERMIT (UP 20-01):

Land Use

The solar facility would be located on land designated in the Colusa County General Plan as "Agriculture Upland," in which cultivated agriculture, industrial and commercial agriculture, agricultural tourism, resource production, energy production (including solar), single family housing, and farmworker housing are allowed as appropriate uses (Colusa County General Plan Land Use Element Table LU-1). The gen-tie power lines along Walnut Drive are located on land designated in the Colusa County General Plan

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as "Agriculture General" in which the same land uses are also allowed by the Colusa County General Plan Land.

With respect to the zoning, the solar facility would be located on land designated as the Foothill Agriculture zoning district and the gen-tie power lines along Walnut Drive are located on land with the zoning designation of Exclusive Agriculture. Pursuant to Section 44-2.20.30 (Allowed Uses in the Agricultural Zones) of the Zoning Code, Energy Generation for Off-Site Use are permitted subject to obtaining a Conditional Use Permit.

Pursuant to Section 44-1.70.010 (Review Authority) the Planning Commission is the review authority of Use Permits. Section 44-1.80.030 (Use Permits) of the County Code specifies that in order to approve a Use Permit application, the Planning Commission must make the following findings:

1. The proposed use is consistent with the General Plan and all applicable provisions of this title; and

2. The establishment, maintenance or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area of such use.

As detailed above, the proposed solar facility is allowed as an energy production facility by the General Plan and, thus, staff recommends Finding #1 be made. With respect to Finding #2, the FEIR has identified potential impacts and has developed a series of mitigation measures in order to ensure that the proposed project is not detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area. In addition, the staff has recommended additional conditions of approval within the Use Permit to further ensure that the project would not be detrimental to other properties or residents in the area. Together these mitigation measures and conditions of approval address the submitted concerns regarding transportation impacts and hazards, dust creation, impacts to agriculture aviation, aesthetics, fire hazards, impacts to public services, and other the other issues that have been fully detailed in the FEIR documents.

SUMMARY

As required by CEQA, a DEIR report was prepared for the project and comments regarding the adequacy of that document were received. A FEIR has been prepared responding to those comments and additional studies, analysis and several minor updates to the DIER have been made. Together, these documents comprise the entirety of the EIR's environmental record for the proposed Use Permit.

Attached to this staff report, Planning Staff has prepared a resolution for the Commission's consideration that would certify the FEIR and approved the proposed Use Permit. If the Planning Commission determines that that the FEIR along with the proposed mitigation measures and Use Permit conditions of approval, reduce potential impacts below a level of significance and that the project would not be detrimental to surrounding properties and residents, then the Planning Commission should adopt the resolution which would approve the project.

During the course of the Commission's review, following a review of the totality of the record, and all testimony received during the public hearing, should the Commission have any questions regarding the project that have not been addressed, the Commission should detail those questions so that they can be fully addressed prior to the Commission taken formal action on the project. Depending on the nature of such questions, it may be possible that they can be answered to the Commission's satisfaction at the Commission's March meeting. Should this not be the case, then the Commission should direct staff to perform the necessary additional analysis and return with the results to the Commission prior to acting upon the application

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RESOLUTION NO. 23-____

RESOLUTION OF THE COLUSA COUNTY PLANNING COMMISSION CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577), ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING USE PERMIT #20-01 (PD-3829) FOR JANUS SOLAR PV, LLC

WHEREAS, Janus Solar PV, LLC (Applicant) has applied for a conditional use permit to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure (Project); and

WHEREAS, the County of Colusa is considered a Lead Agency under the California Environmental Quality Act (CEQA) for this Project and has determined that an Environmental Impact Report was necessary to fully review and consider all potentially significant impacts for the Project; and

WHEREAS, a Draft Environmental Impact Report and a Final Environmental Impact were prepared and processed pursuant to all requirements of Title 14 (Natural Resources), Division 6 (Resources Agency), Chapter 3 (Guidelines for Implementation of the California Environmental Quality Act) of the California Code of Regulations; and

WHEREAS, the Planning Commission held a duly noticed Public Hearing regarding the proposed Final Environmental Impact Report and Use Permit on March 1, 2023, at which time any and all comments were received during the public hearing process; and

WHEREAS, after the close of the Public Hearing the Planning Commission fully considered the Final Environmental Impact Report, Planning Staff's report on the Project, all public testimony, all other written and orally testimony, and totality of the public record of the Project.

I. NOW, THEREFORE, BE IT RESOLVED that the Colusa County Planning Commission based on facts contained within the Final Environmental Impact Report, Planning Staff's report on the Project, all public testimony, all other written and orally testimony, and totality of the public record of the Project makes the following findings:

A. The Final EIR has been completed in compliance with the California Environmental Quality Act;

B. The Final EIR was presented to the Planning Commission acting as the decision making body of the lead agency and that the Planning Commission has reviewed and considered the information contained in the Final EIR prior to taking any action upon the project;

C. The Final EIR reflects the lead agency's independent judgment and analysis; and

D. The Final EIR has identified potential significant impacts of the Project but all said potential impacts have been reduced to a level of non-significance through project changes and/or mitigation measures that have been fully considered and incorporated into the Project.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

II. NOW, THEREFORE, BE IT FURTHER RESOLVED that based upon the findings of Section I of this Resolution, that the Colusa County Planning Commission does hereby take the following actions:

A. Certifies the Final EIR attached hereto as Exhibit "A" and incorporated by reference;

B. Adopts the Mitigation Monitoring and Report Program attached hereto as Exhibit "B" and incorporated by reference;

C. Finds that the Proposed Use Permit 20-01 (PD-3829) with the adopted Mitigation Measures and the Conditions of Approval detailed in Exhibit "C" is consistent with the General Plan and all applicable provisions of Chapter 44 of the Colusa County Code and that the establishment, maintenance or operation of the Project will not be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the area surrounding the Project and does hereby approve Use Permit 20-01 (PD-3829) as detailed in Exhibit "C" attached hereto and incorporated by reference.

PASSED AND ADOPTED this 5th day of April, 2023 by the following vote:

AYES:

NOES:

ABSENT:

_____
John Troughton, Jr. , Chair,
Planning Commission

ATTEST: Greg Plucker, Secretary to the Colusa County Planning Commission

_____
Melissa Kitts, Deputy Clerk

APPROVED AS TO FORM

_____
Jennifer Sutton, Sr. Deputy County Counsel

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

FINAL
ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT



COUNTY OF COLUSA
COMMUNITY DEVELOPMENT DEPARTMENT
220 12th Street
Colusa, California 95932

State Clearinghouse No. 2020070577

February 3, 2023

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

JANUS SOLAR FINAL ENVIRONMENTAL IMPACT REPORT TABLE OF CONTENTS

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D Additional Photographic Simulations

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

1 INTRODUCTION

1.1 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

This Final Environmental Impact Report (Final EIR) (State Clearinghouse No. 2020070577) is an informational document which examines and discloses the potential impacts of the Janus Solar Project (Project), as proposed by Janus Solar I, LLC (Applicant). Colusa County (County) will rely on the findings of this EIR, along with all other information in the formal record, to decide whether to approve, approve with modifications, or disapprove the application for the Conditional Use Permit as requested for the Project (UP No. 20-01).

The Final EIR consists of the Draft Environmental Impact Report (Draft EIR) published October 15, 2021, and responses to comments, as provided in Chapter 2. The Draft EIR and a digital copy of this Final EIR are contained on a CD in the cover of printed copies of this Final EIR and are available for viewing at the Community Development Department and local public libraries. An electronic version is available at the Colusa County's Community Development Department's website.

The County is the lead agency for reviewing the potential environmental impacts of the Project pursuant to the California Environmental Quality Act (CEQA), and directed the preparation of this Final EIR. The County will use this Final EIR, along with any other information developed in the County's formal record, when considering whether to certify the Final EIR and whether to approve the Applicant's CUP application to the County Development Department.

The Draft EIR detailed the Project; evaluated and described the potential environmental impacts associated with Project construction, and operation and maintenance; identified those impacts that have the potential to be significant; and presented mitigation measures that would avoid or minimize impacts, if adopted. The Draft EIR also evaluated alternatives to the Project, including the Reduced Acreage Alternative, Distributed Solar Alternative, Northeast Site Alternative, and the CEQA-required No Project Alternative.

1.2 INTENDED USE OF THE EIR

The EIR is intended to evaluate the potential environmental impacts that a proposed project may have to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to analyze all planning and permitting actions associated with the proposed Project. For detailed information on the proposed project, please refer to Chapter 2, Project Description of the Draft EIR, which provides a discussion of the proposed Project.

1.3 ORGANIZATION OF THE FINAL EIR

As required by CEQA Guidelines 15132, this Final EIR consists of the following elements:

1. The Draft EIR;
2. Comments received on the Draft EIR;

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

3. A list of persons, organizations, and public agencies that commented on the Draft EIR;
4. The County's responses to significant environmental points raised in the review and consultation process;
5. Other information added by the County; and
6. Minor revisions to the Draft EIR.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

2 RESPONSE TO COMMENTS

2.1 LIST OF COMMENTERS

The following individuals and agencies provided comments on the Draft EIR:

A. Vance Boyes

B. Leo LaGrande

C. Bob and Cindy Freed

D. David R. Nelson, representing Jean Terkildsen, Elizabeth Katsaris, and Matthew Ferrini

E. Garnett A. Vann

F. Elizabeth Katsaris

G. Sid LaGrande

H. Peter G. Minkel, Central Valley Regional Water Quality Control Board

I. Monique Wilber, California Department of Conservation

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"
Attachment #8.a
Letter A

Colusa County

EIR Public Meeting
Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) VANCE BOYES

Mailing Address 757 MAIN STREET COLUSA, CA 95932

Telephone No. (daytime) 530 263-3310

E-mail address VRBOYES@GMAIL.COM

Organization/Affiliation LAND OWNER

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1. SINCE THE PROJECT WILL HAVE MAJOR IMPACT ON THE ROAD I BELIEVE THE ROAD NEEDS TO BE PAVED, ESPECIALLY SINCE THE COUNTY WILL NOT HAVE ANY MAJOR TAX REVENUE, AT A MINIMUM,

2. I FEEL LOOKING AT ROLLING HILLS, THAN SOLAR PANELS IS ESTETICALLY BETTER

3.

Signature Vance Boyes

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"

Colusa County

EIR Public Meeting
Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Leo LaGrande

Mailing Address PO Box 279, Williams CA.

Telephone No. (daytime)

E-mail address leo@SBLagrande.com

Organization/Affiliation LaGrande Ranch

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar P

High [illegible]ers using Spring Valley Rd (gravel) in regards to damaging tree crops and livestock forage.

Defoliation and loss of crop or crops occurs when excess dust is present.

Defoliation of an orchard would also effect crop yields the following year.

Signature

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"

Attachment #8.a
Letter C

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print): Bob & Cindy Freed

Mailing Address: PO Box 151, Williams 95987

Telephone No. (daytime): 530 681 2412 or 530 304 8899

E-mail address: cfreed@colusanet.com

Organization/Affiliation: residence on East Camp Rd, Williams

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

Please See attached:

Signature _____

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

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November 22 2021

Dear Mr. Plunker,

This letter is regarding the proposed Janus Solar Project, which is being considered west of Williams, off of Spring Valley Road. Our home is located on East Camp Road, which apparently would be a main thoroughfare for construction and maintenance of the project. With this in mind, we are adamantly opposed to the project. We are aware of several injury accidents, as well as fatalities, at the intersection of Highway 20 and East Camp Road --there is no turn lane on either roadway, making it a very dangerous area. In addition, East Camp Road is known to flood, closing the roadway in both directions (I've attached photos of from this year). With the proposed construction, more vehicles and trucks will be utilizing Highway 20 and East Camp Road, creating more traffic and likely more accidents. Furthermore, the additional wear and tear of the already rough East Camp Road will only add to more maintenance required on said roadway. 1

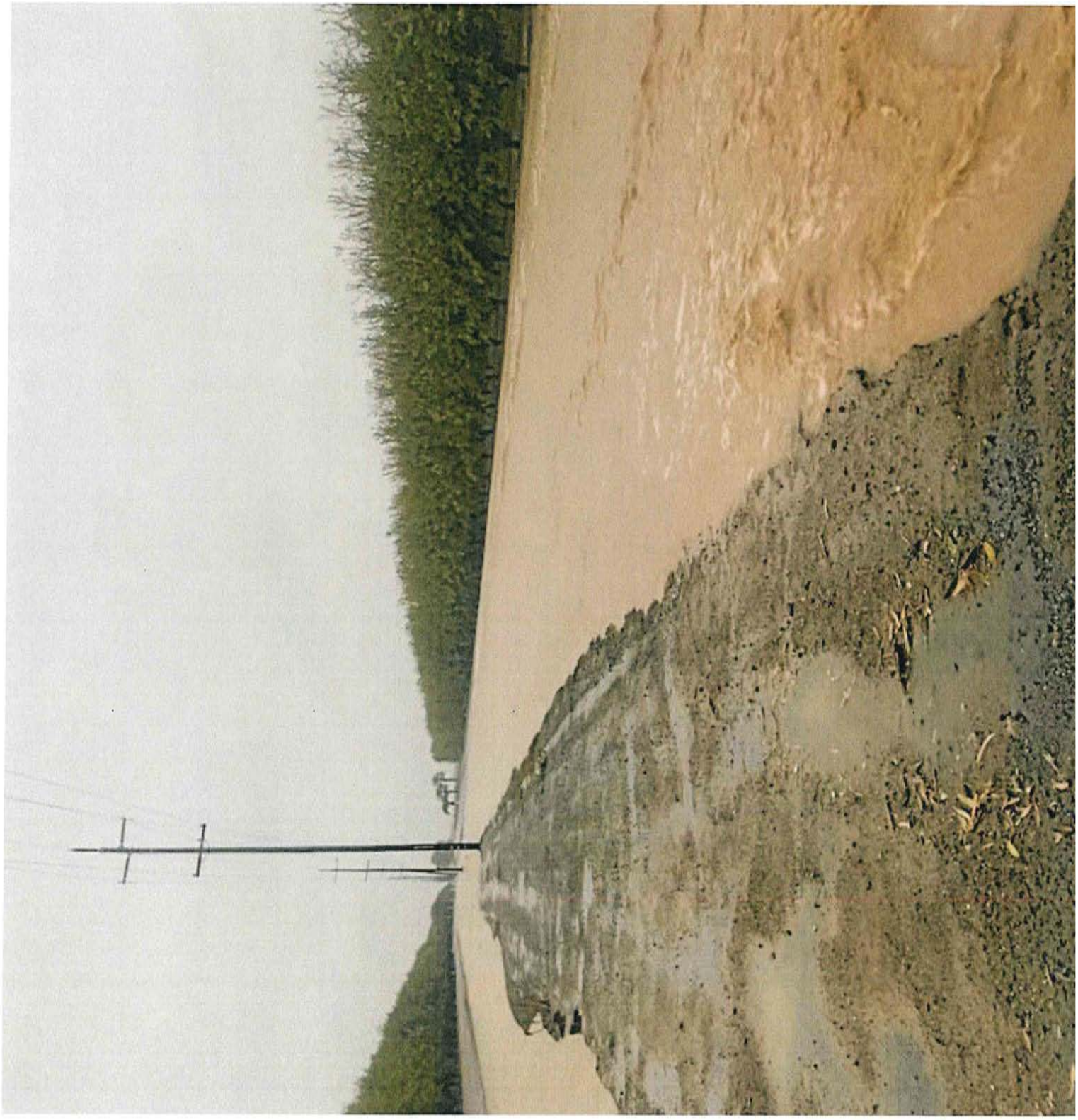
Please take into consideration all of the negative aspects of this project before agreeing to move forward. If you should have questions or would like to discuss our thoughts, please feel free to contact either of us.

Sincerely,

Bob & Cindy Freed

530-304-8899

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Exhibit "A"

Attachment #8.a

3.2.h

Packet Pg. 901

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW
521 MARKET STREET
POST OFFICE BOX 968
COLUSA, CALIFORNIA 95932
(530) 458-5157
FAX (530) 458-2183
dave.clarkandnelson@gmail.com

DAVID R. NELSON
CHARLES T. YERXA, JR

ROBERT D. CLARK
(1935-2004)

November 22, 2021

NOV 22 2021

Greg Plucker
Community Development Director
County of Colusa
1213 Market Street
Colusa, CA 95932

Re: Draft EIR - Janus Solar Project

Dear Mr. Plucker:

Please be advised that we are the attorneys for Jean Terkildsen, Elizabeth Katsaris and Matthew Ferrini, who own agricultural real property adjacent to and in the near vicinity of the real property upon which the above referenced project is proposed. Within this letter I will set forth my clients comments to the Draft EIR ("DEIR") for the Janus Solar Project.

1. **SIZE AND SCOPE OF PROPOSED PROJECT**: The proposed project seeks to convert 1,024 acres of real property from its historical use of cattle grazing and sheep grazing to a totally different use of an industrial/commercial utility use. This significant alteration of the use of this real property is sought to be done by means of a use permit. While it is recognized that the Colusa County Zoning Ordinance permits an energy production overlay zone within the Foothill/Agricultural Zoning classification, it is difficult to believe that the decision makers who adopted the current zoning ordinance contemplated a project in the Foothill/Agricultural zone of this magnitude. The conversion of more than 1,000 acres, from its historical farm and grazing use, to an industrial use, should be attempted only by means of a general plan amendment and rezoning of the property. The potential impacts and changes that would result if this project is built cannot be properly contemplated nor fully understood as a project of this type and of this size has never been developed in Colusa County. Colusa County should not permit and convert more than 1,000 acres from an agricultural use to an industrial use on the hope and expectation that unknown and undiscovered impacts will not occur. The development of this project will change the nature and use of not only the project area but also the surrounding agricultural areas. Solar projects of much smaller size should be considered in agricultural areas to determine what the long term impacts can be before undertaking a project of more than 1,000 acres. 1

Furthermore, approval of this project will prohibit the 2

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CLARK & NELSON
ATTORNEYS AT LAW

future expansion of prime agricultural property should future water sources be found for the property (Sites Reservoir perhaps). This conversion of agricultural property to an industrial use conflicts with the overriding policy set forth in the General Plan that favors and protects the County's agricultural heritage. 2

2. **INADEQUATE REVIEW OF POTENTIAL DRAINAGE IMPACTS**: The DEIR indicates that there will not be any significant impact from drainage in that the water will drain from the property after the project is built in the same way that it does presently. However, the DEIR fails to consider the potential for the accelerated and increased offsite drainage flows, especially those related to peak flows during a storm event. The project contemplates placing 196,000 solar panels over 738 acres of the project site. While currently there are no improvements that would prevent water from rains to permeate into the soil and pond upon the property, the 196,000 solar panels will be impermeable and the rainwater will accelerate off of the panels and quite likely create a significant increase in downstream drainage. The criteria of the Energy Production Overlay Zone provides in Section E(g) the following: "there shall be no net increase in offsite drainage flows, including peak flows during a storm event." Our clients contend that there is a great likelihood of a significant increase in offsite drainage which must be analyzed and mitigated within the DEIR. 3

3. **DUST IMPACTS**: The DEIR references that dust will be created as a part of the construction of the project. The dust will occur not only on the project site itself but along unpaved portions of Spring Valley Road which will serve as the primary means of ingress and egress to the project site. The DEIR proposes that the dust issue be mitigated by watering dust producing areas twice a day by water truck. The DEIR fails to analyze the potentially significant impact upon neighboring almond orchards. It is common knowledge within almond growing districts that the creation of dust near orchards significantly increases the infestation of mites that are detrimental to almond trees and can cause significant and long lasting impacts to the trees and their production capabilities. The DEIR needs to fully analyze the potential for damage from dust mites and provide mitigation measures that will be more significant than watering twice a day. 4

4. **TRANSMISSION POLES**: The DEIR recognizes that there will be numerous transmission poles located in the county road right of way from the project site down Spring Valley Road and then along Walnut Drive to the PG&E substation. The DEIR further advises that these transmission poles will be as high as 80 feet. That results in the poles and transmission cables being some 20 to 40 feet higher than the existing power poles along Spring Valley Road and Walnut Drive. This 5

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CLARK & NELSON
ATTORNEYS AT LAW

increase in the number of poles and the height of the poles could have a significant impact upon agricultural aerial applicators servicing the orchard and open ground in the area. Poles and wires are a significant hazard to both fixed wing aircraft and helicopters used in agricultural application. Increasing the height of the poles and wires to 80 feet will result in a greater safety hazard for the applicators and may result in aerial application not being feasible in close proximity to the poles and wires. Alternatives to the proposed transmission lines, such as underground lines, should be considered. 5

5. **TRAFFIC AND ROADWAY IMPACTS**: As property owners and residents of the area in question, our clients are very familiar with the local roads and have concerns with regard to the impacts this project would have on the local roads. With Spring Valley Road being unimproved it may not be adequate in its current condition to accommodate the traffic flows during construction, nor for emergency vehicle access to the project site both during construction and afterwards. As mentioned, Spring Valley Road is in large part unpaved and does not have adequate or appropriate drainage facilities. As a result, in times of rain events, the road becomes either unpassable or dangerous to travel upon. While Spring Valley Road presents transportation impacts the additional surrounding roadways will also be impacted. The DEIR acknowledges that Walnut Drive and East Camp Road will also be major routes to access the project site. While traffic will be greatly increased, particularly during construction, safety concerns must be addressed at both the intersection of Highway 20 and East Camp Road where there are no turn lanes as well as at the intersection of Highway 20 and Walnut Drive where again, there are no turn lanes. The DEIR is silent with regard to traffic safety concerns. 6

Furthermore, the number of truck trips is vastly understated. The DEIR references that during construction there will be a need of 15,000,000 gallons of water that would be trucked to the site. Projecting that a water truck can carry 4,000 gallons per load, that equates to 7,500 truck trips during construction. The most likely route for the water trucks would be Highway 20 to East Camp Road to Walnut Drive and to Spring Valley Road. That number of trucks making turns on the State Highway and County Roads without turn lanes creates significant safety issues. The actual number of truck trips will also impact the need for additional road maintenance. 7

6. **HAZARDOUS MATERIALS ASSOCIATED WITH BATTERIES**: The DEIR references that the project will include a battery energy storage system. Batteries are known to have hazardous waste and toxic materials associated with them and have the ability to leak, burn and/or explode. The DEIR fails to adequately analyze what threats the battery energy storage system as proposed will create for both humans, 8

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW

wildlife and the environment. The DEIR further fails to adequately discuss whether local emergency personnel are capable of responding to an accident at the project site and if not, what training will be necessary. 8

7. **IMPACTS TO COLUSA COUNTY AND THE CITY OF WILLIAMS**: It does not appear that the project will provide any significant revenue source to either the County of Colusa or to the City of Williams. However, it goes without saying that the project will have impacts to county and city roadways, fire and emergency responders, drainage improvements, law enforcement amongst others. There is no analysis as to the economic benefits that would come to the County of Colusa or the City of Williams, nor is there any analysis of the economic costs to the County of Colusa and City of Williams. The citizens of Colusa County and the decision makers should be fully advised of impacts upon public agencies and particularly the fiscal impacts that will result from this project. 9

8. **IMPACTS TO USE AND VALUE OF NEIGHBORING PROPERTY**: As the owners of adjacent and neighboring agricultural property, our clients have concerns over what impact a project of this size and nature will have upon their farming operations and the value of their agricultural realty. The DEIR does not address what impacts a 1,000 acre industrial utility complex will have upon current and future neighboring agricultural properties and the extensive cattle and sheep grazing that occur in the area. The potential impacts include changes to the vistas, potential acceleration of drain waters, roadway impacts, hazardous material exposure, altering the safety and availability of aerial agricultural applications and potential impacts to local wildlife. The DEIR should address and adequately review what these cumulative impacts will have upon nearby property owners, their workers and their property. 10

9. **ADDITIONAL EXPANSION**: Could the creation of a 1,000 acre industrial utility complex lead to additional expansion of this type of use in the area? If so, the DEIR should review what the potential cumulative and future impacts could be to agricultural properties similarly situated within the County of Colusa. Cumulative impacts could be in conflict with Colusa County's General Plan that seeks to preserve and expand the County's agricultural heritage. 11

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW

Thank you for your consideration of these comments and should you have questions with regard to these comments please feel free to contact the undersigned.

Very truly yours,

CLARK & NELSON

By
David R. Nelson

DRN:d
cc: Jean Terkildsen
Elizabeth Katsaris
Matthew Ferrini

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Garnett A. Vann

Mailing Address 365 Ruggieri Way, Williams Ca. 95

Telephone No. (daytime) 530-473-2607

E-mail address gvann@vannbros.com

Organization/Affiliation Vann Bros, Vann Family Orchards

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1 We have had our fill of powers lines and disruptio in our agricultural operations related to power lines going though many of our properties. We have already had our easement agreements broken by P, G+E and Western Power. Our original agreements allowed us to farm under the power lines. Then the lawyers got ahold of it and found loopholes to make us quit farming below the transmission wires. We will vigorously resist any attempt to build this facility.

Signature _____

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

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Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Place Stamp Here

Colusa County
Community Development Department
Attn: Mr. Greg Plucker, Director
1213 Market Street
Colusa, CA 95932

Exhibit "A"

Colusa County

EIR Public Meeting

Janus Solar Project
Granzella's Inn, Conference Room
391 6th Street, Williams
Thursday, November 4, 2021

This form may be used to submit comments in regards to the Draft Environmental Impact Report (EIR) for the proposed Janus Solar Project.

Name (please print) Elizabeth Katsaris

Mailing Address

Telephone No. (daytime)

E-mail address katsaris@comcast.net

Organization/Affiliation

In the Final EIR, please address the following comment on the environmental impacts of the Janus Solar Project:

1.) Keeping in mind the threat to public health and safety in the event of a fire, will fire fighting equipment for the Fire Department be kept on site? If so, what type? 1

2.) Are there any alternative projects with a bigger or smaller scope? 2

3.) Is anything about this project going to change? 3

4.) What is the maximum amount of acreage the project could entail? 4

Signature Elizabeth Katsaris

Thank you for your assistance.

Written comments will be accepted until **November 29, 2021** and may be directed to Mr. Greg Plucker, Director, located at Community Development Department, 1213 Market Street, Colusa, CA 95932, or email to gplucker@countyofcolusa.com.

To Mail, Fold and Staple

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

The proposed Solar Project one spring Valley Road is on the western edge of the pacific flyaway. My concern is the migrating ducks and geese will see this reflection and thinking it is water will try to land on these panels. injuring or killing themselves.

Also, this project will not be beneficial to the county or local land owners. best to serve only one land owner.

530-681-6378
Sid La Grande

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

California Water Boards

Gavin Newsom
Governor

Jared Blumenfeld
Secretary for
Environmental Protection

Central Valley Regional Water Quality Control Board

29 November 2021

Colusa County
Community Development Department
1213 Market Street
Colusa, CA 95932
gplucker@countyofcolusa.com

COMMENTS TO REQUEST FOR REVIEW FOR THE DRAFT ENVIRONMENTAL IMPACT REPORT, JANUS SOLAR PROJECT, SCH#2020070577, COLUSA COUNTY

Pursuant to the State Clearinghouse's 15 October 2021 request, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the *Request for Review for the Draft Environmental Impact Report* for the Janus Solar Project, located in Colusa County.

Our agency is delegated with the responsibility of protecting the quality of surface and groundwaters of the state; therefore our comments will address concerns surrounding those issues.

I. Regulatory Setting

Basin Plan

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of

Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the *Water Quality Control Plan for the Sacramento and San Joaquin River Basins*, please visit our website:
http://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:
https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_201805.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

II. Permitting Requirements

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

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Phase I and II Municipal Separate Storm Sewer System (MS4) Permits[1]

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (LID)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:
http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:
http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/industrial_general_permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit – Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic

[1] Municipal Permits = The Phase I Municipal Separate Storm Water System (MS4) Permit covers medium sized Municipalities (serving between 100,000 and 250,000 people) and large sized municipalities (serving over 250,000 people). The Phase II MS4 provides coverage for small municipalities, including non-traditional Small MS4s, which include military bases, public campuses, prisons and hospitals.

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General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification/

Waste Discharge Requirements – Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at:https://www.waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at: https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Dewatering Permit

If the proposed project includes construction or groundwater dewatering to be discharged to land, the proponent may apply for coverage under State Water Board General Water Quality Order (Low Threat General Order) 2003-0003 or the Central Valley Water Board's Waiver of Report of Waste Discharge and Waste Discharge Requirements (Low Threat Waiver) R5-2018-0085. Small temporary construction dewatering projects are projects that discharge groundwater to land from excavation activities or dewatering of underground utility vaults. Dischargers seeking coverage under the General Order or Waiver must file a Notice of Intent with the Central Valley Water Board prior to beginning discharge.

For more information regarding the Low Threat General Order and the application process, visit the Central Valley Water Board website at: http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2003/wqo/wqo2003-0003.pdf

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For more information regarding the Low Threat Waiver and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/waivers/r5-2018-0085.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for *Limited Threat Discharges to Surface Water* (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

If you have questions regarding these comments, please contact me at (916) 464-4684 or Peter.Minkel2@waterboards.ca.gov.

Peter G. Minkel
Engineering Geologist

cc: State Clearinghouse unit, Governor's Office of Planning and Research, Sacramento

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NOVEMBER 16, 2021

Letter I

VIA EMAIL: GPLUCKER@COUNTYOFCOLUSA.COM
Greg Plucker
County of Colusa
1213 Market Street
Colusa, CA 95932

Dear Mr. Plucker:

DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE JANUS SOLAR PROJECT, SCH#2020070577

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report for the Janus Solar Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's potential impacts on agricultural land and resources.

Project Description

Janus Solar PV, LLC has applied to the Colusa County Community Development Department for a Use Permit to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, to be known as the Janus Solar Project.

The Project would generate and store up to 80 megawatts alternating current on an approximately 1,024-acre site, owned by a private landowner in unincorporated western Colusa County. To avoid environmental constraints, an estimated 768 acres of the 1,024-acre site would be used for the Project. The proposed battery energy storage system (BESS) would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 4 miles northeast of the Project site. The entirety of the Project site is included in a Williamson Act contract.

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Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project. 1

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conservation easements, among other measures, as potential mitigation. (See Cal. Code Regs., tit. 14, § 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."]) 2

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at: 3

https://www.calandtrusts.org/resources/conserving-californias-harvest/

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG Farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland). 4

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Conclusion

The Department recommends further discussion of the following issues:

- The Projects compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Thank you for giving us the opportunity to comment on the Draft Environmental Impact Report for the Janus Solar Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Janus Solar Project

Responses to Public Comments

February 2023

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A VANCE BOYES

A-1

Comment Summary:

Since the project will have major impact on the road. I believe the road needs to be paved, especially since the county will not have any major tax revenue, at minimum.

Response:

The Draft Environmental Impact Report (DEIR) analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR page [p.] 4.17-6).

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, the **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through*

photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.

The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust (PM_{10}) from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C to the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven.

Due to the observed effectiveness of application of the dust suppressant, its use was recommended as part of **Mitigation Measure AQ-1**. To address the concern raised in this comment, the following additions to **Mitigation Measure AQ-1** are proposed:

"AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices:

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- *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
- *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
- *Limit traffic speeds on unpaved roads to 15 miles per hour.*
- *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
- *Curtail construction activities when the County's Air Quality Index exceeds 150.*
- *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
- *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
- *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*
- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to*:
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*
- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*

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- *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
- *Soil conditions (damp, dry, etc.)*
- *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, **Mitigation Measure AQ-3** has been included to require the application of dust suppressant once a year to Spring Valley Road for the life of the Project.

*"**AQ-3: Long-Term Dust Control***

Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."

The California Environmental Quality Act (CEQA) does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

"***PS-1: Public Services Mitigation Fee***
Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*

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- *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*

- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation Distict, a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District.*"

A-2

Comment Summary:

I feel looking at rolling hills is esthetically better than solar panels.

Response:

Impacts to visual resources are discussed in Chapter 4, Section 4.3 of the DEIR. An additional visual simulation was completed depicting the view from the gate of the commenter and is provided as Appendix D to the Final EIR. This visual simulation is from Key Observation Point (KOP) 6.

KOP 6 is located near Spring Valley Road, approximately 0.2 miles north of the Project site. KOP 6, Orientation 2 depicts views oriented southwest toward the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with relatively flat terrain. Existing structural features include a residence and fencing in the foreground. Vegetation includes grasses and trees. Dominant colors for the landscape are green-brown, tan, and green while the structures are gray, brown, and white. The vegetation consists of irregular, organic forms of contiguous grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area. This KOP also provides a typical view for the occupants of the residence west of Spring Valley Road. Considering the frequent viewing by local residents, viewers would have a moderate sensitivity to the visual changes in the area.

The Project would introduce dark gray color, geometric shapes, and horizontal lines into the landscape setting and would be visible from this location by a casual observer. The colors, regular geometric forms and horizontal lines associated with the solar arrays and associated infrastructure would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the structures in the vicinity also possess gray color and horizontal and vertical lines (fencing). This viewpoint reflects the views of drivers traveling along Spring Valley Road. These impacts would be short term for travelers because they would only be approaching or paralleling the Project site for a limited time and their focus would be on

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the road ahead. This viewpoint also reflects the views of the occupants of the residence west of Spring Valley Road. For views from residence, while appearing as new and visible features, the Project infrastructure would be consistent with other horizontal and vertical lines and geometric shapes visible throughout the landscape. As the Project would attract attention to the casual observer and the portion of the Project that would be visible would co-dominate the landscape, the contrast would be considered moderate. However, the Project would not block views of the surrounding agricultural open space or the trees in the middleground. Therefore, the impacts would be less than significant.

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B LEO LAGRANDE

B-1

Comment Summary:

High [unreadable (concern?)] using Spring Valley Rd (gravel) in regards to damaging tree crops and livestock forage.

Defoliation and loss of crop or crops occur when excess dust is present.

Defoliation of an orchard would also effect crop yields the following year.

Response:

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and PM_{10} from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as “Dust-Off” was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C of the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. The effectiveness of the mitigation was observed at all speeds at which the treated portion of the

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road was driven. Due to the observed effectiveness of application of the dust suppressant, its use was recommended as part of Mitigation Measure AQ-1. To address the concern raised in this comment, the following additions to Mitigation Measure AQ-1 are proposed:

"AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices:

- *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
- *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
- *Limit traffic speeds on unpaved roads to 15 miles per hour.*
- *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
- *Curtail construction activities when the County's Air Quality Index exceeds 150.*
- *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
- *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
- *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*
- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:*
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*

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- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*
  - *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
  - *Soil conditions (damp, dry, etc.)*
  - *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, **Mitigation Measure AQ-3** has been included to require the application of dust suppressant once a year to Spring Valley Road for the life of the Project.

> "***AQ-3: Long-Term Dust Control***
>
> *Once a year generally in late spring the Applicant shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."*

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> "***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*

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- *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
- *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*

- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation Distict, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

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C BOB AND CINDY FREED

C-1

Comment Summary:

Our home is located on East Camp Road, which apparently would be a main thoroughfare for construction and maintenance of the project. With this in mind, we are adamantly opposed to the project. We are aware of several injury accidents, as well as fatalities, at the intersection of Highway 20 and East Camp Road -- there is no turn lane on either roadway, making it a very dangerous area. In addition, East Camp Road is known to flood, closing the roadway in both directions (I've attached photos of from this year). With the proposed construction, more vehicles and trucks will be utilizing Highway 20 and East Camp Road, creating more traffic and likely more accidents. Furthermore, the additional wear and tear of the already rough East Camp Road will only add more maintenance required on said roadway.

Response:

The DEIR analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR p. 4.17-6).

The Transportation Injury Mapping System[1] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties.

[1] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, the **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Project Owner shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Project Owner shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*
>
> *The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."*

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D CLARK & NELSON, ATTORNEYS AT LAW

D-1

Comment Summary:

The proposed project seeks to convert 1,024 acres of real property from its historical use of cattle grazing and sheep grazing to a totally different use of an industrial/commercial utility use. This significant alteration of the use of this real property is sought to be done by means of a use permit. While it is recognized that the Colusa County Zoning Ordinance permits an energy production overlay zone within the Foothill/Agricultural Zoning Classification, it is difficult to believe that the decision makers who adopted the current zoning ordinance contemplated a project in the Foothill/Agricultural zone of this magnitude. The conversion of more than 1,000 acres, from its historical farm and grazing use, to an industrial use, should be attempted only by means of a general plan amendment and rezoning of the property. The potential impacts and changes that would result if this project is built cannot be properly contemplated nor fully understood as a project of this type and of this size has never been developed in Colusa County. Colusa County should not permit and convert more than 1,000 acres from an agricultural use to an industrial use on the hope and expectation that unknown and undiscovered impacts will not occur. The development of this project will change the nature and use of not only the project area but also the surrounding agricultural areas. Solar projects of much smaller size should be considered in agricultural areas to determine what the long-term impacts can be before undertaking a project of more than 1,000 acres.

Response:

As stated in Chapter 4, Section 4.11.2.4 of the DEIR, the County's Zoning Code allows for energy production in areas zoned as Foothill Agriculture and Exclusive Agriculture with a Use Permit, or a Minor Use Permit if the project site is located in an Energy Production Overlay Zone. The County has determined that a Use Permit is required for the Project. Colusa County General Plan **Policy AG 2-1** states that alternative energy is permitted on agricultural land. In support of alternative energy, **Policy AG 2-5** describes that solar facilities should be encouraged.

> ***"Policy AG 2-1****: Agricultural-related industrial support operations shall be permitted on agricultural lands. Such uses may include, but are not limited to, processing, assembly, distribution and warehousing of agricultural materials and commodities and alternative energy systems that provide energy for on-site uses. These uses should be permitted on agricultural lands as principal permitted uses subjected to the standards of the Zoning Ordinance provided the following findings are made:*
>
> *a. The use provides a needed service to the surrounding agricultural area which cannot be provided more efficiently within designated industrial or commercial areas or which requires location in a non-urban area because of unusual site requirements, operational characteristics, or proximity to agricultural goods and products.*
>
> *b. The use avoids prime agricultural lands to the greatest extent feasible.*

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c. *If the use is sited on productive agricultural lands, less productive agricultural lands are not available in the vicinity.*

d. *The operational or physical characteristics of the use will not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least one-quarter (1/4) mile radius.*

e. *The use supports local agricultural productions.*

f. *The use is compatible with existing uses in the area.*

g. *The use will not adversely affect agricultural production in the area.*

h. *The use will not result in significant adverse traffic or air quality impacts.*

Policy AG 2-5: *Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.*

The Land Use section in the Colusa County General Plan includes ***Table LU-1*** *which outlines the minimum parcel size, maximum dwelling density and allowed uses for each of the land use designations. Categories for the allow uses under Agricultural Upland which the project site is designated as, includes cultivated agriculture, agricultural industrial, livestock and animal keeping, agricultural commercial, agricultural-base tourism, low-intensity recreation, resource production, energy production, single family residential, and farmworker housing. Energy Production under Agriculture Upland states that solar facilities are permitted as allowed uses."*

D-2

Comment Summary:

Furthermore, approval of this project will prohibit the future expansion of prime agricultural property should future water sources be found for the property (Sites Reservoir perhaps). This conversion of agricultural property to an industrial use conflicts with the overriding policy set forth in the General Plan that favors and protects the County's agricultural heritage.

Response:

The Project site is located in the Westside Water District which supplies water for agricultural irrigation. An adequate baseline for agricultural impacts is provided in the DEIR. As described in Section 15125(a) of the CEQA Guidelines, the environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. Under the current environmental setting, the Project site does not contain irrigation infrastructure or an irrigation system connection to the Westside Water District and to assume future access to irrigation infrastructure would be highly speculative. Due to lack of irrigation water, the current use on the Project site is cattle ranching.

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CEQA recognizes that the conversion of prime, unique, or farmland of statewide importance can result in a significant impact on agricultural resources (CEQA Guidelines, Appendix G). In this case, the Project site is grazing land (DEIR at 4.1-1) and is not considered prime, unique, or farmland of statewide importance (DEIR p. 4.1-5). Based on information from the United States Department of Agriculture Natural Resources Conservation Service, there are three soil types found on the Project that may be considered prime farmland when irrigated: Capay clay (approximately 23 percent of the Project site), Clear Lake Clay (approximately 6 percent of the Project site), and Corval loam (approximately 5 percent of the Project site). As stated previously, the property does not have irrigation infrastructure or an existing agreement or connection with the Westside Water District that would supply irrigation water. Therefore, the availability of irrigation water in the future is highly speculative, and conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources due to the conversion of prime, unique, or farmland of statewide importance (DEIR p. 4.1-5).

D-3

Comment Summary:

The DEIR indicates that there will not be any significant impact from drainage in that the water will drain from the property after the project is built in the same way that is does presently. However, the DEIR fails to consider the potential for the accelerated and increased offsite drainage flows, especially those related to peak flows during a storm event. The project contemplates placing 196,000 solar panels over 738 acres of the project site. While currently there are not improvements that would prevent water from rains to permeate into the soil and pond upon the property, the 196,000 solar panels will be impermeable, and the rainwater will accelerate off of the panels and quite likely create a significant increase in downstream drainage. The criteria of the Energy Production Overlay Zone provide in Section E(g) the following: "there shall be no net increase in offsite drainage flows, including peak flows during a storm event." Our clients contend that there is a great likelihood of a significant increase in offsite drainage which must be analyzed and mitigated within the DEIR.

Response:

The 196,000 solar panels would not introduce impervious ground surfaces with the exception of those surfaces required for the battery energy storage system (BESS) foundations, the substation, the operations and maintenance building, tracking assembly piles and inverter foundations. These features would introduce a proportionately small amount of impervious surfaces to the 1,024-acre site. The Project will minimize grading by using portions of the site that are flat and will not significantly alter the existing drainage patterns. As discussed in the DEIR, the Project is not within a flood zone and would include minimal new impervious surfaces. Solar panel posts, fences, generation-tie (gen-tie) line poles, the BESS, the operations and maintenance building, and the substation would not prevent stormwater flow, and the Project's design would follow the natural drainage of the site (DEIR p. 4.10-9).

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Under Section 402 of the Clean Water Act, a National Pollutant Discharge Elimination System (NPDES) General Permit would be required for the Project because it would disturb more than 1 acre of soil with the potential to discharge to the waters of the United States. The NPDES permit would regulate any stormwater discharge associated with construction, and would require the development and implementation of a Stormwater Pollution Prevention Plan that would include Best Management Practices designed to prevent sediment and other pollutants from reaching receiving waters. Additionally, the Stormwater Pollution Prevention Plan would be required to contain visual and chemical monitoring programs for non-visable pollutants (DEIR p. 4.10-3).

Section 44-2.20.20 of the Colusa County Code, states that "there shall be no net increases in off-site drainage flows, including peak flows during a storm event, and water quality measures shall be implemented to reduce stormwater pollutants." The Project would be required to be built compliant with the Colusa County Code.

D-4

Comment Summary:

The DEIR references that dust will be created as part of the construction of the Project. The dust will occur not only on the Project site itself but along unpaved portions of Spring Valley Road which will serve as the primary means of ingress and egress to the Project site. The DEIR proposed that the dust issue be mitigated by watering dust producing areas twice a day by water truck. The DEIR fails to analyze the potentially significant impact upon neighboring almond orchards. It is common knowledge within almond growing districts that the creation of dust near orchards significantly increases the infestation of mites that are detrimental to almond trees and can cause significant and long-lasting impacts to the trees and their production capabilities. The DEIR needs to fully analyze the potential for damage from dust mites and provide mitigation measures that will be more significant than watering twice a day.

Response:

Chapter 4, Section 4.2 of the DEIR analyzes air pollutant emissions associated with the Project, such as emissions from construction related activities including equipment exhaust, vehicle travel on paved and unpaved roads, and fugitive dust (PM_{10}) from soil disturbance activities. Mitigation Measure AQ-1 would be required to reduce dust emissions. Based on the Butte County Air Quality Management District recommended thresholds (on which the Colusa County Air Pollution Control District relies), the Project would result in a significant contribution to localized ambient air quality if daily emissions exceeded 80 pounds per day of PM_{10} during either construction or operation. Daily PM_{10} emissions will be well below this threshold for both construction and operation (DEIR p. 4.2-16). Detailed emissions calculations are provided in Appendix C of the DEIR.

In June 2022, the Applicant commissioned a field study (*Janus Solar Project Dust Suppressant Effectiveness Study)* to observe the degree of effectiveness of the dust suppressant that the County has historically used on an unpaved, rural road in Colusa County that was representative of Spring Valley Road and located nearby several nut orchards. The study was performed out of

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concern regarding the effects of potential dust emissions during use of Spring Valley Road during construction.

A liquid magnesium chloride dust suppressant commercially known as "Dust-Off" was applied to a portion of King Road, an unpaved roadway in rural Colusa County which borders orchards. A section of the roadway was also left untreated. The dust suppressant was applied at a rate of 0.5 gallons per square yard.

A triple-axle truck, fully loaded with 79,000 pounds of equipment, was driven at various speeds on the treated and untreated portions of the unpaved roadway. The study concluded that the application of dust suppressant was extremely effective in mitigating dust generation. As shown in Appendix C of the Final EIR, the effectiveness of the mitigation was observed at all speeds at which the treated portion of the road was driven.

Due to the observed effectiveness of application of the dust suppressant, its use was recommended for as part of **Mitigation Measure AQ-1**. To address the concern raised in this comment, the following additions to Mitigation Measure AQ-1 are proposed:

> ***"AQ-1: Dust Control Measures***
>
> *During construction of the Project, the primary construction contractor shall implement the following practices:*
>
> - *All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.*
> - *When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.*
> - *Limit traffic speeds on unpaved roads to 15 miles per hour.*
> - *Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.*
> - *Curtail construction activities when the County's Air Quality Index exceeds 150.*
> - *Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.*
> - *During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.*
> - *Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.*

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- *The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:*
  - *Read and understand applicable mitigation measures and have them available at the job site*
  - *Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities*
  - *Use contingency control measures when primary controls are ineffective*
  - *Monitor the worksite for compliance with the dust control mitigation measures*
  - *Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.*
- *Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:*
  - *Date*
  - *Time*
  - *Wind speed*
  - *Temperature*
  - *Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity*
  - *Soil conditions (damp, dry, etc.)*
  - *Corrective actions taken, if needed"*

In addition to the application of the dust suppressant during the construction of the Project, in order to ensure that the minimal traffic that would be generated once the Project has been constructed and is operation, an additional **Mitigation Measure AQ-3** has been recommended that the application be required to apply the dust suppressant once a year in for the life of the Project.

> *"**AQ-3: Long-Term Dust Control***
>
> *Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director."*

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the

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economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> ***"PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
>   - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
>   - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-5

Comment Summary:

The DEIR recognizes that there will be numerous transmission poles located in the county road right of way from the project site down Spring Valley Road and then along Walnut Drive to the PG&E substation. The DEIR further advises that these transmission poles will be as high as 80 feet. That results in the poles and transmission cables being some 20 to 40 feet higher than the existing power poles along Spring Valley Road and Walnut Drive. This increase in the number of poles and the height of the poles could have a significant impact upon agricultural aerial applications servicing the orchard and open ground in the area. Poles and wires are a significant hazard to both fixed wing aircraft and helicopters used in agricultural application. Increasing the height of the poles and wires to 80 feet will result in a greater safety hazard for the applicators and may result in aerial application not being feasible in close proximity to the poles and wires.

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Alternatives to the proposed transmission lines, such as underground lines, should be considered.

Response:

Some of the existing transmission lines in the vicinity of the Project exceed 80 feet in height, such that the Project would not introduce pole heights taller than those that exist in the area. Additionally, the gen-tie line for the Project would be built entirely within the public right-of-way and would not intersect private property. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

To further address this comment, additional visual simulations were prepared, including a simulation of the gen-tie line at Spring Valley Road and Beauchamp/Walnut Drive. This KOP is KOP 2, approximately 1.3 miles north of the Project site, as shown in Appendix D of the Final EIR. KOP 2, Orientation 2 depicts views oriented south toward the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to steep terrain in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes trees. Dominant colors for the landscape are green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Beauchamp/Walnut Drive and Spring Valley Road. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Most of the Project solar facility components, such as the solar photovoltaic (PV) generating components, substation, and BESS, would not be visible from KOP 2, Orientation 2 because of the screening of the Project site by rolling terrain, see Appendix D of the Final EIR. The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend from the northeast corner of the Project site within the County's right-of-way on Spring Valley Road.

A second visual simulation was prepared looking west on Walnut Drive, just west of the Cortina Substation. KOP 6 depicts views oriented west toward Spring Valley Road, approximately 1.9 miles west. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with flat terrain to steep terrain in the background. Existing structural features include Walnut Drive, transmission and utility lines, and agricultural equipment. Vegetation includes trees. Dominant colors for the landscape are green, brown, and tan while the structures are gray, brown, and white. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers

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traveling west along Beauchamp Drive. Considering the short duration of viewing, viewers would have a low viewer sensitivity to the visual changes in the area.

Most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location because of the screening of the Project site by vegetation, see Appendix D of the Final EIR. The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend along Walnut Drive from Spring Valley Road to the Cortina Substation.

The colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line will appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (utility and transmission lines). This viewpoint reflects the views of drivers traveling west along Walnut Drive and would be short term because travelers would only be paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from Viewpoint 2B, the visual impacts are considered minor and less than significant.

A third visual simulation was prepared for KOP 7, further south on Spring Valley Road, as shown in Appendix D of the Final EIR. KOP 7 is located on Spring Valley Road, approximately 0.25 miles north of the Project site. KOP 7 depicts views oriented northeast away from the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to hilly terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes grasses and trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. As the orientation of KOP 7 is directed away from the Project site, most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location, see Appendix D of the Final EIR.

For both KOP 2 and KOP 7, the colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line would appear very similar to the structures visible from this location that also possess brown and gray colors and horizontal and vertical lines (fencing, utility line, transmission lines). These impacts would be short-term for travelers because they would only be approaching or paralleling the Project gen-tie line for a

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limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from KOP 2 and KOP 7, the visual impacts are considered minor and less than significant. Regarding aerial agricultural pesticide applications, based on information obtained from the Colusa County Agricultural Commissioner's office[2], there are nine growers with a total of 15 permitted sites adjacent to the proposed gen-tie line. These sites include orchards and field crops. Based on data available for the last three years, there were 27 aerial pesticide applications in 2019, five aerial pesticide applications in 2020, and one aerial pesticide application in 2021. The pole heights proposed as part of the Project are similar to existing obstacles for aerial applicators.

D-6

Comment Summary:

As property owners and residents of the area in question, our clients are very familiar with the local roads and have concerns with regard to the impacts this project would have on the local roads. With Spring Valley Road being unimproved it may not be adequate in its current condition to accommodate the traffic flows during construction, nor for emergency vehicle access to the project site both during construction and afterwards. As mentioned, Spring Valley Road is in large part unpaved and does not have adequate or appropriate drainage facilities. As a result, in times of rain events, the road becomes either unpassable or dangerous to travel upon. While Spring Valley Road presents transportation impacts the additional surrounding roadways will also be impacted. The DEIR acknowledges that Walnut Drive and East Camp Road will also be major routes to access the project site. While traffic will be greatly increased, particularly during construction, safety concerns must be addressed at both the intersection of Highway 20 and East Camp Road where there are no turn lanes as well as at the intersection of Highway 20 and Walnut Drive where again there are no turn lanes. The DEIR is silent with regard to traffic safety concerns.

Response:

The DEIR analyzed the potential impacts of additional construction and operation trips on local roads in Chapter 4, Section 4.17. The estimated total number of vehicles during the peak hours would be 230, based on land use, road connectivity, and the nearest location where traffic counts were available. A conservative range of 230 to 310 vehicles was used for analysis in the DEIR. The estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The Level of Service calculation for Walnut Drive and Spring Valley Road is provided as part of Appendix J of the DEIR and yields a Level of Service A during peak construction (DEIR p. 4.17-6).

[2] Data request response from the Colusa County Agricultural Commissioner's office. January 7, 2022.

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The Transportation Injury Mapping System[3] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months.

Application of dust suppressant would include pre-Project road conditioning that would grade and level the road prior to its application. In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*

[3] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."

D-7

Comment Summary:

Furthermore, the number of truck trips is vastly understated. The DEIR references that during construction there will be a need of 15,000,000 gallons of water that would be trucked to the site. Projecting that a water truck can carry 4,000 gallons per load, that equates to 7,500 truck trips during construction. The most likely route for the water trucks would be Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. That the number of trucks making turns on the State Highway and County Roads without turn lanes creates significant safety issues. The actual number of truck trips will also impact the need for additional road maintenance.

Response:

Use of 4,000-gallon capacity water delivery trucks would result in 3,750 round trips or 7,500 one way trips to deliver 15,000,000 gallons of water during construction. The vendor and hauling trips described in Table 4.2-5 Construction Scenario Assumptions, account for these truck trips. Water use for dust control would be significantly reduced due to the use of additional dust suppressant control measures; however, the maximum, reasonable number of trips is included for a conservative analysis.

As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months. **Table 4.2-4** of the DEIR describes five main phases of construction, which include preparation, excavation, utilities/sub-grade, construction, and paving. The shortest phase would be 9 days for preparation and the longest phase would consist of 233 days for construction. During peak construction it is estimated that approximately 200 workers would be commuting to the Project site as seen in **Table 4.17-1** of the DEIR, with 25 percent participating in carpools.

The Transportation Injury Mapping System[4] data was reviewed for the years 2015 through 2020 (the last year which data was available). During those 5 years, 7 accidents were reported within 2 miles of the Project site, which includes: 2 accidents where driver or passenger had a complaint of pain, 3 minor injuries, 1 serious injury accident, and 1 fatality. Construction traffic will approach the Project site from Highway 20 to East Camp Road to Walnut Drive to Spring Valley Road. Three of the accidents recorded between 2015 and 2020 occurred at the intersection of Highway 20 and East Camp Road, including one minor injury accident in 2019, two minor accidents with complaints of pain in 2015 and 2016. The line of sight on Highway 20 at East Camp Road is approximately 1 mile in length, and the Project traffic is not anticipated to contribute to a greater accident rate.

[4] Transportation Injury Management System. TIMS - Transportation Injury Mapping System (berkeley.edu). Accessed on January 9, 2023.

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Direct access to the Project site would be on Spring Valley Road, which is an unpaved, rural road currently typically used by agricultural equipment and rural residents to access their properties. As discussed in the DEIR, the Project would introduce short-term construction traffic for truck deliveries and worker trips over a period of approximately 11 months. Per **Mitigation Measure AQ-1**, a flagger would be located on Spring Valley Road during peak truck trip periods to manage traffic.

In addition, to ensure that Project construction traffic does not negatively impact surrounding roads, **Mitigation Measure TRANS-1** has been developed requiring a pre-Project inspection and a post-Project inspection of road conditions to ensure that access roads are not negatively impacted by the additional traffic associated with the Project.

> *"**TRANS-1: Road Inspection and Repairs***
>
> *Prior to construction acitivies beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.*
>
> *Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.*
>
> *The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after Project decommissioning to address any road damage as a result of decommissioning construction traffic."*

D-8

Comment Summary:

The DEIR references that the project will include a battery energy storage system. Batteries are known to have hazardous waste and toxic materials associated with them and have the ability to leak, burn and/or explode. The DEIR fails to adequately analyze what threats the battery energy storage system as proposed will create for both humans, wildlife, and the environment. The DEIR further fails to adequately discuss whether local emergency personnel are capable of responding to an accident at the project site and if not, what training will be necessary.

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Response:

As discussed in Chapter 4, Section 4.9, Hazards and Hazardous Materials of the DEIR, Section 608 of the International Fire Code has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

As discussed in the DEIR, all battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires (DEIR p. 4.9-17).

Wildfire impacts are discussed in Chapter 4, Section 4.20 of the DEIR. The risk of wildfire due to operation of the BESS component of the Project was analyzed and determined to be a less than significant impact because each BESS used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the International Fire Code and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the BESS would include fire protection systems (DEIR p. 4.20-9).

The Project would include four federally required fire safety elements set forth by the National Fire Protection Association (NFPA):

1. There would be separation requirements which would include larger spacing than required.
2. Software limits and alarms would be installed in state-of-the-art operating systems based on regulations, operational experience, and supplier recommendations.
3. Thermal runaway protection would be tested in accordance with UL9540a.
4. Explosion control for the BESS would include mechanical deflagration prevention ventilation per NFPA 69.

The following fire prevention design measures are included in the Project:

- Fire breaks around the Project site boundary.
- Vegetation and agricultural products located on and around the Project site would be managed.
- Perimeter roads would be 18 feet wide and interior roads would be 9 feet wide to allow access by emergency vehicles.

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- An Emergency Response Plan would be prepared in consultation with the Fire Department and BESS supplier, and local emergency response staff would be trained and oriented at the Project site.
- Infrared cameras would be used to monitor the temperature of enclosed areas.
- Smoke and fire protection where smoke detectors would be provided.
- Gas detection where gas detectors would be provided.
- Fire control and suppression where the BESS would have open sprinkler heads inside the cabinet enclosures with fire department connections outside the fenced area to ensure firefighter safety.

Additionally, over the last year, the Applicant, Chief Gilbert of the Williams Fire Protection Authority (WFPA), and WFPA's consultant have worked together to develop the following **Mitigation Measure FIRE-1, to be included** in Chapter 4, Section 4.20 Wildfire in the EIR:

"***FIRE-1: Wildfire Protection Measures***

- *Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.*
- *Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:*
    - *On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.*
    - *Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval.*

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- *The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.*

- *Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.*
- *As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief."*

D-9

Comment Summary:

It does not appear that the project will provide any significant revenue source to either the County of Colusa or to the City of Williams. However, it goes without saying that the project will have impacts to county or city roadways, fire and emergency responders, drainage improvements, law enforcement among others. There is no analysis as to the economic benefits that would come to the County of Colusa or the City of Williams, nor is there any analysis of the economic costs to the County of Colusa or the City of Williams. The citizens of Colusa County and the decision makers should be fully advised of impacts upon public agencies and particularly the fiscal impacts that will result from this project.

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Response:

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> " ***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
> - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
>   - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
>   - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
> - *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-10

Comment Summary:

As the owners of adjacent and neighboring agricultural property, our clients have concerns over what impact a project of this size and nature will have upon their farming operations and the value of their agricultural realty. The DEIR does not address what impacts a 1,000-acre industrial utility complex will have upon current and future neighboring agricultural properties and the extensive cattle and sheep grazing that occur in the area. The potential impacts include changes to the vistas, potential acceleration of drain waters, roadway impacts, hazardous material exposure, altering the safety and availability of aerial agricultural applications and potential

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impacts to local wildlife. The DEIR should address and adequately review what these cumulative impacts will have upon nearby property owners, their workers and their property.

Response:

In the DEIR, impacts to agricultural resources are addressed in Chapter 4, Section 4.1, impacts to visual resources are addressed in Chapter 4, Section 4.3, impacts to hydrology and water quality resources are discussed in Chapter 4, Section 4.10, impacts to transportation are included in Chapter 4, Section 4.17, hazards and hazardous materials impacts are discussed in Chapter 4, Section 4.9, and impacts to biological resources are addressed in Chapter 4, Section 4.4. Cumulative impacts to each of these resources are discussed in their respective sections.

Given the prevalence of existing transmission lines in the vicinity of the Project which exceed 80 feet in height, the gen-tie line for the Project would not introduce a new element to the area with which aerial applicators are not currently encountering. Additionally, the gen-tie line for the Project would be built entirely within the public right-of-way and would not intersect private property. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

As mentioned in comment D-4, a dust suppressant study was conducted to measure the amount of dust picked up by vehicles during construction using a dust suppressant such as "Dust-Off." Mitigation Measure AQ-1 would reduce the potential impacts dust may have on the surrounding environment.

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> "***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*
>
> - *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*

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- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
  - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

D-11

Comment Summary:

Could the creation of a 1,000 acre industrial utility complex lead to additional expansion of this type of use in the area? If so, the DEIR should review what the potential cumulative and future impacts could be to agricultural properties similarly situated within the County of Colusa. Cumulative impacts could be in conflict with Colusa County's General Plan that seeks to preserve and expand the County's agricultural heritage.

Response:

The Land Evaluation and Site Assessment (LESA; Appendix B to the DEIR) addresses potential impacts on agricultural production on the Project site and a Zone of Influence. This study and the Agricultural Resources section of the DEIR (Chapter 4, Section 4.1) provide analysis that demonstrates the Project would have a less than significant impact on agricultural resources on the Project site and in adjacent areas.

The Colusa County General Plan includes the following policies related to agricultural land and energy development:

Policy AG 1-2: *Lands designated for agricultural use shall remain designated for agriculture and not be rezoned or redesignated to an urban use unless all of the following criteria are met:*

a. The lot(s) for which conversions is requested is adjacent to agriculture or agricultural support uses (e.g., receiving plants, hulling plants, warehousing, trucking, distribution, and other related activities)

b. Conversion will not be detrimental to existing agricultural operations

c. The conversion land is within 500 feet of existing urban infrastructure (e.g., water supply lines and sewer lines) and conversion will constitute a logical contiguous extension of designated urban area

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d. The lot(s) proposed for conversion include a buffer at the agricultural/urban transition zone to protect future users of conservation lands from nuisances associated with typical agricultural practices

e. No feasible alternative location (e.g., non-agricultural lands or less productive agricultural lands) exists.

f. The use would not have a significant adverse effect on existing or potential agricultural activities on surrounding

Policy AG 2-5: *Encourage and support the development of new agricultural related industries featuring alternative energy, utilization of agricultural waste, biofuels, and solar or wind farms.*

Policy LU 2-11*: Develop accommodations for the development of large-scale commercial energy production, such as solar, on agricultural parcels. Such parcels shall require the following:*

- *A Use Permit.*
- *An Energy Production (EP) Overlay Zone.*
- *Detailed and rigorous site planning and development.*

Such projects shall only be located on agricultural parcels with marginal or poor farmland. Prime farmlands are not appropriate for this type of development.

The Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County south of the project site, or more preferably near the Cortina Substation as a battery energy storage project. This undefined, potentially future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time, but are anticipated to include battery storage within 1 mile of the Cortina Substation. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still defining the project site, which is anticipated to be less than 25-acres and limited to approximately 30 battery storage units. Project proponents have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area. Environmental impacts would be analyzed as part of the application process, should the currently undefined project be proposed through a Use Permit application.

The Community Development Department is interested in maintaining the agricultural character of the area and intends to site future, potential projects to avoid cumulative impacts to agriculture in the area. Given that the scope of the Beauchamp Project is unknown at this time, it would be speculative for the County to attempt to analyze its cumulative impacts, such that it is not considered a probable, future project and it is not included in the cumulative projects evaluated in the EIR.

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the

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economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

> "***PS-1: Public Services Mitigation Fee***
>
> *Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:*

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
  - *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
  - *The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.*
- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

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E VANN BROS, VANN FAMILY ORCHARDS

E-1

Comment Summary:

We have had our fill of power lines and disruptions in our agricultural operations related to power lines going through many of our properties. We have already had our easement agreements broken by PG&E and Western Power. Our original agreements allowed us to farm under the power lines. Then the lawyers got ahold of it and found loopholes to make us quit farming, below the transmission wires. We will vigorously resist any attempt to build this facility.

Response:

Thank you for providing context for your previous experience with transmission lines. Existing transmission lines in the vicinity of the Project exceed 80 feet in height, such that the Project would not introduce pole heights taller than those that exist in the area.

The gen-tie line for the Project would be built entirely within public right-of-way. As discussed in Chapter 2, Project Description of the DEIR, the new 4.1-mile-long overhead, 60 kilovolt gen-tie line would be partially located on the County's right-of-way on Walnut Drive and Spring Valley Road and partially on land administered by the United States Bureau of Reclamation, from the Project site to the point of interconnection at the Cortina Substation (DEIR p. 2-1).

Most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location because of the Project site screening by vegetation (Appendix D of the Final EIR). The Project gen-tie line would introduce brown and gray colors and regular vertical and horizontal lines into the landscape setting; and would be visible from this location as a portion of the gen-tie line would extend along Walnut Drive from Spring Valley Road to the Cortina Substation.

The colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line will appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (utility and transmission lines). This viewpoint reflects the views of drivers traveling west along Walnut Drive. These impacts would be short term for travelers because they would only be paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from Viewpoint 2B, the visual impacts are considered minor and less than significant.

A third visual simulation was prepared for KOP 7, further south on Spring Valley Road, as shown in Appendix D of the Final EIR. KOP 7 is located on Spring Valley Road, approximately 0.25 miles

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north of the Project site. KOP 7 depicts views oriented northeast away from the Project site. As shown in Appendix D of the Final EIR, the existing landscape setting is characterized by agricultural land with gently rolling terrain to hilly terrain in the foreground/middleground and steeper terrain associated with the foothills of the Coast Ranges in the background. Existing structural features include Spring Valley Road, fencing, a utility line in the foreground, and transmission lines in the middleground. Vegetation includes grasses and trees. Dominant colors for the landscape are tan and green while the structures are gray and brown. The vegetation consists of the irregular, organic forms of grasses and trees. The linear and horizontal lines associated with the structures are visible and prominent from this viewpoint. This KOP provides a typical view for drivers traveling along Spring Valley Road. As the orientation of KOP 7 is directed away from the Project site, most of the Project solar facility components, such as the solar PV generating components, substation, and BESS, would not be visible from this location, see Appendix D of the Final EIR.

For both KOP 2 and KOP 7, the colors and the vertical and horizontal lines associated with the gen-tie line would result in a visual contrast with the irregular, organic forms and colors of the existing landform and vegetation. However, the gen-tie line would appear very similar to the structures visible from this location, that also possess brown and gray colors and horizontal and vertical lines (fencing, utility line, transmission lines). These impacts would be short-term for travelers because they would only be approaching or paralleling the Project gen-tie line for a limited time. While appearing as a new and visible feature to the casual observer, the Project gen-tie line would be consistent with other horizontal and vertical lines and visible throughout the landscape and would be a subordinate feature in the landscape setting. The Project gen-tie line would not block views of the surrounding agricultural open space or the foothills of the Coast Ranges. As the contrast is anticipated to be weak from KOP 2 and KOP 7, the visual impacts are considered minor and less than significant.

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F ELIZABETH KATSARIS

F-1

Comment Summary:

Keeping in mind the threat to public health and safety in the event of a fire, will firefighting equipment for the Fire Department be kept on site? If so what type?

Response:

As discussed in Chapter 4, Section 4.9, Hazards and Hazardous Materials of the DEIR, Section 608 of the International Fire Code has been adopted by the state of California to minimize risk of fire from stationary battery storage systems and to contain fire in the event of such an incident. Compliance with Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries, reduces potential fire risk. Colusa County has adopted the California Fire Code in its Municipal Code as part of its building and construction regulations (Title 15, Chapter 15.10).

As discussed in the DEIR, all battery components for the BESS would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Therefore, the proposed Project is not expected to expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving fires (DEIR p. 4.9-17).

Training sessions with the local fire department will be conducted at the facility so that local firefighting personnel can become familiar with the facility equipment and appropriate emergency procedures.

The Project would include four federally required fire safety elements set forth by the NFPA:

1. There would be separation requirements which would include larger spacing than required.
2. Software limits and alarms would be installed in state-of-the-art operating systems based on regulations, operational experience, and supplier recommendations.
3. Thermal runaway protection would be tested in accordance with UL9540a.
4. Explosion control for the BESS would include mechanical deflagration prevention ventilation per NFPA 69.

The following fire prevention design measures are included in the Project:

- Fire breaks around the Project site boundary.
- Vegetation and agricultural products located on and around the Project site would be managed.

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- Perimeter roads would be 18 feet wide and interior roads would be 9 feet wide to allow access by emergency vehicles.
- An Emergency Response Plan would be prepared in consultation with the Fire Department and BESS supplier, and local emergency response staff would be trained and oriented at the Project site.
- Infrared cameras would be used to monitor the temperature of enclosed areas.
- Smoke and fire protection where smoke detectors would be provided.
- Gas detection where gas detectors would be provided.
- Fire control and suppression where the BESS would have open sprinkler heads inside the cabinet enclosures with fire department connections outside the fenced area to ensure firefighter safety.

Additionally, over the last year, the Applicant, Chief Gilbert of the Williams Fire Protection Authority (WFPA), and WFPA's consultant have worked together to develop the following **Mitigation Measure FIRE-1, to be included** in Chapter 4, Section 4.20 Wildfire in the EIR:

"***FIRE-1: Wildfire Protection Measures***

- *Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.*
- *Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:*
    - *On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.*
    - *Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling*

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software. The computational fluid dynamic modeling shall be submitted for review and approval.

- *The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.*

- *Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.*
- *As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief."*

F-2

Comment Summary:

Are there any alternative projects with a bigger or smaller scope?

Response:

As discussed in Chapters 3 and 5 of the DEIR, four alternatives to the Project were analyzed, including the No Project Alternative, the Distributed Solar Alternative, the Reduced Acreage Alternative, and the Northeast Site Alternative.

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No Project Alternative

In the No Project alternative, the Project site would continue to be used for agricultural grazing and the existing environmental setting would be maintained. Changes to the setting, including changes to the landscape (visual resources, habitat, and land use/agriculture); Project related impacts such as construction noise, traffic, and air emissions would not occur; and potential ground disturbance impacts to cultural and tribal resources, wildlife habitat would not occur. Additionally, the environmental benefits of renewable energy generation would not be realized from solar development of the site.

Distributed Solar Alternative

The Distributed Solar Alternative would develop solar PV systems on the existing rooftops throughout Colusa County, which would increase energy efficiency and renewable energy availability. Under this alternative, solar PV panels would be mounted on existing rooftops, such that no new land would be disturbed. It is anticipated that a similar amount of rooftop acreage (approximately 768 acres) would be required for the Project's 80 megawatts (MW) of solar generating capacity. Similar to the proposed Project, the Distributed Solar Alternative would be designed to operate year-round using solar PV technology to convert solar energy into direct current electricity. The energy generated could be used for on-site uses with the potential to be shared using a community solar arrangement that allows multiple users to share power from a single local source. No new construction of transmission facilities or electrical substations would be required for the power generated by distributed solar PV systems.

Reduced Acreage Alternative

Compared to the Project, the Reduced Acreage Alternative would reduce the Project's impacts to biological resources, cultural resources, and noise. Though none of these Project impacts are significant after mitigation, the Reduced Acreage Alternative, by reducing the acres of land disturbed and the proximity of noise-emitting facilities to offsite receptors, would reduce the potential for biological, cultural, and noise impacts compared to the Project. The Reduced Acreage Alternative also entails less surface disturbance, less construction dust, reduced construction and decommissioning emissions, and reduced demand for water. The Reduced Acreage Alternative would not meet the Project Objectives to generate 80 MW of electricity at the point of interconnection (POI) in a cost-effective manner. It would only generate up to 50 MW of electricity and would not be economically viable to develop or be commercially financeable due to its reduced capacity, and it would generate less economic benefits to the County.

The Northeast Site Alternative

The Northeast Site Alternative site size is approximately 107 acres smaller than the Project site; however, it is anticipated that the same amount of acreage would be used for solar and ancillary facilities as the Project (768 acres) in order to maximize the capacity to generate electricity. Due to the anticipated set-aside areas for giant garter snake (*Thamnophis gigas*) along the existing agricultural canals, solar arrays would be required to be distributed throughout the site rather than concentrated in a single area. The scattered distribution of solar arrays would result in less efficient production of electricity and a significant decrease in capacity compared to the Project's

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80 MW. Compared to the Project, the Northeast Site Alternative is anticipated to have increased impacts to agricultural and biological resources, due to its occurrence on prime farmland, and because it includes habitat for the federally and state threatened giant garter snake.

Section 2.5 (Cumulative Projects) of the Draft EIR discusses other notable projects in the County, including one solar and 3 non-solar projects. In addition, the Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County south of the project site, or more preferably near the Cortina Substation as a battery energy storage project. This undefined, potentially future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time, but are anticipated to include battery storage within 1 mile of the Cortina Substation. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still defining the project site, which is anticipated to be less than 25-acres and limited to approximately 30 battery storage units. Project proponents have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area._Environmental impacts would be analyzed as part of any application process, should the currently undefined project be proposed through a Use Permit application.

F-3

Comment Summary:

Is anything about this project going to change?

Response:

The Project is described in Chapter 2, Project Description of the DEIR. According to Section 15064 of the CEQA Guidelines, a new CEQA document would be required if substantial changes are proposed to the Project that would require major revisions to the DEIR. Substantial changes might occur if there were new significant environmental impacts or a substantial increase in the severity of previously identified environmental impacts. Any new CEQA document required due to substantial changes to the Project would be circulated for public review.

The changes described to the DEIR to address public and agency comments and minor errata, including the additions to **Mitigation Measure AQ-1** and the addition of **Mitigation Measures AQ-3, PS-1, TRANS-1, and PS-1**, are not considered substantial changes. The changes do not result in new significant impacts or a substantial increase in the severity of previously identified environmental impacts, but are intended to further address less than significant impacts and correct minor editorial issues in the DEIR.

F-4

Comment Summary:

What is the maximum amount of acreage the project could entail?

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Response:

The Project size is described in Chapter 2 of the DEIR. The Project site is 1,024 acres, of which only an estimated 768 acres would be used for the Project. As discussed in Chapter 3, Alternatives, the Applicant used a number of criteria to efficiently site the Project (DEIR p. 3-3). These criteria included the following:

- Sufficient incoming solar radiation.
- Flat terrain (less than 15 percent slope across the majority of the site).
- Minimal environmental constraints, such as significant wetlands, protected species habitat.
- Site devoid of “permanent” structures, including orchard trees.
- Enough acreage for desired project size.
- Contiguous acreage.
- Capacity of point of interconnection.
- Distance to point of interconnection.

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G SID LAGRANDE

G-1

Comment Summary:

The proposed solar project on spring valley road is on the western edge of the pacific flyway. My concern is the migrating ducks and geese will see this reflection and thinking it is water will try to land on the panels, injuring or killing themselves.

Response:

The potential risks to migrating birds is discussed in Chapter 4, Section 4.4, Biological Resources of the DEIR. Although data from PV solar array-type facilities indicate instances of avian mortality resulting from collisions, the best available scientific information to date does not indicate a significant risk of substantial avian mortality occurring at facilities such as the Project. Current research on the topic indicates that though avian species, and specifically aquatic habitat avian species, may perceive PV solar facilities as waterbodies, it remains unclear the proportion of species that might actually land or attempt landing.[5] Risk of mortality to aquatic birds from nearby, local waterfowl hunting resulted in 30,555 waterfowl kills during the 2020-2021 season, which is much higher than that posed by PV solar facilities.[6, 7] The DEIR concludes that the Project operations and maintenance would have no substantial adverse effects on special-status migratory birds, and the impact would be less than significant with mitigation incorporated (DEIR p. 4.4-28 and 4.4-29).

G-2

Comment Summary:

Also, this project will not be beneficial to the county local landowners but to serve only one landowner.

Response:

CEQA does not require the DEIR to determine the long- and short-term economic impacts of a project on the economic welfare of the County or its residents. However, promoting the economic prosperity of the County and its residents is a paramount concern of the Colusa County Community Development Department.

To address potential impacts to public services in Colusa County, **Mitigation Measure PS-1** is proposed to be incorporated:

[5] Kosciuch, K.; Riser-Espinoza, D.; Moqtaderi, C.; Erickson,W. Aquatic Habitat Bird Occurrences at Photovoltaic Solar Energy Development in Southern California, USA. Diversity 2021, 13, 524. https://doi.org/10.3390/d13110524.

[6] Colusa National Wildlife Refuge. Free Roam Hunt Results Season 2020-2021.

[7] Sacramento National Wildlife Refuge Complex. Hunt Results Season 2020-2021.

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"***PS-1: Public Services Mitigation Fee***

Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- *A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.*
- *The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project.*
  - *The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.*
    - *The PSMF fee may be pro-rata should the solar and/or battery components become operationalin phases throughout the year and/or for being operational for a portion of the year.*
- *The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."*

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H CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

H-1

Comment Summary:

The Central Valley Water Board is required to formulate and adopt Basin Plans for all areas within the Central Valley region under Section 13240 of the Porter-Cologne Water Quality Control Act. Each Basin Plan must contain water quality objectives to ensure the reasonable protection of beneficial uses, as well as a program of implementation for achieving water quality objectives with the Basin Plans. Federal regulations require each state to adopt water quality standards to protect the public health or welfare, enhance the quality of water and serve the purposes of the Clean Water Act. In California, the beneficial uses, water quality objectives, and the Antidegradation Policy are the State's water quality standards. Water quality standards are also contained in the National Toxics Rule, 40 CFR Section 131.36, and the California Toxics Rule, 40 CFR Section 131.38.

The Basin Plan is subject to modification as necessary, considering applicable laws, policies, technologies, water quality conditions and priorities. The original Basin Plans were adopted in 1975, and have been updated and revised periodically as required, using Basin Plan amendments. Once the Central Valley Water Board has adopted a Basin Plan amendment in noticed public hearings, it must be approved by the State Water Resources Control Board (State Water Board), Office of Administrative Law (OAL) and in some cases, the United States Environmental Protection Agency (USEPA). Basin Plan amendments only become effective after they have been approved by the OAL and in some cases, the USEPA. Every three (3) years, a review of the Basin Plan is completed that assesses the appropriateness of existing standards and evaluates and prioritizes Basin Planning issues. For more information on the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, please visit our website:

http://www.waterboards.ca.gov/centralvalley/water issues/basin plans/

Antidegradation Considerations

All wastewater discharges must comply with the Antidegradation Policy (State Water Board Resolution 68-16) and the Antidegradation Implementation Policy contained in the Basin Plan. The Antidegradation Implementation Policy is available on page 74 at:

https://www.waterboards.ca.gov/centralvalley/water_issues/basin_plans/sacsjr_2018_05.pdf

In part it states:

Any discharge of waste to high quality waters must apply best practicable treatment or control not only to prevent a condition of pollution or nuisance from occurring, but also to maintain the highest water quality possible consistent with the maximum benefit to the people of the State.

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This information must be presented as an analysis of the impacts and potential impacts of the discharge on water quality, as measured by background concentrations and applicable water quality objectives.

The antidegradation analysis is a mandatory element in the National Pollutant Discharge Elimination System and land discharge Waste Discharge Requirements (WDRs) permitting processes. The environmental review document should evaluate potential impacts to both surface and groundwater quality.

Response:

Applicable water quality plans and regulations are discussed in Chapter 4, Section 4.10 of the DEIR.

H-2

Comment Summary:

Construction Storm Water General Permit

Dischargers whose project disturb one or more acres of soil or where projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit), Construction General Permit Order No. 2009-0009-DWQ. Construction activity subject to this permit includes clearing, grading, grubbing, disturbances to the ground, such as stockpiling, or excavation, but does not include regular maintenance activities performed to restore the original line, grade, or capacity of the facility. The Construction General Permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). For more information on the Construction General Permit, visit the State Water Resources Control Board website at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/constpermits.shtml

Phase I and II Municipal Separate Storm Sewer System (MS4) Permits1

The Phase I and II MS4 permits require the Permittees reduce pollutants and runoff flows from new development and redevelopment using Best Management Practices (BMPs) to the maximum extent practicable (MEP). MS4 Permittees have their own development standards, also known as Low Impact Development (L1D)/post-construction standards that include a hydromodification component. The MS4 permits also require specific design concepts for LID/post-construction BMPs in the early stages of a project during the entitlement and CEQA process and the development plan review process.

For more information on which Phase I MS4 Permit this project applies to, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/storm_water/municipal_permits/

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For more information on the Phase II MS4 permit and who it applies to, visit the State Water Resources Control Board at:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/phase_ii_municipal.shtml

Industrial Storm Water General Permit

Storm water discharges associated with industrial sites must comply with the regulations contained in the Industrial Storm Water General Permit Order No. 2014-0057-DWQ. For more information on the Industrial Storm Water General Permit, visit the Central Valley Water Board website at:

http://www.waterboards.ca .gov/centralva lley/water issues/storm water/ind ustrial ge neral permits/index.shtml

Clean Water Act Section 404 Permit

If the project will involve the discharge of dredged or fill material in navigable waters or wetlands, a permit pursuant to Section 404 of the Clean Water Act may be needed from the United States Army Corps of Engineers (USACE). If a Section 404 permit is required by the USACE, the Central Valley Water Board will review the permit application to ensure that discharge will not violate water quality standards. If the project requires surface water drainage realignment, the applicant is advised to contact the Department of Fish and Game for information on Streambed Alteration Permit requirements. If you have any questions regarding the Clean Water Act Section 404 permits, please contact the Regulatory Division of the Sacramento District of USACE at (916) 557-5250.

Clean Water Act Section 401 Permit - Water Quality Certification

If an USACE permit (e.g., Non-Reporting Nationwide Permit, Nationwide Permit, Letter of Permission, Individual Permit, Regional General Permit, Programmatic General Permit), or any other federal permit (e.g., Section 10 of the Rivers and Harbors Act or Section 9 from the United States Coast Guard), is required for this project due to the disturbance of waters of the United States (such as streams and wetlands), then a Water Quality Certification must be obtained from the Central Valley Water Board prior to initiation of project activities. There are no waivers for 401 Water Quality Certifications. For more information on the Water Quality Certification, visit the Central Valley Water Board website at:

http://www.waterboards.ca.gov/centralvalley/water_issues/water_quality_certification

Waste Discharge Requirements - Discharges to Waters of the State

If USACE determines that only non-jurisdictional waters of the State (i.e., "non-federal" waters of the State) are present in the proposed project area, the proposed project may require a Waste Discharge Requirement (WDR) permit to be issued by Central Valley Water Board. Under the California Porter-Cologne Water Quality Control Act, discharges to all waters of the State, including all wetlands and other waters of the State including, but not limited to, isolated wetlands, are subject to State regulation. For more information on the Waste Discharges to

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Surface Water NPDES Program and WDR processes, visit the Central Valley Water Board website at: http://waterboards.ca.gov/centralvalley/water_issues/waste_to_surface_water/

Projects involving excavation or fill activities impacting less than 0.2 acre or 400 linear feet of non-jurisdictional waters of the state and projects involving dredging activities impacting less than 50 cubic yards of non-jurisdictional waters of the state may be eligible for coverage under the State Water Resources Control Board Water Quality Order No. 2004-0004-DWQ (General Order 2004-0004). For more information on the General Order 2004-0004, visit the State Water Resources Control Board website at:

https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2004/wqo/wqo2004-0004.pdf

Limited Threat General NPDES Permit

If the proposed project includes construction dewatering and it is necessary to discharge the groundwater to waters of the United States, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. Dewatering discharges are typically considered a low or limited threat to water quality and may be covered under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order). A complete Notice of Intent must be submitted to the Central Valley Water Board to obtain coverage under the Limited Threat General Order. For more information regarding the Limited Threat General Order and the application process, visit the Central Valley Water Board website at:

https://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076-01.pdf

NPDES Permit

If the proposed project discharges waste that could affect the quality of surface waters of the State, other than into a community sewer system, the proposed project will require coverage under a National Pollutant Discharge Elimination System (NPDES) permit. A complete Report of Waste Discharge must be submitted with the Central Valley Water Board to obtain a NPDES Permit. For more information regarding the NPDES Permit and the application process, visit the Central Valley Water Board website at: https://www.waterboards.ca.gov/centralvalley/help/permit/

Response:

Applicable water quality plans and regulations are discussed in Chapter 4, Sections 4.4 and 4.10 of the DEIR.

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I CALIFORNIA DEPARTMENT OF CONSERVATION, DIVISION OF LAND RESOURCE PROTECTION

I-1

Comment Summary:

The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural land resources. CEQA requires that all feasible and reasonable mitigation be reviewed and applied to projects. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the significant effects of the project.

Response:

CEQA recognizes that the conversion of prime, unique, or farmland of statewide importance can result in a significant impact on agricultural resources (CEQA Guidelines, Appendix G). In this case, the Project site is grazing land (DEIR p. 4.1-1) and is not considered prime, unique or farmland of statewide importance (DEIR p. 4.1-5). As such, and as recognized by the DEIR, conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources (DEIR p. 4.1-5). This conclusion is buttressed by a LESA – a tool recommended be used by lead agencies in Appendix G of the CEQA Guidelines to determine the significance of the conversion. In this case, the project specific LESA prepared for this Project concludes that "the Project will not result in a significant loss of farmland and will not have a significant impact on agricultural land use." (Appendix B to DEIR, LESA Analysis at p. 1).

The County disagrees that mitigation is required in this instance because there is no evidence that the Project would result in a significant impact due to conversion of unirrigated, grazing land to a renewable energy use.

I-2

Comment Summary:

All mitigation measures that are potentially feasible should be included in the project's environmental review. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements.

Consistent with CEQA Guidelines, the Department recommends the County consider agricultural conversation easements, among other measures, as potential mitigation (See Cal. Code Regs., tit. 14 15370 [mitigation includes "compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements."])

Mitigation through agricultural easements can take at least two forms: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural easements. The

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conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

Response:

The Department of Conservation letter asserts that the Project will have a significant impact on California's agricultural land resources because it involves "the conversion of agricultural land" and therefore the County should require mitigation in the form of purchase of conservation easements or payment of mitigation fees.

The County disagrees that mitigation is required in this instance because there is no evidence that the Project would result in a significant impact on agricultural resources.

Mitigation is required to address a project's "significant adverse impacts." (CEQA Guidelines Section 15126.4). As recognized in the DEIR, where a project does not result in significant adverse impacts, mitigation is not warranted. The executive summary of the DEIR summarizes the conclusions of the analysis of impacts to agricultural resources and concludes that the conversion of grazing land is not significant and that "no mitigation [is] required."

The assertion that the Project has a significant impact on agricultural resources and requires mitigation is not supported by the information and analysis provided in the DEIR. The DEIR properly concludes that the Project's impacts on agricultural resources is not significant. As such, no mitigation is required.

I-3

Comment Summary:

A helpful source for regional and statewide agricultural mitigation banks is the California Council of Land Trusts. They provide helpful insight into farmland mitigation policies and implementation strategies, including a guidebook with model policies and a model local ordinance. The guidebook can be found at:

https://www.calandtrusts.org/resources/conserving-californias-harvest/

Response:

Thank you. Comment noted.

I-4

Comment Summary:

Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered. Indeed, the recent judicial opinion in King and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal.App.5th 814 ("KG Farms") holds that agricultural conservation easements on a 1 to 1 ratio are not alone sufficient to adequately mitigate a project's conversion of agricultural land. KG farms does not stand for the proposition that agricultural conservation easements are irrelevant as mitigation. Rather, the

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holding suggests that to the extent they are considered, they may need to be applied at a greater than 1 to 1 ratio, or combined with other forms of mitigation (such as restoration of some land not currently used as farmland).

Response:

The case cited by the Department of Conservation–Kings and Gardiner Farms, LLC v. County of Kern (2020) 45 Cal. App. 5 814 ("KG Farms") is not applicable to this Project. This case addressed the potential conversion of thousands of acres of prime, unique, and farmland of statewide importance due to oil and gas exploration activities over a 20-year time period. The EIR in that instance concluded that this conversion would be considered "significant." Here, in contrast, the conversion of grazing land is not considered significant. Therefore, the court's discussion of the adequacy of mitigation offered in the Kern County oil and gas EIR is not relevant to the Project.

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3 MINOR REVISIONS TO THE DRAFT EIR

3.1 INTRODUCTION

This section includes minor edits to the Draft EIR. These modifications resulted from minor clarifications and staff-initiated changes.

Revisions herein do not result in new significant environmental impacts, do not constitute significant new information, and do not alter the conclusions of the environmental analysis. Changes are provided in revision marks (underline for new text and ~~strikeout~~ for deleted text).

3.2 MINOR CHANGES AND EDITS TO THE DRAFT EIR

Table ES-1 is revised on pages ES-4, ES-5, ES-17, ES-18, and ES-19 as follows:

Potential Impacts	Level of Significance	Mitigation Measure
IMPACT 4.2-2: Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less than Significant Impact	**AQ-1: Dust Control Measures** During construction of the Project, the primary construction contractor shall implement the following practices ~~during all construction related activities~~: ≠ All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. ≠ When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained. ≠ Limit traffic speeds on unpaved roads to 15 miles per hour ≠ Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduc dust associated with truck traffic. ≠ Curtail construction activities when the County's Air Quality Index exceeds 150. ≠ Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period. ≠ During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The

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Potential Impacts	Level of Significance	Mitigation Measure
		traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below. ≠ Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles. ≠ The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to: ≠ Read and understand applicable mitigation measures and have them available at the job site ≠ Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities ≠ Use contingency control measures when primary controls are ineffective ≠ Monitor the worksite for compliance with the dust control mitigation measures ≠ Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities. ≠ Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information: ≠ Date ≠ Time ≠ Wind speed ≠ Temperature ≠ Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity ≠ Soil conditions (damp, dry, etc.) ≠ Corrective actions taken, if needed **AQ-3: Long Term Dust Control** Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.

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Potential Impacts	Level of Significance	Mitigation Measure
PUBLIC SERVICES		
IMPACT 4.15-1: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: i) Fire protection? ii) Police protection? iii) Schools? iv) Parks? Other public facilities?	No Impact	~~No mitigation required.~~ **PS-1: Public Services Mitigation Fee** Prior to issuance of a building permit for the solar and/or battery components of the Project, Project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval: ≠ A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the Project or as a lump sum payment for multiple years until the Project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. ≠ The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the Project. o The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. o The PSMF fee may be pro-rata should the solar and/or battery components be put into operation in phases and/or operational for a portion of the year. ≠ The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District.
TRANSPORTATION		
IMPACT 4.17-1: Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less Than Significant Impact	~~No mitigation required.~~ **TRANS-1: Road Inspection and Repairs** Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works

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Potential Impacts	Level of Significance	Mitigation Measure
		staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director. Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director. The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.
IMPACT 4.20-2: Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?	Less Than Significant Impact	**FIRE-1: Wildfire Protection Measures** ≠ Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary. ≠ Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief: o On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections

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Potential Impacts	Level of Significance	Mitigation Measure
		compatible with responding fire apparatus. The source and supply for the water shall be clearly identified. o Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval. ≠ The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements. Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis. ≠ As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.

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Chapter 2 Project Description

Page 2-11

2.4.1.1.3.6 Access and Circulation

Access to the Project area would be via a main entrance on Spring Valley Road and/or a secondary access along private right-of-way also connecting to Spring Valley Road. An access gate would be provided at the site entry. Internal service roads would be built to access the Project, for ingress and egress to the Project site, to individual Project components, and between the solar array rows to facilitate installation, maintenance, and cleaning of the solar panels. Roads throughout the arrays would provide access to the inverter equipment pads and substation. The perimeter roads would be a minimum of 18 feet wide and interior roads would be a minimum of 9 feet wide and would be sufficient for Colusa County and California Department of Forest and Fire Protection (CAL FIRE) access.

Page 2-13

2.4.1.4 Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and an approximately 1,000 foot span of transmission line that extends from the County road right-of-way for Walnut Drive adjacent to the Cortina Substation property ~~line~~ to the ~~new~~ Project's bay ~~station~~ within the existing footprint of the ~~PG&E facility~~ Cortina Substation. All PG&E improvements will be constructed within the Cortina Substation property boundary ~~and~~/or affect existing PG&E structures. To accommodate the gen-tie line, PG&E would potentially increase the heights of up to four existing 115 kV transmission structures west of the Cortina Substation from a current height of 110 feet to a maximum height of up to 135 feet, and within the Cortina Substation property relocate 1-2 existing poles adjacent to Cortina Substation to create space for entry of the Project's gen-tie line.

Network upgrades include a grounding system, steel support structures, outdoor lighting, and outlets, and a disconnect switch. Improvements would also include installation of underground conduits, pull boxes, and junction boxes. Civil foundation improvements consisting of site surfacing and grading would be incorporated within the substation facility.

Interconnection facilities to be constructed at the Cortina Substation would include a circuit breaker, disconnect switches, surge arresters, and a dead-end/pull off structure. A line current differential relay scheme and breaker failure and reclosing relays would be installed. Improvements would also include the installation of fiber termination for the gen-tie line.

Page 2-20 and 2-21

2.5 CUMULATIVE PROJECTS

Cumulative impacts refer to the combined effect of proposed Project impacts with the impacts of other past, present, and reasonably foreseeable future projects. According to the CEQA Guidelines Section 15355 "cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the proposed Project when added to other closely

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related past, present, and reasonably foreseeable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. In addition, as stated in the CEQA Guidelines Section 15064 (h)(4), "the mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed Project's incremental effects are cumulatively considerable."

The CEQA Guidelines Section 15130 (b)(1) states that the information utilized in an analysis of cumulative impacts should come from one of two sources, either:

1) A list of past, present and probable future projects producing related cumulative impacts, including, if necessary, those projects outside the control of the agency; or
2) A summary of projections contained in an adopted general plan or related planning document designed to evaluate regional or area-wide conditions.

The cumulative analysis provided in this Draft Program EIR utilizes the first method and is based on a list of future projects provided by the County. Cumulative project land uses and intensities are provided in Table 2-1 and shown on Figure 2-7.

The Community Development Department was informally approached in October 2022 by a developer interested in potentially developing a parcel in the County to the south of the project or near the Cortina Substation as a battery energy storage project. This undefined, potential future project is known as the Beauchamp Project. The technology, footprint, and specific location are undefined and thus unknown at this time but are anticipated to include battery storage within 1 mile of the Cortina Substation. Further, the project ownership is understood to be changing which could entail further changes to the project. The Community Development Department had not received a Use Permit application for the Beauchamp Project at the time of the publication of the Notice of Preparation or at the time of publication of the Draft EIR and still has not received a Use Permit application to date, as the project applicant is still determining the location of the project site, which is anticipated to be less than 25-acres. Proponents of the Beauchamp Project have stated that any such project would feature screening and appropriate setbacks to minimize any change in the visual character of the area. Environmental impacts would be analyzed as part of the application process, should the currently undefined project be proposed through a Use Permit application.

The Community Development Department is interested in maintaining the agricultural character of the area and intends to site future, potential projects to avoid cumulative impacts to agriculture in the area. Given that the scope of the Beauchamp Project is unknown at this time, it would be speculative for the County to attempt to analyze its cumulative impacts, such that it is not considered a probable future project and it is not included in the cumulative projects evaluated in the EIR.

Agriculture and Forestry

Page 4.1-5

Impact 4.1-1: *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?* **(No Impact)**

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Based on information from the United States Department of Agriculture Natural Resources Conservation Service, there are three soil types found on the Project that may be considered prime farmland when irrigated: Capay clay (approximately 23 percent of the Project site), Clear Lake Clay (approximately 6 percent of the Project site), and Corval loam (approximately 5 percent of the Project site). As stated previously, the property does not have irrigation infrastructure or an existing agreement or connection with the Westside Water District that would supply irrigation water. Therefore, the availability of irrigation water in the future is highly speculative, and conversion of the land from grazing uses to uses for renewable energy production and energy storage is not a significant adverse impact on agricultural resources due to the conversion of prime, unique, or farmland of statewide importance.

The Project site is designated as Farmland of Local Importance by the California Department of Conservation and is not considered Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, such that there would be no impact.

Section 4.2 Air Quality

Page 4.2-21

AQ-1: Dust Control Measures

During construction of the Project, the primary construction contractor shall implement the following practices ~~during all construction related activities~~:

- ≠ All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed.
- ≠ When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained.
- ≠ Limit traffic speeds on unpaved roads to 15 miles per hour.
- ≠ Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic.
- ≠ Curtail construction activities when the County's Air Quality Index exceeds 150.
- ≠ Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period.
- ≠ During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below.
- ≠ Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles.
- ≠ The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to:

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- Read and understand applicable mitigation measures and have them available at the job site
- Implement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities
- Use contingency control measures when primary controls are ineffective
- Monitor the worksite for compliance with the dust control mitigation measures
- Maintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities.

≠ Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information:

- Date
- Time
- Wind speed
- Temperature
- Minutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity
- Soil conditions (damp, dry, etc.)
- Corrective actions taken, if needed

AQ-2: Construction Equipment Requirements

During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.

AQ-3: Long Term Dust Control

Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.

Section 4.15 Public Services

Page 4.15-2 through 4.15-4

IMPACT 4.15-1: *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*

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i) Fire protection

~~**No Impact.**~~ **Less than Significant Impact.** The Williams Fire Protection Authority would provide fire services to the Project site. The station is located at 810 E Street in the city of Williams and is approximately 12 miles from the Project site. While t~~T~~he Project would be designed in compliance with federal, state, and local worker safety and protection codes and regulations which would minimize the potential for the occurrence of fire~~,~~, the construction of the Project would introduce a greater fire risk than exists today. The Project is not anticipated to contribute an increase in population that would cause an increase in the demand for fire protection.

In addition, Project maintenance and operation may introduce potential ignition sources such as transformers, electric transmission line (including gen-tie inline), substations, maintenance vehicles, and gas/electric-powered machinery. The proposed inverters and photovoltaic arrays may also be identified as a potential ignition source. However, the potential fire risk is low for these Project components. All battery components for the battery energy storage system would be installed on concrete pads and contained within an enclosure to minimize the potential for sparks or ignition. All such enclosures would be equipped with a fire suppression system. Although the overall fire risk is low, there is the potential for increased calls for fire service during the construction and life of the project greater than what exists today. **Mitigation Measure PS-1** would provide general funding for provision of public services in Colusa County, such that the costs for potential increased fire protection would be less than significant.

~~Therefore, the proposed Project is not expected to result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services.~~

ii) Police protection

Less than Significant Impact ~~**No Impact.**~~ The Project site would be serviced by the Colusa County Sheriff's Department. The County's Sheriff's office is located at 929 Bridge Street in the city of Colusa and is approximately 17 miles to the east. ~~The Project is not anticipated to contribute an increase in population that would increase the demand for police protection. No new residences are proposed as part of the Project. The construction and operation of the Project would not substantially increase the demand for police services.~~

The facility would be secured with chain link fencing along the perimeter of the Project site. Access to the facility would be provided by individual site entry points. Controlled security lighting would be installed and would allow for the Project site to be monitored remotely. Lights would be installed at substations for maintenance and security purposes.

~~By implementing these measures, the Project would not result in any substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which~~

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~~could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police services.~~

While the Project includes design features that would help secure the site, the construction of the Project would potentially increase sheriff dispatches as part of emergency responses associated with the Project. **Mitigation Measure PS-1** would provide general funding for provision of public services in Colusa County, such that the costs for potential increased police protection would be less than significant.

iii) Schools

No Impact. The nearest school is Williams Elementary School which is 6.1 miles away from the Project site at 1404 E Street in the city of Williams. The Project is not anticipated to contribute an increase in population or the associated potential increase in school-aged children, and therefore would not result in any increase demand for schools.

While the project could employee up to 200 employees during the 11-month construction period, it is anticipated that the majority of these workers would temporarily commute during this period. Once constructed, permanent employment would include up to three employees. Thus, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools.

iv) Parks

No Impact. The nearest park ~~from the Project site~~ is 11.3 miles from the Project site. The Northview Park is located at 180 Virginia St., Williams, CA 95987. The Project is not anticipated to contribute an increase in population, and therefore would not result in any increase demand for park facilities.

Thus, the proposed Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any park services. Parks and other recreational resources are discussed further in Section 4.16, Recreation.

v) Other public facilities?

No impact. The Project is not anticipated to contribute to increased population growth. It is not anticipated that the demand for public facilities such as libraries or parks would be created. Therefore, the Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times, or other performance objectives for any other public facilities.

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Mitigation: ~~None required.~~ **PS-1: Public Services Mitigation Fee**

Prior to issuance of a building permit for the solar and/or battery components of the project, project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval:

- A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa.
- The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the project.
    - The PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied.
    - The PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year.
- The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."

Section 4.17 Transportation

Page 4.17-6

IMPACT 4.17-1: *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?* **(Less than significant Impact)**

The LOS analysis performed for the Traffic Analysis Memorandum provided in Appendix J relies on the conservative estimates due to the lack of traffic count data. Given the remoteness of the Project site, the local roads are believed to have far fewer vehicles than their capacity. Applying the conservative estimate of 800 vehicles per day under current conditions, during the peak hour there would be 80 or fewer vehicles on the road using the Highway Capacity Manual standard estimation method of peak hour being 10 percent. The Highway Capacity Manual capacity for a single free flow lane is 1,800 vehicles per hour (TRB 2016). These intersections are two-way stop-controlled intersections, so they have one free-flowing lane in each direction. The estimated total number of vehicles during the peak hours, taking into account 80 vehicles per hour at Walnut Drive and at East Camp Road currently, plus 150 vehicles generated by Project construction, would be 230 to 310. The actual capacity of the intersection is far less than the sum of the two lanes since there would be a break in the traffic for stopped vehicles; however, the estimated 230 to 310 vehicles during the peak hour is far below the capacity of the infrastructure, and the roadways surrounding the Project site would still function desirably during Project construction. The LOS calculation for Walnut Drive and Spring Valley Road is provided as Appendix A and yields a LOS A during peak construction. Based on this conservative estimate, it can be reasonably concluded that the LOS will be C or better during construction.

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Because the existing roadways would still be functioning under their estimated capacity, there will be no need to mitigate for traffic and a Traffic Management Plan is not anticipated to be needed for this Project.

During the construction phase, service roads would be constructed in between the solar arrays and around the Project site. Signage indicating the speed limit and stop signs would be posted where appropriate. Due to the remoteness of the Project site, it is not expected to interfere with any bicycle or pedestrian facilities.

The proposed Project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Therefore, the Project impact would be less than significant.

Mitigation: ~~None required.~~ **TRANS-1: Road Inspection and Repairs**

Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director.

Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director.

The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.

Section 4.20 Wildfire

Page 4.20-8 through 4.20-9

IMPACT 4.20-2: *Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of wildlife?* **(Less than Significant Impact)**

Construction and Decommissioning

During Project construction and decommissioning, the primary fire hazards would be heat or sparks from vehicles and construction equipment. These hazards could potentially ignite dry vegetation at the site, especially during the warmer, dry months between June and October. Additionally, construction activities such as welding and grinding could generate sparks which would increase the likelihood of ignition. Therefore, dependent on the time of year and location of

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construction activities at the Project site, there could be a temporary increase in exacerbated fire risk in the area.

As discussed in Section 4.20.2 Regulatory Setting, wildfires release large amount of air pollutants, which can pose as a harmful exposure to first responders such as firefighters, as well as the surrounding communities. The Project site includes relatively flat topography with some rolling hills, and sparse vegetation. While the use of vehicles and equipment on the Project site could introduce an ignition source that could lead to the spread of wildfire, the risk of such an impact would be low. Due to the short-term duration of construction as well as the existing flat topography, lack of vegetation on-site, and distance to population centers, a potential ignition from Project construction is not likely to lead to the spread of wildfire. Therefore, impacts to wildfire risk from Project construction and decommissioning would be less than significant.

Operation

The Project would include battery energy storage systems and other supporting electrical equipment elements that may be susceptible to fire. However, each battery energy storage system used on-site would be designed, operated, and ultimately disposed of in compliance with all applicable requirements including the California Fire Code, Section 608 of the IFC, which has been adopted by the State of California, to minimize risk of fire from stationary battery energy storage systems and contain fire in the event of such an incident, and Article 480 of the National Electrical Code, which identifies insulation and venting requirements for stationary storage batteries to further reduce potential fire risk. Additionally, the battery energy storage system would include fire protection systems. Intermittent maintenance activities could increase the potential for ignition on-site due to the presence of vehicles and use of equipment; however, given the low frequency and nature of maintenance activities as well as the site topography, vegetation, and surrounding land uses, Project operation and maintenance would not significantly exacerbate existing wildfire risks. The potential impacts related to wildfires would be less than significant.

Mitigation: FIRE-1: Wildfire Protection Measures

- ≠ Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary.
- ≠ Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief:
  - o On-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified.

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- Battery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval.
- The battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements.

≠ Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis.

≠ As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.

Sections 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, 4.13, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, and 4.20

Pages 4.1-13, 4.2-21, 4.3-18, 4.4-34, 4.5-24, 4.6-7, 4.7-12, 4.8-7, 4.9-17, 4.10-10, 4.11-4, 4.12-3, 4.13-19, 4.14-4, 4.15-4, 4.16-3, 4.17-8, 4.18-3, 4.19-8, 4.20-10

PG&E Cortina Substation Improvements

To accommodate the Project, PG&E would construct network upgrades, interconnection facilities, and an approximately 1,000-foot span of transmission lines that would extends from where the Applicant's gen-tie line terminates at the boundary of PG&E's the County road right-of-way for Walnut Drive adjacent to the Cortina Substation property to the Project's bay within the existing footprint of the available PG&E Cortina Substation bay. The improvements would include the installation of a grounding system, disconnect switches, surge arresters, outdoor lighting and outlets, and fiber termination for the gen-tie line. The All PG&E improvements made would be constructed within the existing Cortina Substation property boundary footprint and/or affect existing PG&E structures. To accommodate the gen-tie line, PG&E would potentially increase the heights of up to four existing 115 kV transmission structures west of the Cortina Substation from a current height of 110 feet to a maximum height of up to 135 feet, and within the Cortina Substation property relocate 1-2 existing poles adjacent to Cortina Substation to create space for entry of the Project's gen-tie line.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX A
PUBLIC NOTICES

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"

COLUSA COUNTY

NOTICE OF AVAILABILITY

DRAFT ENVIRONMENTAL IMPACT REPORT
JANUS SOLAR PROJECT (PD-3829/UP 20-01), SCH Number 2020070577

NOTICE IS HEREBY GIVEN THAT the County of Colusa, as the Lead Agency, has prepared a Draft Environmental Impact Report (DEIR) for the proposed Use Permit (UP) and Williamson Act contract cancellation to construct, operate, maintain, and decommission a photovoltaic (PV) electricity generating facility, with a battery energy storage system (BESS) and associated facilities and infrastructure, commonly known as the Janus Solar Project (Project).

PROJECT LOCATION: The Project is approximately 6.5 miles southwest of the City of Williams. State Highway 20 runs about one mile from the Project site, north and west. The proposed Project would be located on three parcels (APN's 018-050-005, -006, and -013) totaling 1,023.9 acres currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site.

PROJECT DESCRIPTION: The Project consists of three major components: a solar energy generating facility, the battery energy storage system (BESS), and the generation tie-line. The solar facility would include arrays of solar PV modules (or panels) and support structures, power inverters and transformers/power conditioning stations, and an on-site substation. The Project would include approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system. Other solar facility components would include a project substation, access roads, perimeter fences, telecommunications infrastructure, a meteorological data collection system, signage, lighting, stormwater facilities, and an operations and maintenance building.

The BESS is expected to be located adjacent to the aforementioned substation. Batteries would be contained within enclosures. The combined footprint for the BESS would be approximately 5 acres. Key components of the BESS include batteries and battery storage system enclosures and controllers, converters, inverters, and transformers. The BESS enclosures would also house required heating, ventilation, and air conditioning (HVAC) and fire protection systems.

The on-site substation would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on approximately 59 new poles of up to 80 feet in height. The gen-tie line also would include fiber optic line for communications.

PUBLIC REVIEW PERIOD: The 45-day public review period for the DEIR begins on October 15, 2021 and ends on November 29, 2021. All comments must be received within this time period. Written comments should be submitted to Greg Plucker, Community Development Director, 1213 Market Street, Colusa, CA 95932 or to gplucker@countyofcolusa.com.

DOCUMENT AVAILABILITY: The DEIR and other project documentation is available for review online at: https://www.countyofcolusa.org/996/Janus-Solar-Project. Hard copies are available for review at the Colusa Main Library at 738 Market St. in Colusa, CA 95932, the Williams Branch Library at 901 E Street in Williams, CA 95987, and the Community Development Department at 1213 Market Street, Colusa, CA. 95932.

SCHEDULE PUBLIC MEETING: A public meeting has been scheduled for Thursday, November 4, 2021 at Granzella's Conference Room, 391 6th St., Williams, CA 95987 from 6:00 pm to 7:30 pm.

SIGNIFICANT ANTICIPATED ENVIRONMENTAL EFFECTS: The DEIR evaluates the Project's potentially significant impacts and recommends mitigation measures to avoid/reduce impacts. The Project is not expected to result in any significant, unmitigated impacts.

HAZARDOUS WASTE SITES: The proposed project is not located on any hazardous waste sites lists enumerated under Section 65965.5 of the Government Code.

QUESTIONS: If you have any questions about this project, please contact Greg Plucker, County of Colusa, Community Development Department by phone at (530) 458-0480 or by email at gplucker@countyofcolusa.com.

Dated: October 15, 2021

/s/ Melissa Kitts, Deputy Clerk

10/21/2021 – WPR #2021-5056

Exhibit "A"

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Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX B
RECIPIENTS OF THE FINAL EIR

Individuals
Bob and Cindy Freed
Brent Edward LaGrande
Catherine Maureen Ahart
Clifford Allan Myers
David Nelson
Diane Frost
Elizabeth Ferrini Katsaris
Garnett Vann
James Charter
Jean Ferrini
Jean Terkildsen
Jeremiah and Jessica Karlonas
Joe Ferrini
Jonathan and Laura Zilli
Larry and Darlene Farmer
Leo LaGrande
Matt Ferrini
Matt LaGrande
Matthew Ferrini
Richard Mora
Salt Creek Orchards Group
Sid LaGrande
Spring Valley Ranch Partnership
Stephen Marsh
Thomas and Perry Charter
Vance and Nancy Boyes
Vann Brothers General Partnership
Ward Charter

State/Federal
Cal Fire
California Department of Wildlife Region 2
California Energy Commission
California Public Utiltiies Commission
Caltrans
Central Valley Regional Water Quality Control District
Department of Conservation Land Resource Protection
Pacific Gas and Electric
Reclamation District #1004
US Fish and Wildlife
Western Area Power Administration Sierra Neveda Region
Williams Fire Protection Authority

Local Agencies
Agricultural Commissioner
Air Pollution Control District
County Assessor
Environmental Health
Kent Boes - Supervisor District 3
Public Works
Sherrif's Department

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX C
DUST SUPPRESSANT EFFECTIVENESS STUDY PHOTO LOG

Exhibit "A"

Photograph Log
Janus Solar Project
Dust Suppressant Effectiveness Study

Photo 1: **Description:** Test #1: Untreated roadway, truck traveling at 15 mph	

Photo 2: **Description:** Test #2: Road treated with dust suppressant, truck traveling at 15 mph	

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"
Photograph Log
Janus Solar Project
Dust Suppressant Effectiveness Study

Photo 3: **Description:** Test #2: Untreated roadway, truck traveling at 25 mph	

Photo 4: **Description:** Test #2: Treated with dust suppressant, truck traveling at 25 mph	

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"
Photograph Log
Janus Solar Project
Dust Suppressant Effectiveness Study

Photo 5: **Description:** Test #3: Untreated roadway, truck traveling at 40 mph.	

Photo 6: **Description:** Test #3: Treated with dust suppressant, truck traveling at 40 mph	

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

APPENDIX D
ADDITIONAL PHOTOGRAPHIC SIMULATIONS

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS LAR PROJEC

Colusa C :y, CA

PHOTO SIMULA N

Key Obs ation
Point 02
Beauchan





Photograp ormation

Time of photogra	3:35pm
Date of photogra	3/1 21
Weather conditi	Mostly S y
Viewing directio	th
Latitude:	39.120 8°
Longtitude:	-122.263 8°

Disclaimer: visu tions and
plans are for re ce only;
Not for constru

TETRA TECH

RWE

Attachment: Exhibit "A" Final EIR Janus Solar Project (9002 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.d

Exhibit "A"



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS

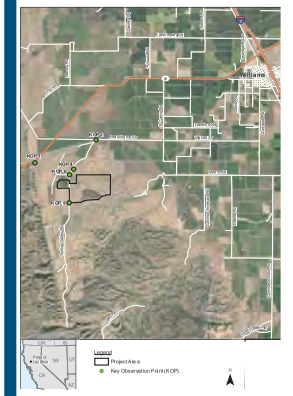


JANUS SOLAR PROJECT

Colusa County, CA

PHOTO SIMULATION

Key Observation Point 06:
Spring Valley RD Reside



Photograph Information

Time of photograph:	3:55
Date of photograph:	12/06/
Weather condition:	Fo
Viewing direction:	Southw
Latitude:	39.1014
Longtitude:	-122.28169

Disclaimer: visualizations and plans are for reference only; Not for construction

TETRA TECH

RW

Attachment: Exhibit "A" Final EIR Janus Solar Project (9002 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "A"



Key Viewpoint plan

EXISTING CONDITIONS



SIMULATED CONDITIONS



JANUS LAR PROJEC

Colusa C :y, CA

PHOTO SIMULA N

Key Obs ation Point 07 Spring Val d





Photograp ormation

Time of photogra	2:58pm
Date of photogra	3/1 21
Weather conditi	Mostly S y
Viewing directio	Nort st
Latitude:	39.10 °
Longtitude:	-122.27 °

Disclaimer: visu tions and plans are for re ce only; Not for constru

TETRA TECH

RWE

Attachment: Exhibit "A" Final EIR Janus Solar Project (9002 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment #8.d

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC
FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
AG-1: Williamson Act Cancellation	The Applicant shall file a Petition for Cancellation of Contract for each of the three Williamson Act Contracts on the Project site, for consideration by the Colusa County Board of Supervisors, prior to construction.	Pre-construction	RWE
AQ-1: Dust Control Measures	During construction of the Project, the primary construction contractor shall implement the following practices during all construction related activities: •All disturbed areas, including soil piles, areas that have been graded, and unpaved roads, shall be watered twice daily during dry conditions and when feasible covered and enclosed. •When materials are transported offsite, they shall be wetted and covered securely and at least 2 feet of freeboard shall be maintained. •Limit traffic speeds on unpaved roads to 15 miles per hour. •Apply dust suppressant to Spring Valley Road, the unpaved road accessing the Project site, before and during the construction period as needed to reduce dust associated with truck traffic. •Curtail construction activities when the County's Air Quality Index exceeds 150. •Vehicle travel distances and total traffic amounts on roads at the Project site and accessing the Project site shall be minimized through efficient planning and management. Special consideration must be given to minimizing the travel distances of heavy or heavily laden vehicles, particularly during the construction period. •During anticipated peak truck trip periods of heavy equipment and vendor deliveries, a traffic control flagger shall be present on Spring Valley Road. The traffic flagger shall enforce the 15 mile per hour speed limit for heavy vehicles on unpaved roads and shall monitor and log dust conditions, per the requirements outlined below. •Signage will be placed on Spring Valley Road describing the 15 mile per hour speed limit for heavy vehicles. •The construction contractor is the designated dust control site coordinator and is responsible for implementing dust control. It is the dust control site coordinator's responsibility to: oRead and understand applicable mitigation measures and have them available at the job site oImplement the mitigation measures and ensure that all employees, workers, and subcontractors know their dust control responsibilities oUse contingency control measures when primary controls are ineffective oMonitor the worksite for compliance with the dust control mitigation measures oMaintain a daily log monitoring the implementation and effectiveness of the control measures, including offsite emissions due to material transport and other activities. •Each day during construction, the construction contractor shall keep a daily log of dust conditions that includes the following information: oDate oTime oWind speed oTemperature oMinutes offsite visible emissions were observed darker than 20 percent opacity, including date, time, location, and work activity oSoil conditions (damp, dry, etc.) oCorrective actions taken, if needed	Construction	RWE/Construction Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar Attachment #8.0

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
AQ-2: Construction Equipment Requirements	During construction, diesel particulate filters or other CARB-verified diesel emission control strategies shall be installed on construction equipment. All on- and off-road diesel equipment shall not idle for more than 5 minutes. Signs shall be posted in the designated queuing areas and/or job sites to remind drivers and operators of the 5-minute idling limit. All construction equipment shall be maintained in proper tune according to the manufacturer's specifications. Equipment must be checked and determined to be running in proper condition before the start of work. Idling, staging and queuing of diesel equipment within 1,000 feet of sensitive receptors shall be limited.	Construction	RWE/Construction Contractor
AQ-3: Long-Term Dust Control	Once a year generally in late spring the Project Owner shall be responsible for the application of dust suppressant to Spring Valley Road, the unpaved road accessing the Project site. The dust suppressant shall be applied on Spring Valley Road from the intersection with Walnut Drive to the entrance to the Project site. The timing of the application and the rate of application shall be to the satisfaction of the Public Works Director.	Construction/Operation	RWE
BIO-1: Protection of Special Status Species	**Parry's Rough Tarplant** A pre-construction survey for Parry's rough tarplant shall be conducted in work areas with potential habitat no more than 14 days prior to construction activities during the blooming period (May to October). If Parry's rough tarplant populations are located outside of the Project construction footprint (including staging areas), a qualified biologist shall flag an appropriate zone to completely avoid impacts to any individuals. If necessary based on the timing of the construction work, populations may also be flagged based on previous survey data of the population extents.	Pre-construction, between May and October	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Parry's Rough Tarplant** If Parry's rough tarplant populations cannot be avoided, a qualified biologist shall prepare a seed collection and replanting plan to reduce impacts to the identified special-status plant populations. Temporary impacts (impacts in areas that would be restored to natural conditions) may be mitigated by salvaging the first 6 inches of topsoil during ground disturbance, storing on-site and protecting the soil from weed seed dispersal, and then returning the soil horizon to its original profile to keep seeds at the appropriate soil depth. Permanent impacts (impacts in areas that would not be restored to natural conditions) may be mitigated by enhancing other Parry's rough tarplant habitat within or outside the Project site. Topsoil would not be salvaged in the case of permanent impacts, and other habitat enhancement methods would be used, such as seed collection and propagation, in other non-impacted locations.	Construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Burrowing Owl** The Project owner shall have pre-construction surveys performed no less than 14 days prior to the initiation of equipment staging or ground-disturbing activities (e.g., vegetation clearing or grading) and within 24 hours prior to these activities. A qualified biologist shall conduct pre-construction surveys on the site and 150-meters around the site (access permitting) in areas with suitable burrowing habitat to locate any active breeding or wintering BUOW burrows and to check known burrows. Areas that have been plowed within 12 months prior to the start of ground-disturbing activities are not considered suitable habitat. The survey methodology shall be consistent with the methods outlined in the CDFW (2012) Staff Report on Burrowing Owl Mitigation and shall consist of walking parallel transects 23 to 66 feet (7 to 20 meters) apart, noting any potential burrows with fresh BUOW sign or presence of BUOWs, and visiting potential burrows during the timeframe described in the protocol. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities. Copies of the survey results shall be submitted to CDFW and the Colusa County Planning Department.	Pre-construction	RWE/Environmental Contractor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-1: Protection of Special Status Species	**Burrowing Owl** If BUOWs are detected on the Project site or within 150 meters during the pre-construction survey, a Project-specific mitigation plan shall be prepared for CDFW review and approval and implemented to protect BUOWs and their nest sites. No ground-disturbing activities, such as vegetation clearance, grading, or equipment staging shall be permitted within 330 feet from an active burrow during the breeding season (February 1 to August 31), unless otherwise approved by a qualified biologist. During the non-breeding (winter) season (September 1 to January 31), no ground-disturbing work or equipment staging shall be permitted within a buffer of 165 feet from the active burrow. Depending on the level of disturbance, a smaller buffer may be established by a qualified biologist based on the visibility and sensitivity responses of each individual BUOW or pairs in consultation with CDFW.	Pre-construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Burrowing Owl** If burrow avoidance is infeasible during the non-breeding season or during the breeding season where resident BUOWs have not yet begun egg laying or incubation or where the juveniles are foraging independently and capable of independent survival, a qualified biologist shall implement a passive relocation program in accordance with the CDFW (2012) Staff Report on Burrowing Owl Mitigation. If passive relocation is anticipated due to on-site BUOW populations, a Burrowing Owl Exclusion Plan in accordance with CDFW (2012) Staff Report on Burrowing Owl Mitigation would be included in the Project-specific mitigation plan prior to passive relocation activities.	Construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Swainson's Hawk** If construction (i.e., equipment staging, vegetation removal, or ground disturbance) is scheduled to commence outside of the Swainson's hawk nesting season (September 16 to February 28), no preconstruction surveys or additional measures are required for Swainson's hawk. During the breeding season (March 1 to September 15), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site. The survey shall focus on potential nest sites within a 0.5 mile buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted in accordance with the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Technical Advisory Committee 2000) and occur no more than 10 days prior to construction activities.	Pre-construction, only if construction is to occur during breeding season	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**Swainson's Hawk** Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by Swainson's hawk without causing intrusive disturbance. If active Swainson's hawk nests are found, a 0.5-mile buffer shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest), adult and juvenile Swainson's hawks have left the area, or the breeding season has ended. Encroachment into the buffer for Swainson's hawk must be authorized by the CDFW.	Pre-construction	RWE/Environmental Contractor
BIO-1: Protection of Special Status Species	**American Badger** A pre-construction survey for the American badger shall occur during the burrowing owl surveys. Any active American badger dens shall be avoided by establishing a minimum 50-foot buffer around the den. No construction activities shall occur within this buffer unless a qualified biologist determines that the den is inactive.	Pre-construction	RWE/Environmental Contractor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar AR Attachment #8.D)

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-2 WEAP and BMPs for Biological Resources	Prior to and for the duration of construction activities, the Project owner, or its contractor, shall implement a Worker Environmental Awareness Program to train all on-site construction personnel how to recognize and protect biological resources on the Project site. The Worker Environmental Awareness Program training shall include a review of the special-status species and other sensitive biological resources that could exist in the Project area, the locations of sensitive biological resources and their legal status and protections, and measures to be implemented for avoidance of these sensitive resources, highlighting Parry's rough tarplant, burrowing owl, Swainson's hawk, American badger, nesting birds, and protected waters and wetlands.	Pre-construction/construction	RWE/Environmental Contractor
BIO-2: WEAP and BMPs for Biological Resources	The Project owner shall limit the areas of disturbance. Parking areas, new roads, staging, storage, excavation, and disposal site locations shall be confined to the smallest areas possible. Buffers and avoidance areas established for biological resources, as described in**BIO-1** and **BIO-3** above, shall be delineated with stakes and/or flagging prior to construction. Construction-related activities and use of vehicles and equipment shall not occur within protected buffers or avoidance areas.	Pre-construction/construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Any sensitive habitats, including riparian areas and state and federally protected wetlands, within 50 feet of the Project impact areas shall be flagged in the field by a qualified biologist prior to Project construction. To the extent feasible, the greatest buffer (up to 50 feet) should be flagged around the sensitive habitat. No work will occur in the flagged areas. The avoidance areas will be maintained for the duration of construction activities in the vicinity of these areas.	Pre-construction/construction	RWE/Environmental Contractor
BIO-2: WEAP and BMPs for Biological Resources	To prevent inadvertent entrapment of wildlife during construction, all excavated, steep-walled holes or trenches with a 2-foot or greater depth shall be covered with plywood or similar materials at the close of each working day or provided with one or more escape ramps constructed of earth fill or wooden planks. Before such holes or trenches are filled, they shall be thoroughly inspected by on-site workers for trapped animals. If trapped animals are observed, escape ramps or structures shall be installed immediately to allow escape. If a special-status species is trapped, the USFWS and/or CDFW shall be contacted immediately.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	All construction pipes, culverts, or similar structures with a 4-inch or greater diameter that are stored at a construction site for one or more overnight periods shall be covered and/or thoroughly inspected for special-status wildlife or nesting birds before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If an animal is discovered inside a pipe, that section of pipe shall not be moved until a qualified biologist has been consulted and the animal has either moved from the structure on its own accord or until the animal has been captured and relocated by the biologist. No handling of special-status species shall occur without consultation with the applicable agencies (CDFW, USFWS).	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Vehicles and equipment parked on the site during construction shall have the ground beneath the vehicle or equipment inspected for the presence of wildlife prior to moving	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Vehicular traffic shall use existing routes of travel. Cross country vehicle and equipment use outside of the Project properties shall be prohibited.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	A speed limit of 20 miles per hour shall be enforced within all construction areas.	Construction	RWE/Construction Contractor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar AHDC Item #8.D

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
BIO-2: WEAP and BMPs for Biological Resources	A long-term trash abatement program shall be established for construction, operation, and decommissioning and submitted to the County. Trash and food items shall be contained in closed containers and removed daily to reduce the attractiveness to wildlife such as common raven (Corvus corax), coyote (Canis latrans), and feral dogs.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Workers shall be prohibited from bringing pets to the Project site and from feeding wildlife in the vicinity.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Intentional killing or collection of any wildlife species shall be prohibited.	Construction	RWE/Construction Contractor
BIO-2: WEAP and BMPs for Biological Resources	Rodenticides shall not be used within the Project site except within buildings and disturbance to mammal burrows shall be avoided and minimized.	Construction	RWE/Construction Contractor
BIO-3: Protection of Nesting Birds	If construction (i.e., vegetation removal or ground disturbance) is scheduled to commence outside of the bird nesting season (September 1 to January 31), no preconstruction surveys or additional measures are required for nesting birds, including raptors. During the nesting bird breeding season (February 1 to August 31), a qualified biologist shall conduct preconstruction surveys of all potential nesting habitat within the Project site where construction is planned. The survey shall focus on potential nest sites within a 500-foot buffer around the site in areas where access to neighboring properties is available or visible using a spotting scope or binoculars. Surveys shall be conducted no more than 14 days prior to construction activities. If the work activity halts for a period of 7 days or more, the survey would need to be conducted again prior to the continuation of site activities.	Pre-construction, if construction activities occur during nesting season	RWE/Environmental Contractor
BIO-3: Protection of Nesting Birds	Surveys need not be conducted for the entire Project site at one time; they may be phased so that surveys occur shortly before a portion of the Project site is disturbed. The surveying biologist must be qualified to determine the status and stage of nesting by migratory birds and all locally breeding raptor species without causing intrusive disturbance. If active nests are found, a suitable buffer (e.g., 200 feet for non-listed raptors, 50 feet for non-listed birds) shall be established by a qualified biologist around active nests and no construction within the buffer shall be allowed until the biologist has determined that the nest is no longer active (e.g., the nestlings have fledged and are no longer reliant on the nest) or the breeding season has ended. Encroachment into the buffer may occur at the discretion of a qualified biologist for non-listed species.	Pre-construction	RWE/Environmental Contractor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar

Attachment #8.D

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
CUL-1: Cultural Resource Worker Education/Training	Prior to Project construction related to ground disturbing activities (e.g., vegetation removal, excavation, trenching, grading), the Project proponent shall conduct a worker education awareness program for Project construction personnel. A qualified archaeologist will be retained for the Project and will prepare and present the initial cultural resource briefing of the worker education awareness program prior to ground disturbing activities. During construction, the Applicant will provide the training to all new construction personnel. The cultural resource training will include an overview of applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and procedures to follow in the event an inadvertent discovery (Inadvertent Discovery Plan discussed below) is encountered, including appropriate treatment and respectful behavior of a discovery (e.g., no posting to social media or photographs). Per Mr. Kinter's request, Laverne Bill, Cultural Resources Manager of the Yocha Dehe Wintun Nation, shall be notified to participate in the cultural sensitivity/environmental training to discuss or provide text from a tribal cultural perspective regarding tribal cultural resources within the region during the initial pre-construction environmental training	Pre-construction	RWE/Environmental Contractor
CUL-2: Inadvertent Discovery of Archaeological Resources During Construction	A qualified archaeologist shall be retained to prepare an Inadvertent Discovery Plan for the Project and to be on-call in the event of an inadvertent discovery. The Inadvertent Discovery Plan will provide protocols and notification procedures in the event of an inadvertent discovery. During Project construction (e.g., ground disturbing activities such as vegetation removal, excavation, trenching, grading), should subsurface archaeological resources be discovered, all ground disturbing activities within 50 feet of the find shall cease and the qualified archaeologist shall be contacted to assess the significance of the find according to CEQA Guidelines Section 15064.5 and/or NRHP criteria (as applicable). If any find is determined to be significant, the archaeologist shall determine, in consultation with the implementing agencies and any local consulting Native American groups expressing interest, appropriate avoidance measures or other appropriate mitigation. Under CEQA Guidelines Section 15126.4(b)(3), preservation in place shall be the preferred means to avoid impacts to archaeological resources qualifying as historical resources. Methods of avoidance may include, but shall not be limited to, Project reroute or re-design, or identification of protection measures such as capping or fencing. Consistent with CEQA Guidelines Section 15126.4(b)(3)(C), if it is demonstrated that resources cannot be avoided, the qualified archaeologist shall develop additional treatment measures, such as data recovery or other appropriate measures, in consultation with the implementing agency and any local consulting Native American representatives expressing interest in prehistoric or tribal resources. If an archaeological site does not qualify as an historical resource but meets the criteria for a unique archaeological resource as defined in Section 21083.2, then the site shall be treated in accordance with the provisions of Section 21083.2. In regard to an inadvertent discovery of human remains: existing regulations require that if human remains and/or cultural items defined by Health and Safety Code, Section 7050.5, are inadvertently discovered, all work in the vicinity of the find would cease and the Colusa County Coroner (Sheriff-Coroner Unit Telephone Number: 530.458.0200) would be contacted immediately. If the remains are found to be Native American as defined by Health and Safety Code, Section 7050.5, the coroner will contact the NAHC by telephone within 24 hours.	Pre-construction/construction	RWE/Environmental Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar Attachment #8.0

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
CUL-3: Inadvertent Discovery of Human Remains During Construction	The County and Applicant should continue to consult with interested tribes throughout the planning process and construction of the Project, as applicable. A tribal monitor from the Yocha Dehe Wintun Nation (or other local tribe as available) shall be notified to participate in monitoring visibly exposed, excavated subsurface soils associated with ground-disturbing construction activities (e.g. grading and trenching). The retained on-call Secretary of Interior qualified archaeologist shall assist in the preparation of a cultural resource monitoring plan and inadvertent discovery plan (CUL-2) that will include the worker resource education, inadvertent discovery procedures, and outline the guidelines for cultural resources monitoring. The Project archaeologist will coordinate with local tribes regarding the monitoring plan and tribal cultural resource monitoring of subsurface ground disturbing Project activities. At the completion of construction, a final monitoring report shall be prepared for the Project that summarizes the daily monitoring activities and resolution of any inadvertent discoveries identified during construction of the Project. The report will be submitted to the County and the NWIC.	Construction	RWE/Colusa County
GEO-1: Paleontological WEAP	Before starting construction activities, on-site personnel should be trained in basic recognition of fossils and appropriate procedures to notify management in order to engage a qualified paleontological specialist in the event that fossils are discovered during construction activities (an unanticipated find).	Pre-construction	RWE/Environmental Contractor
GEO-2: Unanticipated Find Contingency	A qualified paleontological specialist, meeting the Secretary of the Interior's Professional Qualification Standards for the Society of Vertebrate Paleontology shall be retained by the Project Owner on an on-call status, to be brought on-site to evaluate the significance of any unanticipated discovery of paleontological resources (an unanticipated find) and determine if additional study is warranted. If the significance of the find under CEQA or California Public Resources Code, Section 21082 does not warrant such study, the qualified paleontologist may decide to record the find and allow work to continue. If the discovery proves significant under CEQA, preparation of a paleontological treatment plan, testing, or data recovery may be required at the discretion of the paleontological specialist.	Construction	RWE/Environmental Contractor
NOISE-1: Noise Minimization	The Project shall implement the following construction management protocols to minimize noise impacts during construction: - Maintain all construction tools and equipment in good operating order according to manufacturers' specifications; - To the extent practicable, schedule construction activity during normal working hours on weekdays when higher sound levels are typically present and are found acceptable. Some limited activities, such as concrete pours, would be required to occur continuously until completion; - Equip any internal combustion engine used for any purpose on the job or related to the job with a properly operating muffler that is free from rust, holes, and leaks; - For construction devices that utilize internal combustion engines, ensure the engine's housing doors are kept closed, and install noise-insulating material mounted on the engine housing consistent with manufacturers' guidelines, if possible; - Limit possible evening shift work to low noise activities such as welding, wire pulling, and other similar activities, together with appropriate material handling equipment; and - Utilize a Complaint Resolution Procedure to address any noise complaints received from residents.	Construction	RWE/Construction Contractor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar AH Attachment #8.D

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
PS-1: Public Service Mitigation Fee	Prior to issuance of a building permit for the solar and/or battery components of the project, project proponents shall enter into a Public Service Mitigation Agreement with the County that contains at least the following provisions subject to Board of Supervisors' approval: •A Public Service Mitigation Fee (PSMF) shall be paid each year for the life of the project or as a lump sum payment for multiple years until the project is decommissioned, the site restored and the Conditional Use Permit is voided by the County of Colusa. •The PSMF is due and payable on July 1st of each year following the building permit final for the solar and/or battery components of the project. oThe PSMF fee shall be paid within thirty (30) days or a late penalty fee will be applied. oThe PSMF fee may be pro-rata should the solar and/or battery components become operational in phases throughout the year and/or for being operational for a portion of the year. •The PSMF shall be a total of $110,000 which shall be paid directly to the County of Colusa for unrestricted Colusa County General Fund obligations and a $15,000 payment shall be paid to the Maxwell Park and Recreation District, and a $15,000 payment shall be paid to the City of Williams which shall be used to support activities in the Williams Park and Recreation Department, and a $15,000 payment shall be paid to the Arbuckle Park and Recreation District."	Pre-Construction/Operation	RWE
TRANS-1: Road Inspection and Repairs	Prior to construction activities beginning and building permit issuance, the Applicant shall conduct a pre-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the pre-Project inspection documentation shall be submitted to the Public Works Director. Following completion of the construction activities, the Applicant shall conduct a post-Project inspection of the construction access routes approved by the Colusa County Public Works Director. This inspection shall document through photographs and/or video the conditions of said access routes, shall be conducted with County Public Works staff, and following the completion of the post-Project inspection documentation shall be submitted to the Public Works Director. Damage determined to have been caused by Project construction traffic shall be repaired to the satisfaction of the Public Works Director. The pre-Project and post-Project inspection requirements detailed herein shall also be performed just before and immediately after project decommissioning to address any road damage as a result of decommissioning construction traffic.	Pre-Construction	RWE

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar Attachment #8.0

Exhibit "B"

MITIGATION MONITORING AND REPORTING PROGRAM FOR JANUS SOLAR PV, LLC

FINAL ENVIRONMENTAL IMPACT REPORT (SCH No. 2020070577)

Condition/ Section	Requirement	Timing	Responsible Party
FIRE-1: Wildfire Protection Measures	•Prior to building permit issuance, a Wildland Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Wildland Fire Management Plan shall detail implementation measures to control and maintain the vegetation throughout the Project site to eliminate wildland fire hazards to a level determined satisfactory by the Williams Fire Authority Fire Chief. Said implementation measures may include but not be limited to maintaining the height of the vegetation below a prescribed level, the installation of access roads/fire breaks throughout the Project site area, and/or the installation of sprinkler heads where determined necessary. •Prior to any building permit issuance, a Battery Storage Fire Management Plan shall be submitted to the Williams Fire Authority for review and approval. This Battery Storage Fire Management Plan shall detail the specific details of the fire suppression protection measures that will be implemented in the battery storage facility to eliminate battery storage fire hazards to the satisfaction of the Williams Fire Authority Fire Chief. Such measures shall include but not be limited to the following as required by the Williams Fire Authority Fire Chief: oOn-site water storage shall include a 50,000-gallon water storage tank with hose and truck hook-ups connections compatible with responding fire apparatus. The source and supply for the water shall be clearly identified. oBattery container spacing shall be determined based on UL 9540A test data, manufacturer recommended separations, and potentially a heat flux analysis utilizing computational fluid dynamic modeling software. The computational fluid dynamic modeling shall be submitted for review and approval. oThe battery containers shall receive a UL 9540 certification. If a UL 9540 certification cannot be provided, a Nationally Recognized Testing Laboratory, approved by the Williams Fire Authority and qualified to conduct the field testing, shall conduct a field evaluation of one typical system utilizing the field evaluation procedures detailed by that testing laboratory, as approved by the Williams Fire Authority. Upon passing the field test, the testing laboratory shall provide a label certifying that the system has been evaluated to UL 9540 standards and meets or exceeds these standards. The Project Owner is responsible for making any and all required changes to the battery storage units to obtain the UL 9540 certification or the testing equivalent to the satisfaction of the Williams Fire Authority. Should the Project Owner place on the site more than one battery storage prior to obtaining approval of the Williams Fire Authority of the UL 9540 certification or the testing equivalent, it does so at its own risks and no battery storage unit shall be connected, operational, and/or energized in any way until such certification approval is obtained and any required modifications have been made to the satisfaction of the Williams Fire Authority. Should the test battery storage unit require being connected and/or energized to perform the field certification testing, the Williams Fire Authority may approve said connection and/or energization based on its sole discretion subject to any additional requirements. •Compliance with all provisions of 2022 California Fire Code, Section 1207, including the preparation of a hazard mitigation analysis. •As part of the siting of the battery storage system, adequate setback shall be provided to prevent Spring Valley Road from being closed to two-way through traffic in the event of an emergency response at the Project site. Prior to fire permit issuance, the setback and access shall be reviewed and approved by the Fire Chief.	Pre-Construction	RWE/Environmental Contractor

Attachment: Exhibit "B" Mitigation Monitoring and Reporting Program Janus Solar (9002 : Janus Solar Attachment #8.0

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Exhibit "C"

USE PERMIT #20-01 (PD-3829)
JANUS SOLAR PV, LLC
COLUSA COUNTY PLANNING COMMISSION

April 5, 2023
DATE

UP #20-01 (PD-3829)
PERMIT NO.

018-050-005, 006, and 013
ASSESSORS PARCEL NO.

Pursuant to the provisions of the Zoning Ordinance of the County of Colusa JANUS SOLAR PV, LLC is hereby granted a Use Permit in accordance with the application filed to construct, operate, maintain, and decommission (in the future) a photovoltaic (PV) electricity generating facility with a battery energy storage system (BESS) and associated facilities and infrastructure subject to all of the following Conditions of Approval:

CONDITIONS OF APPROVAL

A. Failure to comply with the conditions specified herein as the basis for approval of application and issuance of the Use Permit constitutes cause for the revocation of said permit in accordance with the procedures set forth in the Colusa County Code and Zoning Ordinance.

B. Unless otherwise provided for in a Condition of Approval to this Use Permit, all conditions must be completed prior to or concurrently with the establishment of the granted use to the satisfaction of the zoning administrator.

C. The use shall be limited to the project described in the Janus Solar Final EIR certified by the Planning Commission attached as Exhibit "A" to the Commission's approval Resolution. Minor changes may be approved by the Zoning Administrator pursuant to Section 44-1.80.030 of the County Code. Changes deemed major or significant in nature by the Zoning Administrator shall require an application amendment which must be reviewed by the Planning Commission.

D. All requirements of the Mitigation and Monitoring Program adopted by the Planning Commission in Exhibit "B" of the Commission's approval Resolution are herein incorporated by referenced as conditions of this Use Permit approval.

E. The terms and conditions of this permit shall run with the land and shall be binding upon and be to the benefit of the heirs, legal representatives, successors and assigns of the Permittee.

F. The use granted by this permit must be established within 24 months per the County Code. Upon written request by the applicant, the original review authority for the permit may extend the time limit for the permit per the County Code. If any use for which a Use Permit has been granted is not established within 24 months and no time extension has been granted, this Use Permit shall become null and void and re-application and a new permit shall be required prior to establishment of the use.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

G. The project developer agrees, as a condition of issuance and use of this entitlement, to indemnify and defend the County, at applicant's sole cost and expense, in any claim, action, or proceeding brought against the County within 180-days after the issuance of this entitlement because of, or resulting from, any preliminary approval or actual issuance of this entitlement, or, in the alternative, to relinquish such entitlement. Applicant will reimburse the County for any damages, court costs and attorney fees which the County may be required by a court to pay as a result of such claim, action or proceeding. The County shall promptly notify the applicant of any such claim, action, or proceeding and will cooperate in its defense. The County may also, at its sole discretion, participate in the defense of any such claim, action, or proceeding but such participation shall not relieve applicant of its obligations under this condition.

H. The project developer shall comply with all other applicable federal, state, and local laws, statutes, ordinances and regulations, including Colusa CUPA Business Plan requirements.

I. The project developer shall comply with the current version of the California Building Standards Code adopted in Chapter 5 of the County Code in effect at the time of building permit submittal.

J. Prior to building permit issuance, the Applicant shall submit a Local Tax Purchasing Plan to the Community Development Director for review and approval which details the requirements and actions that will be taken to procure equipment and materials necessary for the development of the project in a manner that maximizes the amount of sales tax able to be captured and allocated to Colusa County.

K. The applicant shall track the number and species of birds that may have died as a result of impacting solar panels throughout the life of the project. Any bird fatalities incidentally observed by operations staff should be logged. This information shall be collected on a calendar year basis and no later than January 31 of each year, the total number of bird deaths believe to occur as a result of solar panel strikes shall be submitted to the Community Development Director. The information shall include the total number of deaths per month and species to the satisfaction of the Community Development Director.

L. The final color of the metal battery enclosures shall be submitted to the Community Development Director for review and approval prior to installation. In general, the color shall be non-reflective and earth tones to blend into the surrounding environment

M. The approval of this Use Permit is contingent upon the Board of Supervisors approving the cancellation of the properties' Williamson Act Contracts and said cancellation being finalized prior to the expiration of the Use Permit pursuant to the time lines detailed in these conditions. Once the contract has been cancelled, acceptance back into the County's Williamson Act program shall be consistent with Colusa County's Williamson Act Contract program and policies in effect at the time of any re-entry application. No contract re-entry shall occur in any event until after the Project and has been fully decommissioned and returned to its pre-Project state.

N. Project related semi-truck construction traffic and off-site construction shall be limited to Mondays through Friday 7:00 am to 7:00 pm. On-site construction activities shall be limited to Mondays through Friday 7:00 am to 7:00 pm and from 8:00 am though 5 pm on Saturday and Sundays.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

O. Prior to commencement of construction, the Applicant shall identify a single point of contact to receive any complaints (including but not limited to noise, traffic, and other issues) and shall forward this contact and their contact information to the Community Development Director. The Applicant shall also mail a notice of this contact information to property owners adjacent to the project development. Within 48 hours of receiving any complaint, the complaint contact shall notify the Community Development Director of any complaint.

P. Prior to construction commencing, the application shall contact Caltrans and the Colusa County Public Works Department to determine any appropriate locations for Construction Warning signs along Highway 20 and along County Roads. The placement of such signage shall be subject to Caltrans and the Public Works Department's specifications. The results of these determinations shall be submitted to the Community Development Director for review and approval prior to construction commencing,

Q. Should metal power poles be used for the gen-tie connection, the poles shall be finished in a non-reflective (flat) dark brown color to resemble the coloration of adjacent wooden power poles. Prior to installation of the poles, the finish shall be submitted to the Community Development Director for review and approval.

R. Prior to permit issuance, the applicant shall pay all required fees, including but not limited to the Williams Fire Authority determined development impact fees

S. Prior to building permit issuance, an engineer's estimate for decommissioning the project and returning it back to the pre-existing development state and a bond or other surety in a form satisfactory to the County Counsel to ensure said decommissioning shall be submitted to the Community Development Director for review and approval. At least two years prior to the decommissioning of plant, the applicant shall submit a detailed project specific decommissioning plan to the Community Development Director for review and approval. This plan shall detail the actions required to return the property to its pre-development condition. An updated engineer's estimate of the cost of this decommissioning shall accompany the plan and prior to the approval of said plan, an updated bond or other surety in a form satisfactory to the County Counsel for cost of decommissioning the project shall be submitted to the County.

T. Prior to installation of any security fencing, the design of this fencing shall be submitted to the Community Development Director for review and approval. In general, the design of the fencing shall incorporate rural fencing characteristics to the greatest extent possible and avoid industrial or institutional designs.

U. Prior to issuance of building permits, the Applicant shall submit a status of all requirements contained in the Mitigation and Monitoring Report Program to the Community Development Director. Said status shall specify the status and timing of completion of all mitigation measures to the satisfaction of the Community Development Director.

V. This approval shall become effective ten (10) days from the date of this decision unless appealed pursuant to Section 44-1.80.080 of the County Code. Any such appeal must be filed within 10 days from this approval by submitting an appeal request in writing together with the applicable fee to the Colusa County Board Clerk. The appellant shall clearly identify in the appeal documentation the specific reasons for the appeal and the relief requested.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

TECHNICAL MEMORANDUM

To: Greg Plucker, Colusa County

From: Jamie Gomes and Sean Fisher

Subject: Colusa County Janus Solar Facility Economic Impact Analysis; EPS #212142

Date: January 9, 2023

Introduction and Project Overview

Colusa County (County) retained Economic & Planning Systems, Inc. (EPS) to prepare an economic impact analysis (Analysis) of the proposed Janus Solar Facility (Project), an 80-megawatts alternating current (MWac) solar facility plus battery energy storage system (BESS), located in the western unincorporated portion of the County. The Project is being proposed by Janus Solar PV, LLC, a subsidiary of RWE Solar Development, LLC (Applicant). The Project is anticipated to encompass 768 acres of 1,024 acres of land owned by a private landowner. The Project consists of three major components: a solar energy generating facility, energy storage system, and the generation tie-line. The proposed BESS would extend the period of time each day that the Project could contribute PV-generated energy to the electrical grid. The Project would connect to the electrical grid at the existing Cortina Substation, which is owned and operated by Pacific Gas and Electric Company (PG&E), approximately 3 miles northeast of the Project site.

The Project is located approximately 6.5 miles southwest of the City of Williams. The Project is to be located on 3 adjacent parcels zoned for foothill agriculture and are being used for cattle grazing.

The purpose of this Analysis is to estimate the quantifiable one-time construction and ongoing operational impacts of the proposed Project on the local economy with respect to jobs,

The Economics of Land Use

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Los Angeles

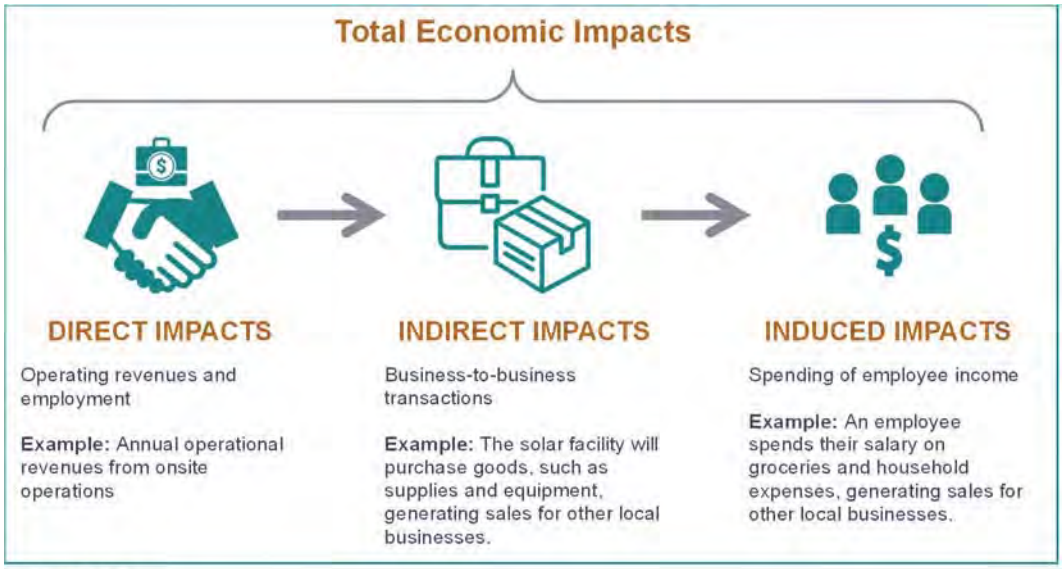
www.epsys.com

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

income, and total economic output.[1] The economic stimulus generated by the Project will have a multiplying effect throughout the economy as local businesses, consumers, and employees associated with the Project make local expenditures. This Analysis quantifies these impacts using an input/output (I/O) economic modeling system, which measures the change in regional economic activity resulting from a specific economic stimulus.

In this Analysis, the local economy is defined as Colusa County (County), and the economic impacts measured include the direct contributions of the Project, as well as indirect and induced impacts resulting from Project construction and operations. **Figure 1** illustrates the activities captured by this Analysis.

Figure 1. Economic Impact Analysis Components



Source: EPS.

In addition, this Analysis includes an estimate of revenues generated by the Project to the public sector of the County.

[1] Total economic output refers to the value of goods and services produced in a county as a result of a project's buildout operations.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Economic Impact Results

Table 1 summarizes the estimated one-time construction impacts, ongoing annual direct, indirect, and induced impacts, and public-sector revenues generated by the Project in the County:

- The construction of the Project is anticipated to generate $15.9 million in one-time economic impacts, supporting 90 jobs.
- On an annual ongoing basis, Project operations are anticipated to generate $4.0 million annually in total economic impacts, supporting 6 new jobs in the County.
- This Analysis includes an estimate of tax revenues generated in the County. The construction of the Project is anticipated to generate $788,000 in one-time fiscal revenues to the County. On an annual ongoing basis, the Project is anticipated to generate tax revenue to support public-sector operations ranging from $155,000 in the first year of operations to $22,000 once all assets have depreciated (years 12 and beyond).[2]

One-Time Construction Economic Impact Results

One-time economic impacts are generated by construction and as such are limited to the development period of the construction. To the extent that construction activity is short-term and construction labor markets are tight, construction impacts may represent a shift of resources from other projects in the County. This report, therefore, reports gross economic impacts, not accounting for potential shifts in resources. To the extent that construction labor is used temporarily and laborers may live outside of the County, this Analysis is based on the assumption that construction activities will not generate induced impacts. Construction impacts are based on the anticipated construction employment estimates and hard construction costs for the proposed Project, as provided by the Applicant.

[2] Ongoing public sector revenues include annual property tax revenues estimated assuming a dual use scenario in which the BESS would in any part be fueled by the existing power grid, resulting in a reduced solar exclusion of 75% of the property value for the BESS not assessed for property tax purposes.

Table 1
Colusa County Janus Solar Facility
Economic Impact Analysis
Summary of One-Time and Ongoing Impacts (Rounded 2022$)

Activity/Impact Categories	Estimated Economic Impacts (2022$)
Estimated Economic Impacts of Project Construction and Operations	
Colusa County Impacts	
One-Time Economic Impacts	
One-Time Construction Impacts [1]	$15.9 M
One-Time Construction Jobs (Job Years) [2]	90
One-Time Fiscal Revenues	$788,000
Annual Ongoing Economic Impacts	
Annual Ongoing Operational Impacts [3]	$4.0 M
Annual Ongoing Operational Jobs (Annual Average) [4]	6
Annual Ongoing Fiscal Revenues	$22,000

Source: IMPLAN, 2019 Dataset; RWE Solar Development, LLC; EPS.

[1] Includes direct and indirect impacts.
[2] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire construction period.
[3] Includes direct, indirect, and induced impacts of the anticipated Project.
[4] Reflects Stabilized Operational employment for the Project. Employment includes both full- and part-time workers.

Attachment #8.D Attachment #1 Janus Solar Fiscal Impact Study Final (9002 : Janus Solar Use Permit #20-01

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

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One-time economic impacts stemming from construction of the Project are estimated to generate a **total output of $15.9 million** (measured in 2022 dollars). It is anticipated that construction of the Project will generate **90 job-years** over the anticipated construction timeline, including 83 direct and 7 indirect job years.[3]

Ongoing Economic Impact Results

Ongoing economic impacts are measured on a gross annual impact basis, not accounting for shifts in consumer expenditures from other local alternatives. Based on the anticipated operating expenditure of the Project after stabilized operations are reached, approximately **$4.0 million in total economic activity** (measured in 2022 dollars) is estimated to be generated in the County annually. This level of economic output represents direct, indirect, and induced impacts.

The Project is estimated to result in **6 full- and part-time jobs** in the County as a result of ongoing, annual Project operations, including 3 direct (on-site) Project jobs, 2 indirect jobs, and 1 induced job. These full- and part-time jobs are estimated to generate approximately **$752,000 in earned employee compensation (wages and benefits)**.

Public-Sector Revenues

This Analysis estimates tax revenues resulting from the Project that will flow to the County resulting from Project construction and ongoing operations. This Analysis focuses on major sources of tax revenue only, including property tax, property tax in lieu of vehicle license fees, property transfer tax, and sales tax revenues. Under a dual-use scenario, in which only a portion of the assessed BESS is eligible for the State of California's (State) Active Solar Energy System Exclusion (Exclusion), it is estimated that Project operations will generate public-sector tax revenues ranging from approximately **$155,000 in the first year of Project operations** to **$22,000 annually after the Project facilities have depreciated in value (years 12 and beyond)** with an **additional $788,000 in one time County revenues** related to Project construction (measured in 2022 dollars).

[3] Note that the employment figures reported for construction impacts represent total job years lasting over the duration of the Project and could reflect the same job that extends over multiple years. For instance, a general laborer employed for 2 years during construction activity would represent 2 job years. Construction employment in any given month of Project development may exceed total job year estimates.

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Detailed Analysis Findings and Assumptions

The following section provides the detailed results of the Analysis, as well as the assumptions used to calculate each impact.

One-Time Construction Impacts

Impacts associated with construction of the Project through buildout are measured on a one-time basis. Construction activity generates a short-term burst of economic activity that dissipates once construction is complete. One-time impacts include the value of new construction, improvements to existing infrastructure, employment created, and income earned during Project construction. The duration of one-time impacts is limited to the development period of the Project. One-time economic impacts are calculated based on the anticipated Project construction employment estimates provided by the Project Applicant. Based on information provided by the Project Applicant, it is estimated that construction of the Project will last approximately 9 months with employment estimates of up to 175 employees during any given month. As the economic impacts are estimated based on annual job years, EPS converted the monthly job estimates to an annual job year estimate. The conversion of monthly to annual job estimates is shown on **Table B-1** in **Appendix B**.

The section below details the one-time economic impacts results for construction of the Project.

One-Time Project Construction

Table 2 details the estimated one-time economic impacts associated with construction of the Project. The resulting impacts are described below:

- **Annual Output:** Construction operations are estimated to generate approximately $14.5 million in direct one-time industry output. Local spending will result in $1.4 million in indirect one-time impacts for a total one-time industry output impact of $15.9 million.
- **Employee Compensation:** Of the $14.5 million in direct industry output reported above, approximately $7.1 million will be received by construction employees in the form of salary, wages, and benefits. Indirect employee compensation impacts total approximately $402,000, for a total annual employee compensation impact of approximately $7.5 million.
- **Annual Employment:** The 83 direct job years support 7 indirect job years for a total employment impact of 90 job years.

Table 2
Colusa County Janus Solar Facility
Economic Impact Analysis
Detailed One-Time Economic Impacts of Project Construction (Rounded 2022$)

Construction

Activity/Impact Categories	Source	Impact Type			Total One-Time Impacts
		Direct	Indirect	Induced [1]	
Key Input					
Estimated Construction Jobs (Annual)	Table B-1	83			
Colusa County One-Time Impacts					
Colusa County Output [2]					
Industry Output (excl. Income)		$7,464,000	$957,000	$0	**$8,421,000**
Income [3]		$7,056,000	$402,000	$0	**$7,458,000**
Total		**$14,520,000**	**$1,359,000**	**$0**	**$15,879,000**
Colusa County Employment (Annual Average) [4]		83	7	0	**90**

Source: IMPLAN, 2019 Dataset; RWE Solar Development, LLC; EPS.

[1] Note that total construction impacts include direct and indirect impacts only; induced impacts were not estimated because construction activities are temporary and thus are not anticipated to generate net new household expenditures in the local economy.

[2] Analysis based on construction activity generated in Colusa County data. Output is the amount of business expenditures on goods and services retained within the County economy.

[3] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).

[4] Employment includes both full-time and part-time workers. Job years refer to the number of jobs in each year summed over the entire estimated construction period of the Project.

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Ongoing Operations

This report estimates the ongoing economic impacts occurring annually as a result of the Project operations in the County. Ongoing economic impacts capture the direct, indirect, and induced impacts generated by annual operations of the Project. Impacts associated with these economic activities are estimated based annual ongoing Project operational expenditures, provided by the Project Applicant, reflecting stabilized operations.

Ongoing Project Operations

Table 3 summarizes the total estimated annual ongoing impacts associated with Project operations. The resulting impacts are described below:

- **Annual Output:** Project operations are estimated to generate approximately $3.6 million in direct industry output annually. Local spending will result in approximately $318,000 in indirect industry output impacts and $145,000 in induced impacts annually for a total industry output impact of $4.0 million on an annual basis.
- **Employee Compensation:** Of the $3.6 million in direct industry output reported above, approximately $626,000 will be received by employees employed in the Project in the form of salary, wages, and benefits. Indirect and induced employee compensation impacts total approximately $126,000 for a total annual employee compensation impact of approximately $752,000.
- **Annual Employment:** The 3 direct jobs will generate approximately 2 indirect and 1 induced jobs annually for a total employment impact of approximately 6 jobs on an annual basis.[4]

Additional Public-Sector Revenues

The Project will generate additional revenues to the County. This Analysis focuses on major sources of tax revenues, including property tax and sales tax revenues, as shown in **Table 4**. Based on the State's Revenue and Taxation Code section 73, active solar facilities are eligible for the State Exclusion program, which allows for development of active solar facilities with no increase in assessed value for construction of active solar facilities. The property tax revenues estimated in this analysis are based on estimating methodologies derived from the Guidelines for Active Solar Energy Systems New Construction Exclusion (Guidelines), published by the State Board of Equalization in December 2012.

[4] Job estimates reflect total full- and part-time employment, adjusted for seasonality but not adjusted for hours worked per day.

Table 3
Colusa County Janus Solar Facility
Economic Impact Analysis
Detailed Annual Economic Impacts of the Ongoing Project Operations (Rounded 2022$)

Annual Ongoing Impacts

Activity/Impact Categories	Impact Type			Total Annual Ongoing Impacts
	Direct	Indirect	Induced	
Key Input				
Ongoing Project Operating Expenditures [1]	$3,550,000			
Colusa County Annual Ongoing Operating Impacts				
Colusa County Output [2]				
Industry Output (excl. Income)	$2,924,000	$230,000	$107,000	**$3,261,000**
Income [3]	$626,000	$88,000	$38,000	**$752,000**
Total	**$3,550,000**	**$318,000**	**$145,000**	**$4,013,000**
Colusa County Employment (Annual Average) [4]	3	2	1	**6**

Source: IMPLAN, 2019 Dataset; RWE Solar Development, LLC; EPS.

[1] Reflects stabilized operational expenditures as provided by the Project Applicant.
[2] Analysis based direct employment generated in Colusa County data. Output is the amount of business expenditures on goods and services retained within the County economy.
[3] Includes employee compensation, proprietors income, and other income (profits, rents, and royalties).
[4] Reflects stabilized operational employment. Employment includes both full-time and part-time workers. Due to the types of employment resulting from the Project, total ongoing employment impacts reflect full time equivalent employment estimates.

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Table 4
Colusa County Janus Solar Facility
Economic Impact Analysis
Summary of One-Time and Annual Fiscal Revenues (Rounded 2022$)

County Revenue Type	Source	Estimated Revenues (2022$)		
			Dual Use Scenario [2]	
		No Exclusion Scenario [1]	Initial Value [3]	Depreciated Value [4]
Estimated Fiscal Impacts of Project Construction and Operations				
Colusa County Revenues				
One-Time Fiscal Revenues				
Property Transfer Tax	Table A-1	$3,245	$3,245	$3,245
Sales Tax [5]	Table A-2	$784,483	$784,483	$784,483
Total One-Time Fiscal Revenues		**$787,728**	**$787,728**	**$787,728**
Annual Ongoing Fiscal Revenues				
Property Tax [6]	Table A-3	$404,489	$102,395	$14,788
Property Tax in Lieu of Vehicle License Fees	Table A-3	$206,876	$52,370	$7,564
Total Annual Ongoing Fiscal Revenues		**$611,364**	**$154,766**	**$22,352**

Source: RWE Solar Development, LLC; EPS.

[1] Represents a scenario estimating the maximum property tax revenue available assuming there is not a property tax exclusion.
[2] A dual use scenario reflects a scenario in which the battery storage facilities on-site would be in some way fueled by the existing energy infrastructure and not be solely charged by the solar facilities. Under this scenario, 25 percent of assessed value for the battery storage system would not be eligible for property tax exclusions
[3] Estimates reflect the revenues associated with the total taxable assessed value of the Project under the dual use scenario prior to any assumed depreciation.
[4] Estimates reflect the revenues associated with the total taxable assessed value of the Project in Year 12, including depreciation of personal property values under a dual use scenario.
[5] Includes both the one percent Bradley Burns local sales tax rate and the half cent proposition 172 public safety sales tax revenues. Ongoing estimates of sales tax revenues resulting from employee spending is anticipated to be negligible and have not been estimated in this analysis.
[6] Property tax estimates shown reflect only the County's share of property tax revenues. For the full 1 percent property tax generated by the Project, refer to Table A-3.

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This Analysis estimates public-sector revenues under two scenarios related to the State's Exclusion program:

- **No Exclusion Scenario:** The No Exclusion Scenario is provided for informational purposes and estimates the public sector revenues generated by the project assuming no Exclusion for any portions of the Project. No depreciation is assumed in the No Exclusion Scenario.
- **Dual Use Scenario:** The Dual Use Scenario reflects a likely operational scenario for the project in which the BESS will in part be fueled using the existing energy grid and not exclusively new solar facilities. Based on information provided in the Guidelines, this scenario assumes that the active solar facilities within the Project would be eligible for the Exclusion and the dual-use BESS would be eligible for a partial (75 percent) Exclusion. The Dual Use Scenario assumes the value of the BESS will depreciate for the first 12 years of Project operations.

Under the no Exclusion Scenario construction of the Project is anticipated to generate $788,000 in one-time County revenues and ongoing Project operations are anticipated to generate $611,000 in additional public-sector tax revenue.

Under the Dual Use Scenario, construction of the Project is anticipated to generate $788,000 in one-time County revenues and ongoing Project operations are anticipated to generate $155,000 in additional public-sector tax revenue in the initial year of operations decreasing as the Project depreciates in value to $22,000 annual for year 12 and beyond.

The Analysis estimates additional public-sector revenues using a marginal-revenue case-study approach, which simulates actual revenue generation resulting from new development. The following sections detail the additional public-sector tax revenues generated by the Project and the case-study methodologies used to calculate each revenue source.

One-Time Revenues Generated by Project Construction

Property Transfer Tax

Real property transfer tax is based on the value of the portion of the Project land to be purchased through a fee simple property sale prior to Project development. Real property transfer tax revenue projections are identified in **Table A-1** in **Appendix A**.

Sales Tax

Sales tax revenue is based on estimated taxable sales and the Bradley-Burns local 1-percent Uniform Local Sales Tax rate as summarized in **Table A-2** in **Appendix A**. Due to local purchasing agreements entered into between the County and the Project Applicant, it is anticipated that sales tax generated by Project construction would be registered to a local property in the unincorporated

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Colusa County. Based on information provided by the Project Applicant, construction of the Project is estimated to result in $3.25 million in sales taxes. Due to the local purchasing agreement, the Analysis assumes that all sales tax related to construction materials and services would be generated in Colusa County. The County's share of sales tax revenue is estimated using the share of total sales tax rates benefitting the County, including the Bradley Burns sales tax rate, local transportation taxes, and Proposition 172 public safety sales tax. As shown on Table A-2, Project construction is estimated to generate $784,000 in sales tax revenue to the County.

In total, construction of the Project is anticipated to generate $788,000 in one-time County revenues under all scenarios.

Ongoing Annual Revenues Generated by Project Operations

Property Tax Revenues

The Analysis estimates property tax revenues generated by the Project annually under each Exclusion scenario. The Project is estimated to create $174.9 million in assessed value (net of existing land value) including $174.1 million in BESS uses and $1.0 million in other real property, including streets, fencing, and other uses not directly related to solar operations.

No Exclusion Scenario

The No Exclusion Scenario estimates annual property tax revenues based on the total value of real property and the BESS with no Exclusion applied. Under this scenario, the Project is estimated to generate $404,000 in property tax revenues to the County General Fund, annually.

Dual Use Scenario

The Dual Use Scenario assumes that the BESS would be in part fueled using energy from the existing power grid and not fully from new solar facilities and would be eligible for a partial exclusion, as detailed in the Guidelines. Due to the dual-use categorization, the BESS would be eligible for a 75 percent exclusion, with property taxes being generated on only 25 percent of the total BESS value. The real property would not be eligible for Exclusion. In addition to the partial Exclusion, the Dual Use Scenario includes annual depreciation of BESS facility values, with the Project being fully depreciated to 13 percent of the beginning value by year 12 of Project operations. In the initial year of Project operations, the Project is estimated to generate $102,000 in property tax revenue benefitting the County General Fund. After the Project fully depreciates in year 12, it is estimated that the Project will generate $15,000 in property taxes, annually.

Estimated annual property tax revenue resulting from development in the Project is presented in **Table A-3** in **Appendix A**. The estimated assessed values for Project land uses are assumed to remain static in 2022-dollar values—real growth in assessed value is not estimated. The property taxes the County will receive are derived from the total assessed value of the Project, as provided by the Project

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Applicant, and the estimated post-Educational Revenue Augmentation Fund (ERAF) share of the 1 percent ad valorem property tax rate to the County.

Property Tax in Lieu of Vehicle License Fee

The Analysis uses a formula provided by the State Controller's Office to forecast Property Tax in Lieu of Vehicle License Fees (PTIL VLF). PTIL VLF is calculated by taking the percentage increase in the County's assessed value resulting from the Project under each scenario and applying that percentage increase to the County's current State allocation of PTIL VLF revenue, as shown in the County's Fiscal Year (FY) 2021-22 budget. This calculation is shown in **Table A-3** in **Appendix A**. As shown, the Project is anticipated to generate approximately $207,000 in PTIL VLF revenues to the County under the No Exclusion Scenario. Under the Dual Use Scenario, the Project is anticipated to generate approximately $52,000 in PTIL VLF revenues in the initial year of operations and $8,000 annually beginning in year 12.

Economic Impact Modeling Framework

The Analysis uses an I/O modeling framework to quantify the project's one-time and ongoing contributions to countywide output, employment, and labor income. The I/O modeling framework is premised on the concept that industries in a geographic region are interdependent in the sense that they purchase output from and supply input to other industries. This regional economic analysis relies on IMPLAN (Impact Analysis for Planning) software, an I/O model that draws on data collected by the IMPLAN Group, LLC, from several state and federal sources, including the Bureau of Economic Analysis, the Bureau of Labor Statistics, and the Census Bureau. The model is used widely for estimating economic impacts across a wide array of industries and economic settings.

Regional economic impact analysis and I/O models in particular provide a means to estimate total regional effects stemming from a particular industry. Specifically, I/O models produce quantitative estimates of the magnitude of regional economic activity resulting from some initial activity (e.g., business operations or building construction). I/O models rely on economic "multipliers" that mathematically represent the relation between the initial change in one sector of the economy and the effect of that change on economic output, income, or employment in other local industries. These economic data provide a quantitative estimate of the magnitude of shifts in jobs and revenues in the regional economy.

Economic impacts using an I/O model are based on an initial change in output or employment in a specific industry sector. The model then translates the initial change into changes in demand for output from other interdependent sectors, corresponding changes in demand for inputs to those sectors, and so on. These effects commonly are described as direct, indirect, or induced and generally are defined as follows:

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- The **direct** effect represents the change in output or employment attributable to a certain economic activity. In this case, the annual operations of the Project and the entities directly receiving spending related to the building construction project (e.g., construction contractors, equipment vendors, and consultants).
- The **indirect** effect results from industry-to-industry transactions required to satisfy the direct effect. This effect is a measure of the change in the output of suppliers linked to the industry that is directly affected.
- The **induced** effect consists of impacts from employee spending in the local economy. Specifically, the employees of directly and indirectly affected businesses generate this effect by purchasing goods and services in the local economy. For instance, employees of these businesses spend their paychecks on household needs such as groceries, retail purchases, health care, or mortgage or rent payments, all of which are considered to be induced effects.

The total impact is the sum of the direct, indirect, and induced effects. The total effect measures the impact of an activity as it "ripples" throughout the regional economy. For this Analysis, the regional economy is defined as the County. IMPLAN generates a model of the industrial structure and household profile for the County economy, which in turn determines the extent to which spending is captured and recirculated in the local economy rather than being allowed to leak outside the County. In the following sections, the regional economic effects described above are reported in three categories:

- **Annual Output:** Annual output measures the value of goods and services produced in the County as a result of business operations. Projected Project operational expenditures were used to estimate ongoing annual output of the Project. Construction employment was used to estimate one-time construction impacts.
- **Employment:** Employment estimates the total number of jobs, both full time and part time, created as a result of project operations. Employment is reported in job years. Construction employment represents total job-years over the life of the project (1 job lasting 2 years would be reported as an employment impact of "2").
- **Labor Income:** Labor income reflects the estimated amount of direct, indirect, and induced annual employment income (salaries, wages, and benefits) resulting from the associated employment. It is important to note that labor income is a component of industry output and is not an additive economic impact.

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I/O Modeling Considerations

The current IMPLAN dataset relies on I/O relations derived from 2019. Although 2020 data is available, due to the unique nature of the economy as the COVID-19 pandemic impacted the global economy, EPS believes the 2019 data provides a more accurate and reasonable approximation of conditions on an ongoing basis.

All economic impacts depicted in this Analysis reflect gross impacts. As such, the economic impacts do not account for potential shifts in resources or shifts in consumer expenditures from other local alternatives. The I/O methodology is based on the assumption that an industry's demand for goods and services results in a corresponding increase in supply and therefore employment. This implies that key industry suppliers can increase output rather than shift output from one set of consumers or products to another. This assumption may not hold in areas with tight labor or capital markets because companies may find it difficult to obtain these inputs or other resources necessary to expand production. In these cases, accommodating an establishment's demand for labor and other inputs may come at the expense of other establishments in the same or related sectors or may need to be satisfied by increased imports from outside the study area. This phenomenon often is referred to as "crowding out" because the stimulated sector tends to crowd out other sectors, which can reduce the net economic gain.

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APPENDICES:

Appendix A: Fiscal Revenue-Estimating Tables

Appendix B: Project Construction Employment Estimates

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APPENDIX A:

Fiscal Revenue-Estimating Tables

Table A-1 One-Time Real Property Transfer Tax A-1

Table A-2 Estimated One-Time Taxable Sales and Use Tax Revenue from Project Construction A-2

Table A-3 Estimated Annual Property Tax Revenues A-3

Table A-1
Colusa County Janus Solar Facility
Economic Impact Analysis
One Time Real Property Transfer Tax (2022$)

Description	Assumption/ Source	Estimated Annual Property Transfer Tax Revenue
Rate per $1,000 of AV	$0.55	
One Time Transfer Tax Revenue	[1]	$3,245

Source: Colusa County Auditor-Controller; EPS.

[1] One time transfer tax revenue based on the fee simple purchase value of the portion of the Project area to the purchased via a fee simple property sale as provided by the Project Applicant.

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Table A-2
Colusa County Janus Solar Facility
Economic Impact Analysis
Estimated One-Time Taxable Sales and Use Tax Revenue from Project Construction (2022$)

Item	Formula	Source/ Assumptions	Annual Sales Tax Revenue
Estimated Sales Tax			
Total Estimated Sales Taxes Generated by Project Development [1]	*a*		$3,250,000
Annual Sales Tax from New Development	***b = a***		**$3,250,000**
Annual Sales Tax Revenue			
Colusa County Share			
County Bradley Burns Local Sales Tax Revenue	*c b 1.00 / .2*	1.0000%	$448,276
County Local Transportation Sales Tax Revenue	*d b 0.2 / .2*	0.2500%	$112,069
Prop 172 Public Safety Sales Tax Revenue	*e b 0. 0 / .2*	0.5000%	$224,138
Total Colusa County	***f = c + d + e***	**1.7500%**	**$784,483**
State of California	*b . 0 / .2*	5.5000%	$2,465,517
Total Sales Tax Revenues	***h = b***	**7.2500%**	**$3,250,000**

Source: Colusa County; California State Board of Equalization; EPS.

[1] Based on information provided by the Project applicant Project construction is estimated to generate $3.25 million in sales taxes for materials and service costs. It is anticipated that the Project will be required to establish a local address for billing/delivery of goods resulting in all sales generating local sales tax revenues. Colusa County share of revenues is estimated based on Colusa's share of the total sales tax rate in the County.

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Table A-3
Colusa County Janus Solar Facility
Economic Impact Analysis
Estimated Annual Property Tax Revenues (2022$)

Item	Assumption/ Source	Formula	Estimated Property Tax Revenues (2022$)		
			No Exclusion Scenario [1]	Dual Use Scenario [2] Initial Value [3]	Dual Use Scenario [2] Depreciated Value [4]
Taxable Assessed Value					
Real Property		*a*	$1,041,023	$1,041,023	$1,041,023
Personal Property (Battery Storage Facility)					
Total Value		*b*	$174,148,984	$174,148,984	$22,639,368
Percentage Taxable		*c*	100%	25%	25%
Total Taxable Personal Property Value		*d b c*	**$174,148,984**	**$43,537,246**	**$5,659,842**
Total Taxable Project Assessed Value		*e a d*	**$175,190,007**	**$44,578,269**	**$6,700,865**
Less Existing Property Base Value	[5]		($307,002)	($307,002)	($307,002)
Net Taxable Assessed Value		*e*	**$174,883,005**	**$44,271,267**	**$6,393,863**
Property Tax Revenue (1% of Assessed Value)	1.0000%	*h 1.00*	$1,748,830	$442,713	$63,939
Estimated Property Tax Allocation [6]					
Colusa County General Fund	23.1%	*i h 23.13*	$404,489	$102,395	$14,788
Other Agencies/ERAF	76.9%	*j h .*	$1,344,341	$340,317	$49,150
Total Colusa County General Fund Property Tax		***k = i***	**$404,489**	**$102,395**	**$14,788**
Property Tax In-Lieu of Motor Vehicle In-Lieu Fee Revenue (VLF)					
Total Unincorporated County Area Assessed Value		*l*	$2,950,220,068	$2,950,220,069	$2,950,220,070
Total Assessed Value of Project		*m*	$174,883,005	$44,271,267	$6,393,863
Total Assessed Value		*n l m*	**$3,125,103,073**	**$2,994,491,336**	**$2,956,613,933**
Percent Change in AV		*o m / n*	5.93%	1.50%	0.22%
Property Tax In-Lieu of VLF [7]	**$3,489,925**	***p = o * $3,489,925***	**$206,876**	**$52,370**	**$7,564**

Source: Colusa County; Colusa County Treasurer Tax Collector; RWE; EPS.

[1] Represents the maximum property tax revenue available assuming all personal property were to be taxable prior to any assumed depreciation.
[2] A dual use scenario reflects a scenario in which the battery storage facilities on site would be in some way fueled by the existing energy infrastructure and not solely be charged by the solar facility. Under this scenario, 25 percent of assessed value for the battery storage system would be taxable.
[3] Represents the total taxable assessed value of the Project under the dual use scenario prior to any assumed depreciation.
[4] Represents the total taxable assessed value of the Project in Year 12, including depreciation of personal property values under a dual use scenario.
[5] Existing value reflects the existing land value for the three parcels containing the Project. As existing improvements are anticipated to remain on the property in the ownership of the existing landowners, no reduction is made for existing improvements.
[6] Property tax allocation based on information provided by the Colusa County Treasurer Tax collector
[7] Property tax in-lieu of VLF amount derived from the Final Fiscal Year 2021-22 Colusa County Budget.

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APPENDIX B:

Project Construction Employment Estimates

Table B-1 Estimated Project Construction Employment Estimates.....B-1

Table B-2 Existing Project Parcel Values.....B-2

Table B-1
Colusa County Janus Solar Facility
Economic Impact Analysis
Estimated Project Construction Employment Estimates

Item	Estimated Construction Jobs: Monthly Employment	Estimated Construction Jobs: Annual Job Estimate [1]
Construction Employment		
Month		
April	45	4
May	95	8
June	135	11
July	155	13
August	175	15
September	175	15
October	155	13
November	45	4
December	20	2
Total Annual Jobs Estimate		**83**

Source: RWE Solar Development, LLC; EPS.

[1] IMPLAN estimates jobs using an annual job estimate, meaning a job lasting for 6 months would count as 0.5 jobs. To estimate annual construction jobs, monthly construction employment was divided by 12 and summed for all months.

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Table B-2
Colusa County Janus Solar Facility
Economic Impact Analysis
Existing Project Parcel Values

Parcel	Existing Assessed Value			
	Land	Improvement	Personal	**Total**
Parcel Number				
018-050-005	$186,756	$232,628	$618,720	**$1,038,104**
018-050-006	$74,921	$0	$0	**$74,921**
018-050-013	$45,325	$74,652	$0	**$119,977**
Total	**$307,002**	**$307,280**	**$618,720**	**$1,233,002**

Source: RWE Solar Development, LLC; Parcelquest; Colusa County Assessors Office; EPS.

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WILLIAMS FIRE PROTECTION AUTHORITY
810 E Street • P.O. Box 755 • Williams, California 95987
(530) 473-2269 • Fax: (530) 473-3174 • E-mail: wfpa@frontiernet.net

3/07/2023

Colusa County Planning Department
220 12th Street
Colusa Ca. 95932

Attn: Greg Plucker

RE: Janus Solar

Greg,

Prior to the March 1st planning commission meeting I was approached by a couple of concerned land owners regarding the Janus Solar project. One of the concerns was a fire that had happened in Moss Landing (Elkhorn Farm) in October 2022. I have done some research on this fire and have also reached out to the Fire Chief Joel Mendez of the North County Fire District of Monterey County.

In my conversation with Chief Mendoza I asked him several question regarding the Elkhorn incident. Chief Mendoza stated that he had three incidents at three different facilities in the last three years. The Elkhorn incident was TESLA Mega packs that are designed to burn out in a 4 to 6 hour time frame. This facility was approximately 100 mega watts (245 Mega Packs) of BESS system. The fire department was committed for six hours with 3 engine companies pumping over 70,000 gallons of water to keep the other BESS units from burning. Now these TESLA mega packs are different from what is being proposed by Janus and did not have extinguishing systems in place. There was a huge impact and commitment on the fire department. They also had to have a shelter in place order for 12 hours until EPA could to sampling.

Chief Mendoza was shown the Planning Commission Packet as to pages 25,26,29,31,32,33 that discusses Public Safety and potential economic impact. Chief Mendoza is aware that the solar panel tax revenue section, but states the BESS system should bring a substantial amount of revenue. Elkhorn facility is 100 Megawatt brings in approximately $115K to the Fire district and over a million to the County. Chief Mendoza does not feel that the Williams Fire Protection Authority can properly service this project without a three man engine company and the developer should be willing to negotiate additional staffing.

The Williams Fire Protection Authority (Authority) currently is staffed with a two (2) man engine company, chief officer and supplemented with volunteers. There is no guarantee that volunteers will

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

respond to incidents like these and having to wait for a volunteer to fill the third seat on the engine delays the response time to major incidents. The Authority currently has four paid Captains, four paid firefighters and a paid fire chief. The four firefighters are on a grant that will expire in 2024. If the Authority is unable to fund those positions in the future the Authority will go back to a one man engine company in February 2024.

In looking at what Colusa County is going to receive from the updated taxes, the portion that the Williams Fire Protection District (District) would receive is only approximately $7200 based off the County getting $154,765.00 in taxes per year (.046). The County will then also receive $110,000 in mitigation funding per year to go to the general fund. This does not give the Fire District any additional funding.
Then I see that the three park districts (Maxwell/ Williams /Arbuckle) will receive $15,000 per year. I believe that a company that is anticipated to generate over four (4) million dollars a year in revenue should be able to provide better public safety funding.

As the Authority has been working with the Janus project on fire code measures to lower the probability of an incident at this facility, I believe that the Authority has been enlightened to additional issues and hazards that this project might impact without some type of mitigation. We do understand that the District will receive Development Impact Fees for the Bess units, but that is one time impact funding for capital projects not operational funding.

In discussing this with my board chair we are asking to have a conversation with the County and Janus Solar regarding what we have determined to be significant impacts to the Authority.

Jeffery A. Gilbert

Fire Chief

cc: Colusa County Planning Commission

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

MARCH 20, 2023

VIA EMAIL: GPLUCKER@COUNTYOFCOLUSA.COM
Greg Plucker
County of Colusa, Secretary to the Planning Commission
1213 Market Street
Colusa, CA 95932

Dear Mr. Plucker:

NOTICE OF PUBLIC HEARING: FINAL ENVIRONMENTAL IMPACT REPORT AND USE PERMIT FOR THE JANUS SOLAR PROJECT, SCH#2020070577

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Final Environmental Impact Report for the Janus Solar Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments with respect to the Final Environmental Impact Report for the Janus Solar Project.

Project Description

The project would include: (1) approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system and ancillary infrastructure; (2) a battery energy storage system (BESS) consisting of batteries, battery storage system enclosures, ancillary infrastructure and fire protection systems; (3) and an on-site substation that would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on new poles of up to 80 feet in height. The entirety of the Project site is under a Williamson Act contract.

Department Comments

The Department notes that the lead agency adequately addressed the majority of its comments in its letter written in response to the projects Draft Environmental Impact Report. However, the lead agency did not address, nor comment on, the Department's recommendation for further discussion of the following issues:

- The Project's compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Thank you for giving us the opportunity to comment on the Final Environmental Impact Report for the Janus Solar Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

RESOLUTION NO. 02- 82

A RESOLUTION OF THE COLUSA COUNTY BOARD OF SUPERVISORS **AMENDING EXHIBIT A TO RESOLUTION 82-67** RELATING TO THE IMPLEMENTATION OF THE CALIFORNIA LAND CONSERVATION ACT IN COLUSA COUNTY (WILLIAMSON ACT)

WHEREAS, the COUNTY OF COLUSA, as a condition of implementing the California Land Conservation Act, is required to establish rules to govern the administration of agricultural preserves and for initiating, filing and processing requests to establish agricultural preserves; and

WHEREAS, Resolution 82-67, adopted on October 12, 1982, set forth the guidelines for establishment of agricultural preserves; and

WHEREAS, Exhibit "A" to Resolution 82-67 enumerated the agricultural uses and compatible uses pertaining to agricultural preserves; and

WHEREAS, the compatible uses enumerated in Exhibit "A" of Resolution 82-67 require further clarification therein.

NOW, THEREFORE, BE IT RESOLVED that Exhibit "A" of Resolution 82-67 is hereby amended as set forth in Exhibit "A" attached hereto, and substituted in its place and stead.

PASSED AND ADOPTED by the Board of Supervisors of the County of Colusa, State of California, this 17th day of DECEMBER 2002 by the following vote:

AYES: Supervisors Womble, Scofield, Marshall, White and Waite

NOES: None.

ABSENT: None.

William R. Waite
Chairman of the Board of Supervisors

ATTEST: Kathleen Moran, Clerk/Recorder
and Ex-Officio Clerk to the Board of Supervisors

By Sue Grave, Deputy

APPROVED AS TO FORM:

Donald F. Stanton
Colusa County Counsel

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

STATEMENT OF AGRICULTURAL AND COMPATIBLE USE FOR AGRICULTURAL PRESERVE NUMBERS ONE AND TWO AND FARMLAND SECURITY ZONE

A. AGRICULTURAL USES

1. Agriculture, including any customary agricultural buildings and structures and such uses as, but not limited to, livestock ranges, animal husbandry, field crops, fallow, lands withdrawn from production pursuant to Federal agricultural programs such as, but not limited to, that authorized by the Crop and Adjustment Act, tree crops, nurseries and greenhouses together with all necessary equipment and facilities for support and maintenance of the operation.

2. Animal feed yards when more than 1000 feet from any existing dwelling.

3. Hog farms.

B. COMPATIBLE USES

1. Ranch and farm dwellings appurtenant to a principal agricultural use.

2. Drilling and operating of oil and gas wells for which a conditional use permit has been granted.

3. Electrical distribution substations.

4. Recreational uses for which a conditional use permit has been granted.

5. Living quarters of persons employed on the premises and relatives of the property owner or lessee.

6. Agricultural labor camps.

7. Mobile homes may be used as living quarters when they are located on land used for agricultural purposes and are appurtenant to such agricultural use, provided that there may not be more than one mobile home for each ten (10) acres of total site area.

8. Temporary shelters for herdsmen including mobile homes, wagons, and tents.

9. Guest houses, not rented or otherwise conducted as a business.

10. Home occupations.

11. Offices incidental and necessary to the conduct of a principal permitted use.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

12. Private garages, private parking areas, and private stables.

13. Roadside stands for the sale of agricultural products primarily grown in the local area.

14. Name plates and signs appurtenant to any permitted use including, but not limited to, temporary real estate signs advertising the sale, rental, or lease of the premises upon which the sign is located.

15. Temporary landing strips appurtenant to a principal permitted use.

16. Other accessory uses and buildings customarily appurtenant to a permitted use including, but not limited to, almond hulling, fruit, grain and bean storage and drying when such products are primarily produced on the premises.

17. Any customary agricultural building, structure or dwelling appurtenant to an agricultural use no longer necessary for the operation of the principal use may be rented or leased for similar use.

18. Hunting clubs or hunting activities for which a conditional use permit has been granted which permit hunting only during the dormant or winter fallow agricultural season. More particularly, the act of hunting does not begin until after harvest and ceases before planting season begins.

19. The erection, construction, alteration or maintenance of gas, electric, water, or communication utility facilities.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COLUSA COUNTY BOARD OF SUPERVISORS
Clerk of the Board
546 Jay Street
Colusa, CA 95932
530-458-0508
cocolusa@colusanet.com

AGENDA TIME:

AGENDA REQUEST FORM

1.) Meeting Date:	2.) Department/Organization:	3.) Name:	4.) Phone:
12-17-02	Planning & Building	Stephen Hackney	458-0480

5.) Timed Item ☐ 6.) Numbered Item ☒ 7.) Consent Item ☐ 8.) Estimated Time:

9). Request:

Consider Resolution Amending Exhibit A to Resolution 82-67 Relating to the Implementation of the California Land Conservation Act in Colusa County (Williamson Act).

10.) Documentation:

See attached Resolution.

11.) Signature Requirements:

Requires signature from Chairman, Clerk, and County Counsel.

12) Notes:

Return copy to Planning & Building.

FOR CLERK USE ONLY

Board Action: Approved ☒ Denied ☐ Approve with Revisions ☐

Set Public Hearing for:_____ Continued to: _____

Referred/Direction to:_____

Other: 02-82

VOTE: All yes ☐ NOES:_____ ABSTAIN:_____

Notes:

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COLUSA COUNTY BOARD OF SUPERVISORS
Clerk of the Board
546 Jay Street
Colusa, CA 95932
(530) 458-0508/0509
cocolusa@colusanet.com

BACKGROUND INFORMATION

Meeting Date:	Department:	Name:	Phone:
December 17, 2002	Planning & Building	Stephen Hackney	458-0480

SUBJECT

Resolution amending Exhibit A to Resolution 82-67 relating to the implementation of the California Land Conservation Act in Colusa County (Williamson Act).

REQUEST

Consider Resolution.

FINANCIAL

N/A

ALTERNATIVES

N/A

PRIOR REVIEW/OTHER DEPARTMENT INVOLVEMENT

Resolution prepared by County Counsel.

RECOMMENDATION

Adopt Resolution.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

March 24, 2023

Sent Via Email

Colusa County Planning Commissioners
1213 Market Street
Colusa, CA 95987

Re: Janus Solar Project Use Permit UP #20-01 (PD-3829)

Dear Commissioners,

I am writing this letter to express my opposition to the Janus Solar Project proposed along rural Spring Valley Road in Williams.

Reasons for opposition are as follows:

The APPLICATION AND PROJECT QUESTIONNAIRE submitted by Janus Solar PV on May 6, 2020, contains egregious inaccuracies regarding PROJECT IMPACTS and CERTIFICATION of "True and Correct information," leading to doubts about the competency, integrity, professionalism and honesty of the applicants and owners.
ie: Regarding YES / NO questions about the project or its effects:
"21.Change in scenic views or vistas from existing residential areas or public lands or roads - NO"
The application also contains obviously incorrect *NO* answers to questions 22, 24, and 29.
See Attachments #1& #2.

The proposed Janus Project is located on ground currently under Williamson Act Contract. Ground in the Williamson Act cannot be used for large-scale solar projects.
No notification of Cancellation has been received. On March 16, 2023, I virtually attended the Department of Conservation Williamson Act Cancellation Open Office Hours Presentation by staff member, Annie Giovacchini, who is in charge of Cancellations. The meeting included discussion of Government Code Section 51284 which says no contract may be cancelled without the extensive process of Public Hearings and Notifications.
Saying the Colusa County Board of Supervisors Williamson Act Ad-Hoc committee recommended cancellation on the project site contract is misleading in that it infers support, when in actuality, their recommendation confirms the incompatibility of a large-scale solar project on contracted land.

The loss of 1000 acres of productive grazing land to encroaching incompatible land use is not "insignificant"-it is substantial and the County currently holds a debatable position on that issue.
In The Responses to Public Comments, the County "disagreed" with with the California Department of Conservation's letter saying "The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural resources."

The threat to public health and safety due to fire has continued to be understated in the FEIR which increased the unfounded "No Impact" finding in the DEIR to "Less than Significant."
The proposed site is located in a designated HIGH Fire Hazard Safety Zone by the Cal Fire Office of the State Fire Marshal. See Attachment #3
The Wildfire Protection Measure should be submitted to the Williams Fire Authority PRIOR to granting of the Use Permit not afterward.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

The Battery Storage Fire Management Plan should be submitted to the Williams Fire Authority PRIOR to the granting of the Use Permit not afterward.
Response to my Letter F contains the simplistic and seemingly unrealistic statement "The proposed Project is not expected to expose people or structure, either directly or indirectly, to a significant risk of loss, injury or death involving fires."
My opinion was formulated after considerable research including the following newspaper articles:
Energy Storage in Moss Landing: A smoky challenge to a new chapter ,
published June 12, 2022 in The Monterey Herald newspaper, and
Fire Crews Tend to massive smoldering battery in Chandler facility
published in the Arizona Republic newspaper on April 21, 2022.

The proposed project is incompatible with the existing rural character of Spring Valley Road. See Attachment #4.
The Agriculture Element of the General Plan states "Farming and related agriculture industries are not only the backbone of Colusa County's economy, they also play a central role in the way of life of County residents and help define the character of the County.
Policy AG-2 states its goal is to " Maintain and enhance agriculture as the County's most critical land use, economic sector and resource. "
Omitted from the FEIR comments is AG 2 1. i . "The use will not be detrimental to the rural character." Was this intentionally left out because it is proof of incompatibility?

I urge you to protect the beautiful Spring Valley Road area, its historic land use of grazing land for cattle and sheep and its future agricultural potential should the project site take advantage of being within the Westside Water District Boundary Area and become annexed and receive irrigation water for orchards and crops.

The proposed Janus Project will devalue the area both monetarily and aesthetically.

I urge you to deny the project developers request for Use Permit #20-01 (PD-3829).
I support maintaining the agricultural integrity of Spring Valley Road now and for the future.

Thank you for your consideration of this letter.

Sincerely,

Beth Ferrini Katsaris

Beth Ferrini Katsaris

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

16. If commercial, indicate the type, whether neighborhood, or regionally oriented, square footage of sales area, and loading facilities. N/A

17. If industrial, indicate type, estimated employment per shift, and loading facilities. N/A

18. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project. N/A

19. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required. Energy generation for off-site use is permitted within the Foothill Agriculture Zone with approval of a Use Permit (Colusa County Zoning Ordinance §44-2.20.30).

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

		YES	NO
20.	Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.	___	X
21.	Change in scenic views or vistas from existing residential areas or public lands or roads.	___	X
22.	Change in pattern, scale or character of general area of project.	___	X
23.	Significant amounts of solid waste or litter.	___	X
24.	Change in dust, ash, smoke, fumes or odors in vicinity.	___	X
25.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	___	X
26.	Substantial change in existing noise or vibration levels in the vicinity. ?	___	X
27.	Site on filled land or on slope of 10 percent or more.	___	X
28.	Use of disposal of potentially hazardous materials such as toxic substances, flammables or explosives.	___	X
29.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.).	___	X
30.	Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	___	X
31.	Relationship to a larger project or series of projects.	___	X

ENVIRONMENTAL SETTING:

32. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site and their use. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

Page 4-Application And Project Questi

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Please see the attached Habitat Characterization Report (Attachment B) and the Phase I Environmental Site Assessment (Attachment C).

33. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity or land use (one-family, apartment houses, shops, department stores, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

The surrounding land use is rural. Properties are currently being used for cattle grazing, agriculture, and open space. There is a residence to the south of the Project site, and agricultural buildings to the west. Photographs of views of the surrounding properties are included as Attachment D.

CERTIFICATION:
I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

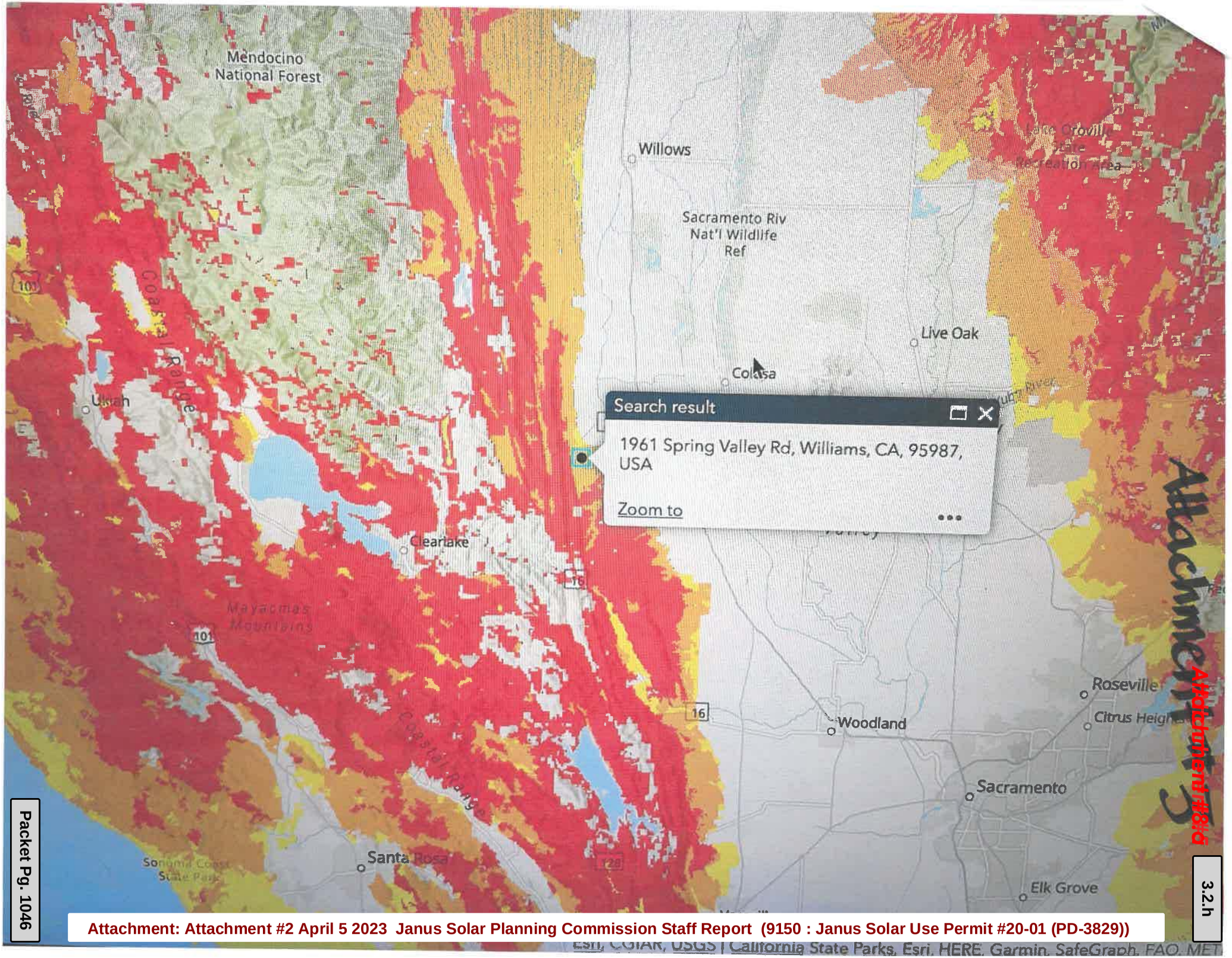
Date: 5/6/2020

Edward B. Mellon III
Signature

For: Janus Solar PV, LLC

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Page 5- Application And Project Questionaire



Attachment 3

Attachment #8 d

Attachment #4

Attachment #4



Spring Valley March 2023

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW
521 MARKET STREET
POST OFFICE BOX 968
COLUSA, CALIFORNIA 95932
(530) 458-5157
FAX (530) 458-2183
dave.clarkandnelson@gmail.com

DAVID R. NELSON
CHARLES T. YERXA, JR.

ROBERT D. CLARK
(1935-2004)

RECEIVED
MAR 24 2023
COLUSA COUNTY DEPARTMENT
PLANNING AND BUILDING

March 24, 2023

Colusa County Planning Commission
c/o Colusa Community Development Department
1213 Market Street
Colusa, CA 95932

Re: Janus Solar
Your Use Permit No. 20-01 (PD3829)

Ladies and Gentlemen:

On behalf of my clients, Jean Terkildsen, Matthew Ferrini and Elizabeth Katsaris, I submit the following written comments, which I request be included as a part of the record of the public hearing currently scheduled for April 5, 2023, concerning the Janus Solar Project requested Use Permit.

My comments relate to two fundamental requirements of the planning process that are lacking with this pending application for a Major Use Permit.

The two issues are:

(1) The project lacks consistency with Colusa County's General Plan; and

(2) The subject property is ineligible for inclusion within the Energy Production Overlay Zone.

The proposal before you requests that a Major Use Permit be granted to allow 1,024 acres of real property within the Foothill Ag Zoning Designation to be converted into a photovoltaic solar electric generating facility with 196,000 solar panels and a 5 acre battery storage area. The project would further result in 4 plus miles of above ground transmission lines that would connect to the PG&E Cortina Substation. The power produced from this solar electric generating facility would be utilized off-site.

1. Lack of Consistency with the General Plan: The Colusa County General Plan states in Policy AG 2:1 the following:

"Agricultural related industrial support operations shall be permitted on agricultural lands. Such uses may include, but are not limited to, processing, assembly, distribution and warehousing of agricultural materials and commodities and alternate energy systems

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

that provide energy for on-site uses (emphasis added). These uses should be permitted on agricultural lands as principal permitted uses subject to the standards of the zoning ordinance provided the following findings are made:

a. The use provides a needed service to the surrounding agricultural area which cannot be provided more efficiently within designated industrial or commercial areas or which requires location in a non-urban area because of unusual site requirements, operational characteristics, or proximity to agricultural goods and products.

b. The use avoids prime agricultural lands to the greatest extent feasible.

c. If the use is sited on productive agricultural lands, less productive agricultural lands are not available in the vicinity.

d. The operational or physical characteristics of the use will not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least a quarter mile (1/4) radius.

e. The use supports local agricultural production.

f. The use is compatible with existing uses in the area.

g. The use will not adversely affect agricultural production in the area.

h. The use will not result in significant adverse traffic or air quality impacts.

i. The use will not be detrimental to the rural character of the area."

California Land Use Planning Law is settled with regard to the fact that county zoning ordinances must be consistent with the General Plan. Government Code Section 65860 states:

"(a) County or city zoning ordinances shall be consistent with the General Plan of the county or city by January 1, 1974. A zoning ordinance

CLARK & NELSON
ATTORNEYS AT LAW

shall be consistent with a city or county General Plan only if both of the following conditions are met:

(1) The city or county has officially adopted such a plan.

(2) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan."

In the pending application for a Major Use Permit, the lack of consistency with the General Plan is unequivocal, as the General Plan restricts alternate energy systems for on-site uses only. This project is for off-site use.

The project proponent asserts that the project meets the consistency standard because Colusa County Zoning Ordinance, Article 44-2.20.30 allows energy generation for off-site use within the FA zone. This assertion is contrary to California law. In Orange Citizens for Park and Recreation v. The Superior Court of Orange County (2016) 2 Cal.5th 141, the California Supreme Court held:

"The propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable General Plan and its elements." At page 153.

The settled law of California is that the General Plan is at the top of the hierarchy of local government law regulating land use. Subordinate to the General Plan are zoning laws. Use Permits are a part of the zoning ordinance process and thereby are subordinate to General Plan provisions. Neighborhood Action Group v. Calaveras County (1984) 156 Cal.App.3d 1176. In light of the land use hierarchy set forth above, provisions within Section 44-2.20.30 of the Colusa County Zoning Ordinance cannot supercede the specific provisions of General Plan Policy AG 2-1, which allows alternative energy systems for only on-site uses. In further discussing consistency with the General Plan, the courts have held a zoning ordinance that conflicts with a General Plan is invalid. Lesher Communications v. Walnut Creek (1990) 52 Cal.3d 535. In Lesher, the Supreme Court states:

"The Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform." At page 541.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW

This project and its proposed off-site use of the generated electricity lacks consistency with the Colusa County General Plan and therefore this application is fundamentally flawed and must be denied.

2. The Subject Property is Ineligible for Inclusion Within the Energy Production Overlay Zone:

The project proponent further asserts that the proposed project is permissible due to the provisions of Colusa County Zoning Ordinance Article 44-2.80.020, Energy Production (EP) Overlay Zone. The purpose of the Energy Production Overlay Zone is intended to identify and designate areas suitable for the development of large scale commercial energy facilities and to streamline the approval of such facilities. The application of the EP Overlay Zone should be based on the availability of resources, the location of existing or proposed infrastructure and the potential for commercial energy facilities to be appropriately cited to effectively mitigate potential significant impacts.

However, specific criteria is set forth within the section with regard to designating and applying the EP Overlay Zone to specific properties. Section 44-2.80.020 (C) states in part the following:

> "Criteria for Designation. The EP Overlay Zone may be applied only to property meeting all of the following designation criteria:
>
> a...
> b. The EP Overlay Zone shall not be placed on any property under Williamson Act Contract unless power energeration facilities are specifically allowed under the contract.
> c...
> d..."

As clearly indicated in the Application and Project Questionnaire completed by the project proponent, the subject property was, at the time of application, and remains, as confirmed by the Colusa County Assessor's Office, under a Williamson Act Contract.

As such, the provisions of the EP Overlay Zone are not applicable to the subject property.

The proponent and apparently County staff believe that they can avoid the exclusion of Williamson Act property from the EP Overlay Zone by an after the fact removal of the subject property from their Williamson Act Contract. In addressing this issue, our California

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW

Supreme Court has held:

> "The validity of the ordinance under which permits are granted, or pursuant to which development is regulated, may not turn on possible future action by the legislative body or electorate." Lesher Communications v. Walnut Creek (supra). At page 544.

Only the General Plan and Zoning Ordinances in effect at the time of project approval is relevant in determining inconsistency with the General Plan and/or inconsistency with conditions of the zoning ordinance. Future action of the Board of Supervisors to cancel the Williamson Act cannot serve to make the subject property eligible for designation under the EP Overlay Zone.

The properties inclusion under a Williamson Act Contract prohibits any present consideration of proceeding with the project under the auspices of the EP Overlay Zone.

Conclusion: I apologize for the legalese included in these comments. However, I believe it is of utmost importance that you understand the fundamental legal criteria that applies to this pending application.

As stated herein, the application before you must be denied as lacking consistency with the General Plan and being ineligible for designation under the EP Overlay Zone. There are any number of additional concerns with respect to the project and that relate to the mandatory findings that must be made under General Plan Policy AG 2:1. I am confident that numerous members of the community will address these concerns at the public hearing.

Thank you for your consideration of the matters set forth herein.

Respectfully submitted,

CLARK & NELSON
Attorneys for Jean Terkildsen, Matthew Ferrini and Elizabeth Katsaris

By _____
David R. Nelson

DRN:d
cc: Colusa County Community Development Dept.
Colusa County Counsel
Client

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Matthew Ferrini
PO Box 415
Williams, CA 95987

March 27, 2023

Colusa County Planning Commission
1213 Market Street
Colusa, CA 95932

Dear Colusa County Planning Commissioners:

As an active farmer of land located adjacent to the proposed Janus Solar Project, I am writing to urge you to deny Use Permit #20-01 (PD) 3829. My comments today are to express my opposition to this project.

First, I would like to invite all of you to take a ride out to Spring Valley and visit the proposed site (if you haven't already). Along your travels pay close attention beginning with the intersection of East Camp Road and Walnut Drive where the PG&E substation is located and where this project will tie into from 4 ½ miles down Spring Valley Road. As you are heading west along the 4 ½ mile drive to the proposed solar site, pay close attention to both sides of Spring Valley Road and you will notice the prime agricultural ground. Once you reach the site I ask you to visualize what 196,000 solar panels, a 5-acre battery storage facility and a substation will look like where livestock have grazed and wheat, barley and hay crops have grown for over 150 years and still do so today. Please see the five photos I have enclosed. Photo 1 is a photo of the proposed site displaying the solar panels, the battery storage and the substation. Photos 2 and 3 show the hay crop growing today on the west side of Spring Valley Road where there are proposed solar panels. Photo 4 shows cattle grazing today on the east side of Spring Valley Road near the proposed 5-acre battery storage, substation and more solar panels. Photo 5 shows the current hay crop on the south east side where there are proposed solar panels. With regard to Photo 1, I have circled multiple residential homes located on or right next to the proposed project.

In the 1850's a man named William H. Williams, the founder of the town of Williams, was one of the first to settle in Spring Valley because of its virgin soils and its ability to run livestock and farm his wheat and barley. He recognized the land in Spring Valley was prime agricultural ground and had many successes in Spring Valley. With this being said my point is contrary to what Janus Solar would lead you to believe. Spring Valley is NOT like the Central California Valley desert. It continues to be prime agricultural ground. With today's new technologies and farming methods, and because the proposed project site is located in the West Side Water District and is able to be annexed into the District, the farming possibilities are unlimited to what can be done in this area. Adjacent land owners who have chosen to join the District have proven this land is full of farming opportunity for those willing to work and to engage in the work of farming.

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

I believe that Janus Solar, a giant solar corporation, knows nothing about Colusa County's historical agricultural foundations and is exploiting the residents and land owners of the county by the proposed heinous misuse of the land in regard to the language of the General Plan which allows for alternate energy systems on agricultural lands for on-site usage only (not for an industrial commercial solar facility with a 5-acre battery storage facility and substation along with a 4 ½ mile transmission line to be used for off-site generation of power for sale). Please refer to the Colusa County General Plan Policy AG 2:1 for reference. Let's face the facts. This policy was written so that farmers wanting to run their pumps off the usage of solar panels would be allowed to do so. Hence: on-site usage. If someone wants to put solar on the roof of their shop, that is considered on-site usage. If a rice mill or an almond huller or a tomato processing plant chooses to place solar on their property and run their facilities off the use of solar, that is allowed (on-site usage).

In closing it would be a crime to allow Janus Solar and one individual land owner to convert 1,024 acres of prime agricultural ground into a commercial industrial solar facility that would have an adverse effect on surrounding land owners and residents being that it is not consistent with the rural character of Spring Valley and the hazards of a 5-acre battery storage facility to those same land owners and residents. I urge the Commission to deny the pending application for the major use permit.

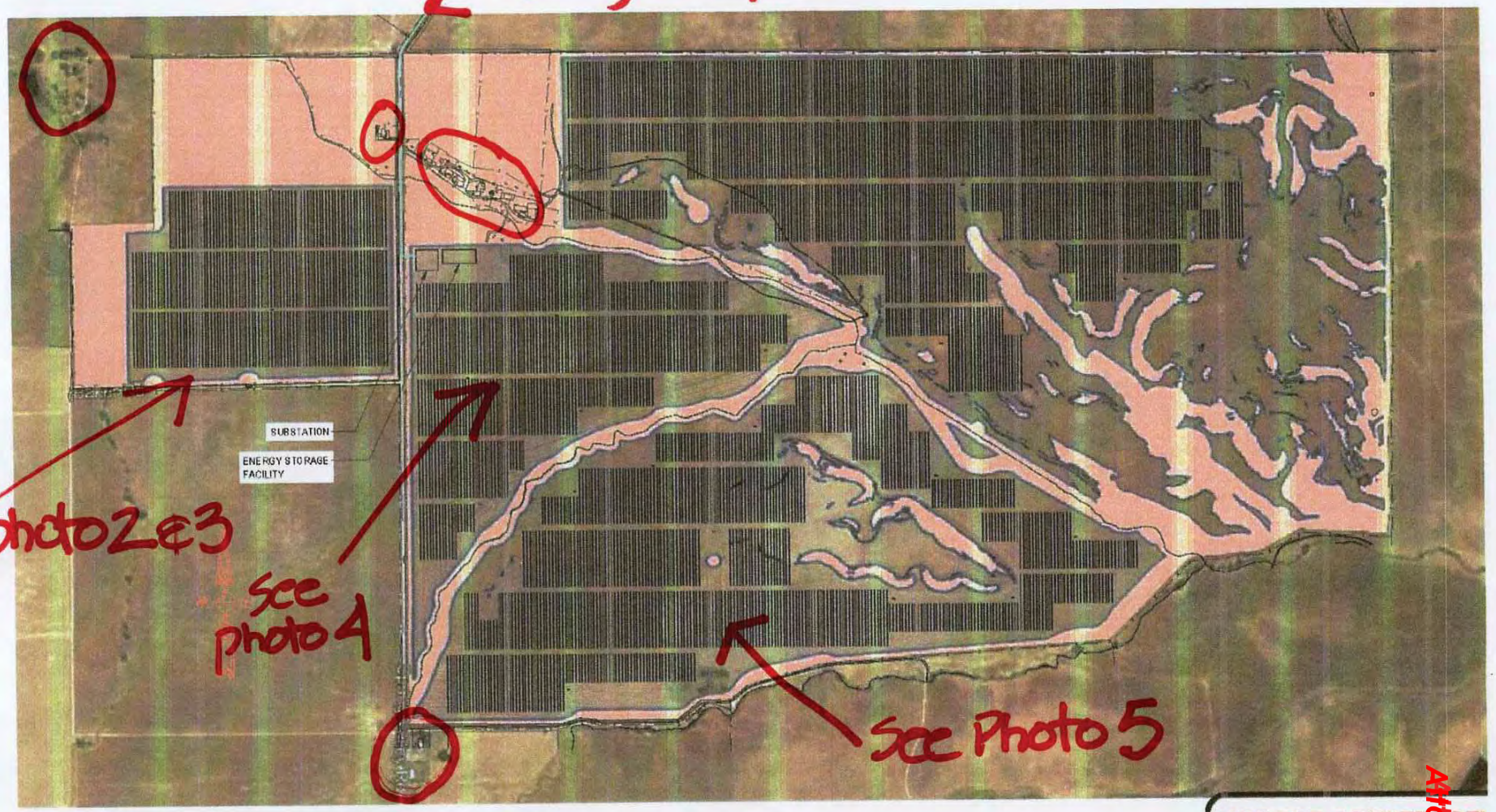
Sincerely,



Matthew Ferrini

Enclosures: Photo 1 – Proposed Project Layout
Photo 2 – Hay Crop West Side #1 (Location of proposed solar panels)
Photo 3 – Hay Crop West Side #2 (Location of proposed solar panels)
Photo 4 – Cattle Grazing East Side (Near proposed battery storage, substation, solar panels)
Photo 5 – Hay Crop South East Side (Location of proposed solar panels)

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Residential homes circled in red

Photo 1

Attachment #8.a
Attachment: Attachment #7 Matt Ferrini Comment Letter (9002 : Janus Solar Use Permit #20-01 (PD-3829))
Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))
Packet Pg. 1055
3.1.
3.2.h



Attachment #8.a

Attachment: Attachment #7 Matt Ferrini Comment Letter (9002 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Attachment #8.a

Attachment: Attachment #7 Matt Ferrini Comment Letter (9002 : Janus Solar Use Permit #20-01 (PD-3829))

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Attachment #8.a

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Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Attachment #8.a

Attachment: Attachment #7 Matt Ferrini Comment Letter (9002 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Jean Terkildsen
P.O. Box 562
Williams, CA 95987

March 27, 2023

Colusa County Planning Commission
1213 Market Street
Colusa, CA 95987

Re: Janus Solar Project/ Use Permit

Commissioners:

After reviewing the DEIR and Comments I am requesting the denial of a Use Permit for the Janus Solar-Battery Storage Project for the following reasons:

1. The Williamson Act:
   The purpose of this Act is to protect agriculture land from commercial and industrial use. The Janus Solar and Battery Storage Project is proposing the removal of 1,000 + acres from the Williamson Act. As a neighboring landowner, with land in the Williamson Act, I am concerned with future commercial and industrial encroachment along Spring Valley Road.

2. Property Values:
   The devaluation of adjacent property, due to the Janus Solar Project, should be considered before the project is allowed to continue. The negative impact on present and future agriculture development could be felt for years. As a fourth-generation family farm operation I strongly object to the approval of a Use Permit for this project.

3. Fire Protection:
   Fire protection is always a concern in rural areas. This project includes 196,000 solar panels and 5 acres for battery storage. A 50,000 gallon water tank is to be located on site, however, the source and supply of water has not been identified.
   A plan for fire protection and training of primarily a volunteer fire department has not been required before issuance of a Use Permit. These issues should be addressed before this project is allowed to proceed.

Please consider these concerns in denying the proposed Use Permit for the Janus Solar Project.

Very truly yours,

Jean Terkildsen

Jean Terkildsen

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COLUSA COUNTY Pioneer Review
430 Market Street, Suite G, Colusa, CA 95932
(530) 458-4141

Draft Proof

COUNTY OF COLUSA
547 MARKET ST., STE 102
COLUSA, CA 95932

NOTICE DESCRIPTION

NOTICE OF PUBLIC HEARING
FINAL ENVIRONMENTAL IMPACT REPORT
AND USE PERMIT FOR THE
JANUS SOLAR PROJECT

RUN DATES

03/16/2023

This is not an affidavit of publication.
You will receive the signed
affidavit of publication
within 5-days of publication date.

LEGAL NOTICE

COUNTY OF COLUSA

NOTICE OF PUBLIC HEARING
FINAL ENVIRONMENTAL IMPACT REPORT AND USE PERMIT FOR THE JANUS SOLAR PROJECT

NOTICE IS HEREBY GIVEN THAT that the Colusa County Planning Commission will conduct a Public Hearing on Wednesday, April 5, 2023 at 9:00 a.m., or as soon thereafter as the matter can be heard, in the Board of Supervisors Chambers located at 546 Jay Street, Suite 108, Colusa, CA, to consider the following:

PUBLIC HEARING: The Planning Commission will hold a public hearing to consider all public testimony on the adequacy of the response to comments to the Draft EIR previously prepared and circulated and whether to adopt a resolution which would: (1) certify the Final Environmental Impact Report (SCH Number 2020070577); adopt the Mitigation and Monitoring Reporting Program; and approve the Use Permit for the Janus Solar project (PD-3829/UP 20-01). All persons are invited to attend and be heard.

Project Location: The Project is approximately 6.5 miles southwest of the City of Williams. Access to the site is provided by Spring Valley Road and is approximately 1.64 miles to the south of the Spring Valley Road/Walnut Drive street intersection. The proposed Project would be located on three parcels (APN's 018-050-005, -006, and -013) totaling 1,023.9 acres currently used for cattle grazing in Colusa County, California. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site.

PROJECT DESCRIPTION: The project would include: (1) approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system and ancillary infrastructure; (2) a battery energy storage system (BESS) consisting of batteries, battery storage system enclosures, ancillary infrastructure and fire protection systems; (3) and an on-site substation that would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on new poles of up to 80 feet in height.

ENVIRONMENTAL REVIEW: The 45 day public comment period for the Draft EIR began on October 14, 2021 and ended on November 29, 2021. Comments received during the comment period were responded to and those comments and responses are included in the Final EIR.

DOCUMENT AVAILABILITY: The Final EIR, Draft EIR, Staff Report and other project documentation is available for review online at: https://www.countyofcolusa.org/996/Janus-Solar-Project. Hard copies are available for review at the Colusa Main Library at 738 Market St. in Colusa, CA 95932, the Williams Branch Library at 901 E Street in Williams, CA 95987, and the Community Development Department at 1213 Market Street, Colusa, CA. 95932, (530) 458-0480. Additional documentation is available for review in accordance with Agenda Scheduling Deadlines at the Office of the Clerk of the Board, 547 Market Street, Ste. 102, Colusa, CA (530)458-0508.

If you have questions or concerns regarding this matter, or would like to submit comments you may do so to the following: Secretary to the Planning Commission, 1213 Market Street, Colusa, CA (530)458-0483, or by e-mail at gplucker@countyofcolusa.com.

If you challenge the proposed project or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearing.

Dated: March 8, 2023

/s/ Melissa Kitts, Deputy Clerk

Attachment: Attachment #2 April 5 2023 Janus Solar Planning Commission Staff Report (9150 : Janus Solar Use Permit #20-01 (PD-3829))

MARCH 20, 2023

VIA EMAIL: GPLUCKER@COUNTYOFCOLUSA.COM
Greg Plucker
County of Colusa, Secretary to the Planning Commission
1213 Market Street
Colusa, CA 95932

Dear Mr. Plucker:

NOTICE OF PUBLIC HEARING: FINAL ENVIRONMENTAL IMPACT REPORT AND USE PERMIT FOR THE JANUS SOLAR PROJECT, SCH#2020070577

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Final Environmental Impact Report for the Janus Solar Project (Project). The Division monitors farmland conversion on a statewide basis, provides technical assistance regarding the Williamson Act, and administers various agricultural land conservation programs. We offer the following comments with respect to the Final Environmental Impact Report for the Janus Solar Project.

Project Description

The project would include: (1) approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system and ancillary infrastructure; (2) a battery energy storage system (BESS) consisting of batteries, battery storage system enclosures, ancillary infrastructure and fire protection systems; (3) and an on-site substation that would connect to the existing Cortina Substation via an approximately 3-mile-long, 60 kV gen-tie line strung on new poles of up to 80 feet in height. The entirety of the Project site is under a Williamson Act contract.

Department Comments

The Department notes that the lead agency adequately addressed the majority of its comments in its letter written in response to the projects Draft Environmental Impact Report. However, the lead agency did not address, nor comment on, the Department's recommendation for further discussion of the following issues:

- The Project's compatibility with, and/or, potential contract resolutions for lands within agricultural preserves and/or enrolled in a Williamson Act contract.
- If applicable, notification of Williamson Act contract non-renewal and/or cancellation.

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Thank you for giving us the opportunity to comment on the Final Environmental Impact Report for the Janus Solar Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Associate Environmental Planner via email at Farl.Grundy@conservation.ca.gov.

Sincerely,

Monique Wilber

Monique Wilber

Conservation Program Support Supervisor

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

March 24, 2023

Sent Via Email

Colusa County Planning Commissioners
1213 Market Street
Colusa, CA 95987

Re: Janus Solar Project Use Permit UP #20-01 (PD-3829)

Dear Commissioners,

I am writing this letter to express my opposition to the Janus Solar Project proposed along rural Spring Valley Road in Williams.

Reasons for opposition are as follows:

The APPLICATION AND PROJECT QUESTIONNAIRE submitted by Janus Solar PV on May 6, 2020, contains egregious inaccuracies regarding PROJECT IMPACTS and CERTIFICATION of "True and Correct information," leading to doubts about the competency, integrity, professionalism and honesty of the applicants and owners.
ie: Regarding YES / NO questions about the project or its effects:
"21.Change in scenic views or vistas from existing residential areas or public lands or roads - NO"
The application also contains obviously incorrect *NO* answers to questions 22, 24, and 29.
See Attachments #1& #2.

The proposed Janus Project is located on ground currently under Williamson Act Contract. Ground in the Williamson Act cannot be used for large-scale solar projects.
No notification of Cancellation has been received. On March 16, 2023, I virtually attended the Department of Conservation Williamson Act Cancellation Open Office Hours Presentation by staff member, Annie Giovacchini, who is in charge of Cancellations. The meeting included discussion of Government Code Section 51284 which says no contract may be cancelled without the extensive process of Public Hearings and Notifications.
Saying the Colusa County Board of Supervisors Williamson Act Ad-Hoc committee recommended cancellation on the project site contract is misleading in that it infers support, when in actuality, their recommendation confirms the incompatibility of a large-scale solar project on contracted land.

The loss of 1000 acres of productive grazing land to encroaching incompatible land use is not "insignificant"-it is substantial and the County currently holds a debatable position on that issue.
In The Responses to Public Comments, the County "disagreed" with with the California Department of Conservation's letter saying "The conversion of agricultural land represents a permanent reduction and significant impact to California's agricultural resources."

The threat to public health and safety due to fire has continued to be understated in the FEIR which increased the unfounded "No Impact" finding in the DEIR to "Less than Significant."
The proposed site is located in a designated HIGH Fire Hazard Safety Zone by the Cal Fire Office of the State Fire Marshal. See Attachment #3
The Wildfire Protection Measure should be submitted to the Williams Fire Authority PRIOR to granting of the Use Permit not afterward.

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

The Battery Storage Fire Management Plan should be submitted to the Williams Fire Authority PRIOR to the granting of the Use Permit not afterward.
Response to my Letter F contains the simplistic and seemingly unrealistic statement "The proposed Project is not expected to expose people or structure, either directly or indirectly, to a significant risk of loss, injury or death involving fires."
My opinion was formulated after considerable research including the following newspaper articles:
Energy Storage in Moss Landing: A smoky challenge to a new chapter ,
published June 12, 2022 in The Monterey Herald newspaper, and
Fire Crews Tend to massive smoldering battery in Chandler facility
published in the Arizona Republic newspaper on April 21, 2022.

The proposed project is incompatible with the existing rural character of Spring Valley Road. See Attachment #4.
The Agriculture Element of the General Plan states "Farming and related agriculture industries are not only the backbone of Colusa County's economy, they also play a central role in the way of life of County residents and help define the character of the County.
Policy AG-2 states its goal is to " Maintain and enhance agriculture as the County's most critical land use, economic sector and resource. "
Omitted from the FEIR comments is AG 2 1. i . "The use will not be detrimental to the rural character." Was this intentionally left out because it is proof of incompatibility?

I urge you to protect the beautiful Spring Valley Road area, its historic land use of grazing land for cattle and sheep and its future agricultural potential should the project site take advantage of being within the Westside Water District Boundary Area and become annexed and receive irrigation water for orchards and crops.

The proposed Janus Project will devalue the area both monetarily and aesthetically.

I urge you to deny the project developers request for Use Permit #20-01 (PD-3829).
I support maintaining the agricultural integrity of Spring Valley Road now and for the future.

Thank you for your consideration of this letter.

Sincerely,

Beth Ferrini Katsaris

Beth Ferrini Katsaris

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

16. If commercial, indicate the type, whether neighborhood, or regionally oriented, square footage of sales area, and loading facilities. N/A

17. If industrial, indicate type, estimated employment per shift, and loading facilities. N/A

18. If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project. N/A

19. If the project involves a variance, conditional use permit or rezoning application, state this and indicate clearly why the application is required. Energy generation for off-site use is permitted within the Foothill Agriculture Zone with approval of a Use Permit (Colusa County Zoning Ordinance §44-2.20.30).

Are the following items applicable to the project or its effects? Discuss below all items checked yes (attach additional sheets as necessary).

		YES	NO
20.	Change in existing features of any bays, tidelands, beaches, or hills, or substantial alteration of ground contours.	___	X
21.	Change in scenic views or vistas from existing residential areas or public lands or roads.	___	X
22.	Change in pattern, scale or character of general area of project.	___	X
23.	Significant amounts of solid waste or litter.	___	X
24.	Change in dust, ash, smoke, fumes or odors in vicinity.	___	X
25.	Change in ocean, bay, lake, stream or ground water quality or quantity, or alteration of existing drainage patterns.	___	X
26.	Substantial change in existing noise or vibration levels in the vicinity. ?	___	X
27.	Site on filled land or on slope of 10 percent or more.	___	X
28.	Use of disposal of potentially hazardous materials such as toxic substances, flammables or explosives.	___	X
29.	Substantial change in demand for municipal services (police, fire, water, sewage, etc.).	___	X
30.	Substantially increase fossil fuel consumption (electricity, oil, natural gas, etc.).	___	X
31.	Relationship to a larger project or series of projects.	___	X

ENVIRONMENTAL SETTING:

32. Describe the project site as it exists before the project, including information on topography, soil stability, plants and animals, and any cultural, historical or scenic aspects. Describe any existing structures on the site and their use. Attach photographs of the site. Snapshots or Polaroid photos will be accepted.

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Please see the attached Habitat Characterization Report (Attachment B) and the Phase I Environmental Site Assessment (Attachment C).

33. Describe the surrounding properties, including information on plants and animals and any cultural, historical or scenic aspects. Indicate the type of land use (residential, commercial, etc.), intensity or land use (one-family, apartment houses, shops, department stores, etc.). Attach photographs of the vicinity. Snapshots or Polaroid photos will be accepted.

The surrounding land use is rural. Properties are currently being used for cattle grazing, agriculture, and open space. There is a residence to the south of the Project site, and agricultural buildings to the west. Photographs of views of the surrounding properties are included as Attachment D.

CERTIFICATION:
I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements and information presented are true and correct to the best of my knowledge and belief.

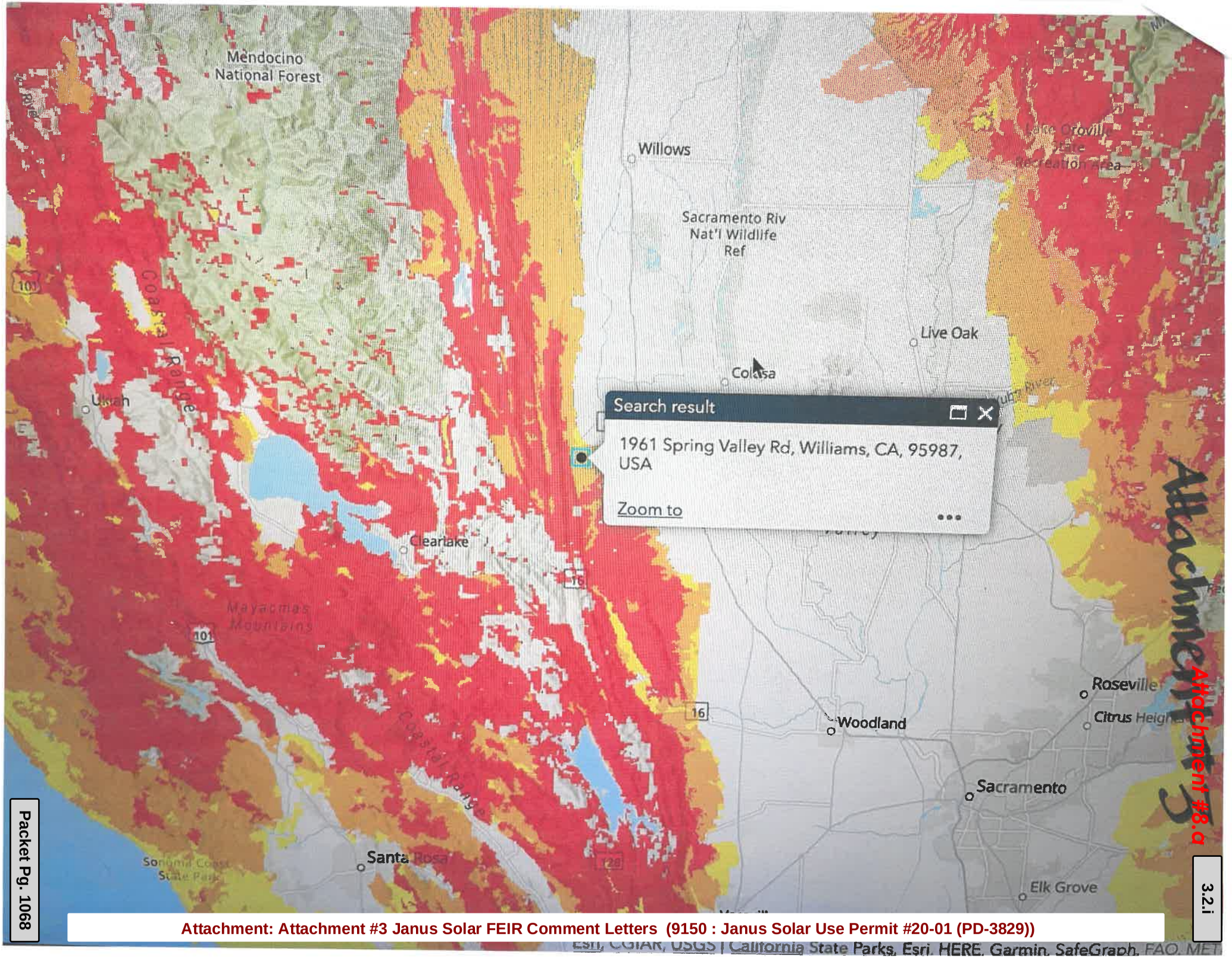
Date: 5/6/2020

Edward D. Melton III
Signature

For: Janus Solar PV, LLC

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Page 5- Application And Project Questionaire



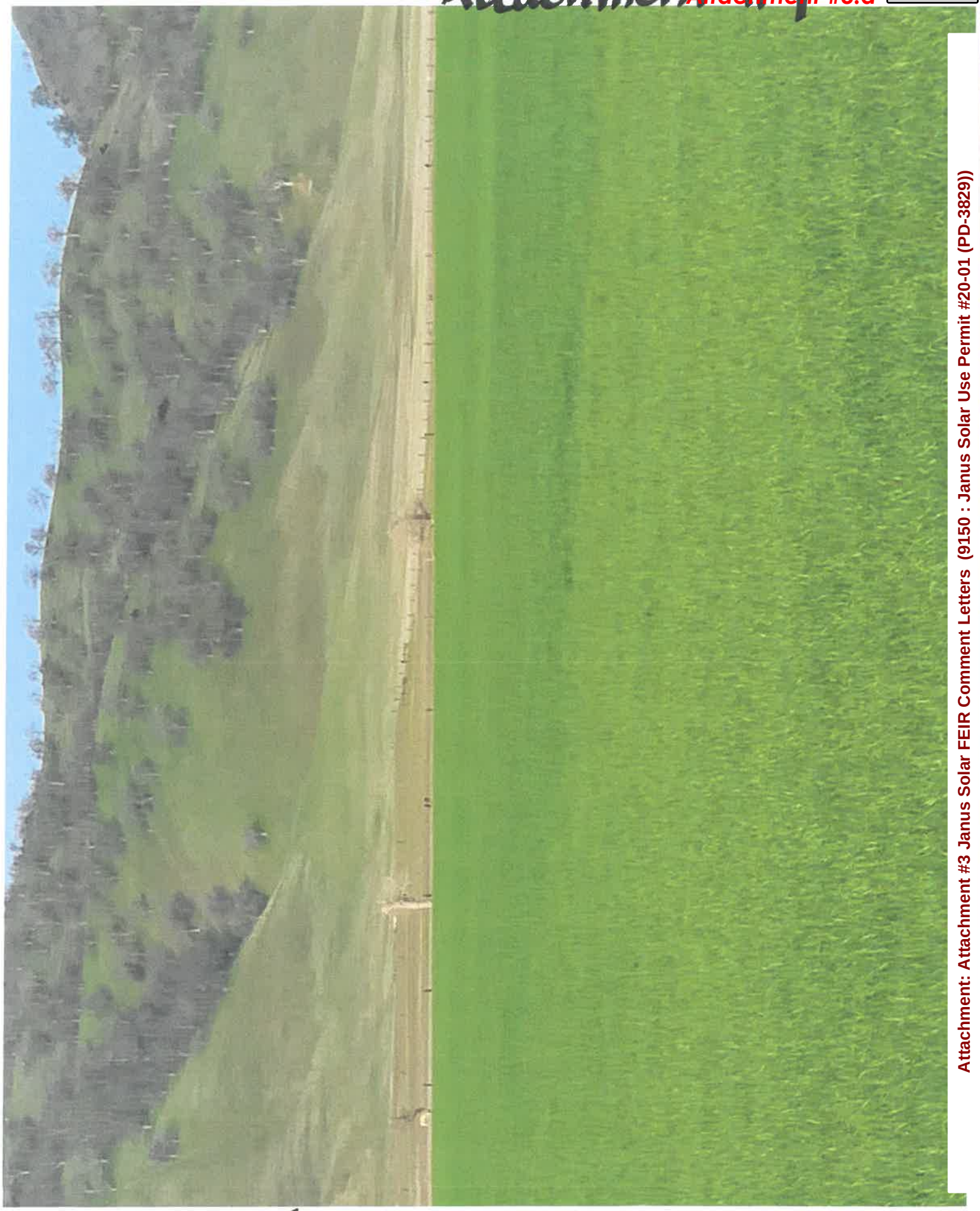
Attachment #3

Attachment #8.a

Packet Pg. 1068

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Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Spring Valley March 2023

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

CLARK & NELSON
ATTORNEYS AT LAW
521 MARKET STREET
POST OFFICE BOX 968
COLUSA, CALIFORNIA 95932
(530) 458-5157
FAX (530) 458-2183
dave.clarkandnelson@gmail.com

DAVID R. NELSON
CHARLES T. YERXA, JR.

ROBERT D. CLARK
(1935-2004)

RECEIVED
MAR 24 2023
COLUSA COUNTY DEPARTMENT OF PLANNING AND BUILDING

March 24, 2023

Colusa County Planning Commission
c/o Colusa Community Development Department
1213 Market Street
Colusa, CA 95932

Re: Janus Solar
Your Use Permit No. 20-01 (PD3829)

Ladies and Gentlemen:

On behalf of my clients, Jean Terkildsen, Matthew Ferrini and Elizabeth Katsaris, I submit the following written comments, which I request be included as a part of the record of the public hearing currently scheduled for April 5, 2023, concerning the Janus Solar Project requested Use Permit.

My comments relate to two fundamental requirements of the planning process that are lacking with this pending application for a Major Use Permit.

The two issues are:

(1) The project lacks consistency with Colusa County's General Plan; and

(2) The subject property is ineligible for inclusion within the Energy Production Overlay Zone.

The proposal before you requests that a Major Use Permit be granted to allow 1,024 acres of real property within the Foothill Ag Zoning Designation to be converted into a photovoltaic solar electric generating facility with 196,000 solar panels and a 5 acre battery storage area. The project would further result in 4 plus miles of above ground transmission lines that would connect to the PG&E Cortina Substation. The power produced from this solar electric generating facility would be utilized off-site.

1. Lack of Consistency with the General Plan: The Colusa County General Plan states in Policy AG 2:1 the following:

"Agricultural related industrial support operations shall be permitted on agricultural lands. Such uses may include, but are not limited to, processing, assembly, distribution and warehousing of agricultural materials and commodities and alternate energy systems

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

that provide energy for on-site uses (emphasis added). These uses should be permitted on agricultural lands as principal permitted uses subject to the standards of the zoning ordinance provided the following findings are made:

a. The use provides a needed service to the surrounding agricultural area which cannot be provided more efficiently within designated industrial or commercial areas or which requires location in a non-urban area because of unusual site requirements, operational characteristics, or proximity to agricultural goods and products.

b. The use avoids prime agricultural lands to the greatest extent feasible.

c. If the use is sited on productive agricultural lands, less productive agricultural lands are not available in the vicinity.

d. The operational or physical characteristics of the use will not have a significant adverse impact on water resources or the use or management of surrounding agricultural properties within at least a quarter mile (1/4) radius.

e. The use supports local agricultural production.

f. The use is compatible with existing uses in the area.

g. The use will not adversely affect agricultural production in the area.

h. The use will not result in significant adverse traffic or air quality impacts.

i. The use will not be detrimental to the rural character of the area."

California Land Use Planning Law is settled with regard to the fact that county zoning ordinances must be consistent with the General Plan. Government Code Section 65860 states:

"(a) County or city zoning ordinances shall be consistent with the General Plan of the county or city by January 1, 1974. A zoning ordinance

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

> shall be consistent with a city or county General Plan only if both of the following conditions are met:
>
> (1) The city or county has officially adopted such a plan.
>
> (2) The various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in the plan."

In the pending application for a Major Use Permit, the lack of consistency with the General Plan is unequivocal, as the General Plan restricts alternate energy systems for on-site uses only. This project is for off-site use.

The project proponent asserts that the project meets the consistency standard because Colusa County Zoning Ordinance, Article 44-2.20.30 allows energy generation for off-site use within the FA zone. This assertion is contrary to California law. In Orange Citizens for Park and Recreation v. The Superior Court of Orange County (2016) 2 Cal.5th 141, the California Supreme Court held:

> "The propriety of virtually any local decision affecting land use and development depends upon consistency with the applicable General Plan and its elements." At page 153.

The settled law of California is that the General Plan is at the top of the hierarchy of local government law regulating land use. Subordinate to the General Plan are zoning laws. Use Permits are a part of the zoning ordinance process and thereby are subordinate to General Plan provisions. Neighborhood Action Group v. Calaveras County (1984) 156 Cal.App.3d 1176. In light of the land use hierarchy set forth above, provisions within Section 44-2.20.30 of the Colusa County Zoning Ordinance cannot supercede the specific provisions of General Plan Policy AG 2-1, which allows alternative energy systems for only on-site uses. In further discussing consistency with the General Plan, the courts have held a zoning ordinance that conflicts with a General Plan is invalid. Lesher Communications v. Walnut Creek (1990) 52 Cal.3d 535. In Lesher, the Supreme Court states:

> "The Planning and Zoning Law does not contemplate that general plans will be amended to conform to zoning ordinances. The tail does not wag the dog. The general plan is the charter to which the ordinance must conform." At page 541.

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

This project and its proposed off-site use of the generated electricity lacks consistency with the Colusa County General Plan and therefore this application is fundamentally flawed and must be denied.

2. The Subject Property is Ineligible for Inclusion Within the Energy Production Overlay Zone:

The project proponent further asserts that the proposed project is permissible due to the provisions of Colusa County Zoning Ordinance Article 44-2.80.020, Energy Production (EP) Overlay Zone. The purpose of the Energy Production Overlay Zone is intended to identify and designate areas suitable for the development of large scale commercial energy facilities and to streamline the approval of such facilities. The application of the EP Overlay Zone should be based on the availability of resources, the location of existing or proposed infrastructure and the potential for commercial energy facilities to be appropriately cited to effectively mitigate potential significant impacts.

However, specific criteria is set forth within the section with regard to designating and applying the EP Overlay Zone to specific properties. Section 44-2.80.020 (C) states in part the following:

> "Criteria for Designation. The EP Overlay Zone may be applied only to property meeting all of the following designation criteria:
>
> a...
> b. The EP Overlay Zone shall not be placed on any property under Williamson Act Contract unless power energeration facilities are specifically allowed under the contract.
> c...
> d..."

As clearly indicated in the Application and Project Questionnaire completed by the project proponent, the subject property was, at the time of application, and remains, as confirmed by the Colusa County Assessor's Office, under a Williamson Act Contract.

As such, the provisions of the EP Overlay Zone are not applicable to the subject property.

The proponent and apparently County staff believe that they can avoid the exclusion of Williamson Act property from the EP Overlay Zone by an after the fact removal of the subject property from their Williamson Act Contract. In addressing this issue, our California

CLARK & NELSON
ATTORNEYS AT LAW

Supreme Court has held:

> "The validity of the ordinance under which permits are granted, or pursuant to which development is regulated, may not turn on possible future action by the legislative body or electorate." Lesher Communications v. Walnut Creek (supra). At page 544.

Only the General Plan and Zoning Ordinances in effect at the time of project approval is relevant in determining inconsistency with the General Plan and/or inconsistency with conditions of the zoning ordinance. Future action of the Board of Supervisors to cancel the Williamson Act cannot serve to make the subject property eligible for designation under the EP Overlay Zone.

The properties inclusion under a Williamson Act Contract prohibits any present consideration of proceeding with the project under the auspices of the EP Overlay Zone.

Conclusion: I apologize for the legalese included in these comments. However, I believe it is of utmost importance that you understand the fundamental legal criteria that applies to this pending application.

As stated herein, the application before you must be denied as lacking consistency with the General Plan and being ineligible for designation under the EP Overlay Zone. There are any number of additional concerns with respect to the project and that relate to the mandatory findings that must be made under General Plan Policy AG 2:1. I am confident that numerous members of the community will address these concerns at the public hearing.

Thank you for your consideration of the matters set forth herein.

Respectfully submitted,

CLARK & NELSON
Attorneys for Jean Terkildsen, Matthew Ferrini and Elizabeth Katsaris

By _____
David R. Nelson

DRN:d
cc: Colusa County Community Development Dept.
Colusa County Counsel
Client

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

Matthew Ferrini
PO Box 415
Williams, CA 95987

March 27, 2023

Colusa County Planning Commission
1213 Market Street
Colusa, CA 95932

Dear Colusa County Planning Commissioners:

As an active farmer of land located adjacent to the proposed Janus Solar Project, I am writing to urge you to deny Use Permit #20-01 (PD) 3829. My comments today are to express my opposition to this project.

First, I would like to invite all of you to take a ride out to Spring Valley and visit the proposed site (if you haven't already). Along your travels pay close attention beginning with the intersection of East Camp Road and Walnut Drive where the PG&E substation is located and where this project will tie into from 4 ½ miles down Spring Valley Road. As you are heading west along the 4 ½ mile drive to the proposed solar site, pay close attention to both sides of Spring Valley Road and you will notice the prime agricultural ground. Once you reach the site I ask you to visualize what 196,000 solar panels, a 5-acre battery storage facility and a substation will look like where livestock have grazed and wheat, barley and hay crops have grown for over 150 years and still do so today. Please see the five photos I have enclosed. Photo 1 is a photo of the proposed site displaying the solar panels, the battery storage and the substation. Photos 2 and 3 show the hay crop growing today on the west side of Spring Valley Road where there are proposed solar panels. Photo 4 shows cattle grazing today on the east side of Spring Valley Road near the proposed 5-acre battery storage, substation and more solar panels. Photo 5 shows the current hay crop on the south east side where there are proposed solar panels. With regard to Photo 1, I have circled multiple residential homes located on or right next to the proposed project.

In the 1850's a man named William H. Williams, the founder of the town of Williams, was one of the first to settle in Spring Valley because of its virgin soils and its ability to run livestock and farm his wheat and barley. He recognized the land in Spring Valley was prime agricultural ground and had many successes in Spring Valley. With this being said my point is contrary to what Janus Solar would lead you to believe. Spring Valley is NOT like the Central California Valley desert. It continues to be prime agricultural ground. With today's new technologies and farming methods, and because the proposed project site is located in the West Side Water District and is able to be annexed into the District, the farming possibilities are unlimited to what can be done in this area. Adjacent land owners who have chosen to join the District have proven this land is full of farming opportunity for those willing to work and to engage in the work of farming.

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

I believe that Janus Solar, a giant solar corporation, knows nothing about Colusa County's historical agricultural foundations and is exploiting the residents and land owners of the county by the proposed heinous misuse of the land in regard to the language of the General Plan which allows for alternate energy systems on agricultural lands for on-site usage only (not for an industrial commercial solar facility with a 5-acre battery storage facility and substation along with a 4 ½ mile transmission line to be used for off-site generation of power for sale). Please refer to the Colusa County General Plan Policy AG 2:1 for reference. Let's face the facts. This policy was written so that farmers wanting to run their pumps off the usage of solar panels would be allowed to do so. Hence: on-site usage. If someone wants to put solar on the roof of their shop, that is considered on-site usage. If a rice mill or an almond huller or a tomato processing plant chooses to place solar on their property and run their facilities off the use of solar, that is allowed (on-site usage).

In closing it would be a crime to allow Janus Solar and one individual land owner to convert 1,024 acres of prime agricultural ground into a commercial industrial solar facility that would have an adverse effect on surrounding land owners and residents being that it is not consistent with the rural character of Spring Valley and the hazards of a 5-acre battery storage facility to those same land owners and residents. I urge the Commission to deny the pending application for the major use permit.

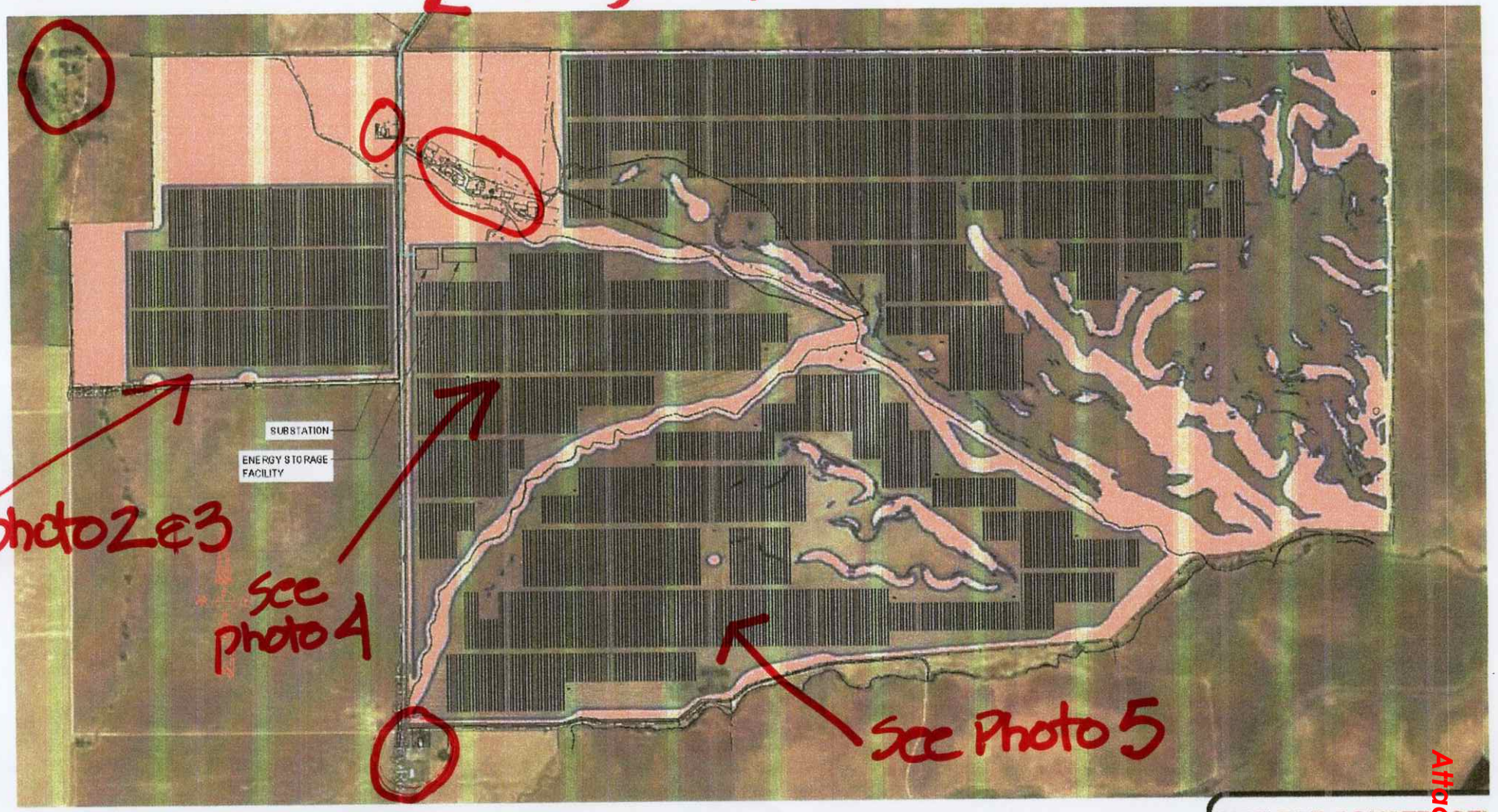
Sincerely,



Matthew Ferrini

Enclosures: Photo 1 – Proposed Project Layout
Photo 2 – Hay Crop West Side #1 (Location of proposed solar panels)
Photo 3 – Hay Crop West Side #2 (Location of proposed solar panels)
Photo 4 – Cattle Grazing East Side (Near proposed battery storage, substation, solar panels)
Photo 5 – Hay Crop South East Side (Location of proposed solar panels)

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))



Residential homes circled in red

Photo 1

Attachment #8.a
Packet Pg. 1077
3.2.i
Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))


Photo 2 Hay Crop
Westside #1


Photo 3 Haycrop
Westside #2



Attachment #8.c


Photo 5 S.E. side
Hay Crop

Jean Terkildsen
P.O. Box 562
Williams, CA 95987

March 27, 2023

Colusa County Planning Commission
1213 Market Street
Colusa, CA 95987

Re: Janus Solar Project/ Use Permit

Commissioners:

After reviewing the DEIR and Comments I am requesting the denial of a Use Permit for the Janus Solar-Battery Storage Project for the following reasons:

1. The Williamson Act:
   The purpose of this Act is to protect agriculture land from commercial and industrial use. The Janus Solar and Battery Storage Project is proposing the removal of 1,000 + acres from the Williamson Act. As a neighboring landowner, with land in the Williamson Act, I am concerned with future commercial and industrial encroachment along Spring Valley Road.

2. Property Values:
   The devaluation of adjacent property, due to the Janus Solar Project, should be considered before the project is allowed to continue. The negative impact on present and future agriculture development could be felt for years. As a fourth-generation family farm operation I strongly object to the approval of a Use Permit for this project.

3. Fire Protection:
   Fire protection is always a concern in rural areas. This project includes 196,000 solar panels and 5 acres for battery storage. A 50,000 gallon water tank is to be located on site, however, the source and supply of water has not been identified.
   A plan for fire protection and training of primarily a volunteer fire department has not been required before issuance of a Use Permit. These issues should be addressed before this project is allowed to proceed.

Please consider these concerns in denying the proposed Use Permit for the Janus Solar Project.

Very truly yours,

Jean Terkildsen

Jean Terkildsen

Attachment: Attachment #3 Janus Solar FEIR Comment Letters (9150 : Janus Solar Use Permit #20-01 (PD-3829))

RESOLUTION NO. 02- 82

A RESOLUTION OF THE COLUSA COUNTY BOARD OF SUPERVISORS **AMENDING EXHIBIT A TO RESOLUTION 82-67** RELATING TO THE IMPLEMENTATION OF THE CALIFORNIA LAND CONSERVATION ACT IN COLUSA COUNTY (WILLIAMSON ACT)

WHEREAS, the COUNTY OF COLUSA, as a condition of implementing the California Land Conservation Act, is required to establish rules to govern the administration of agricultural preserves and for initiating, filing and processing requests to establish agricultural preserves; and

WHEREAS, Resolution 82-67, adopted on October 12, 1982, set forth the guidelines for establishment of agricultural preserves; and

WHEREAS, Exhibit "A" to Resolution 82-67 enumerated the agricultural uses and compatible uses pertaining to agricultural preserves; and

WHEREAS, the compatible uses enumerated in Exhibit "A" of Resolution 82-67 require further clarification therein.

NOW, THEREFORE, BE IT RESOLVED that Exhibit "A" of Resolution 82-67 is hereby amended as set forth in Exhibit "A" attached hereto, and substituted in its place and stead.

PASSED AND ADOPTED by the Board of Supervisors of the County of Colusa, State of California, this 17th day of DECEMBER 2002 by the following vote:

AYES: Supervisors Womble, Scofield, Marshall, White and Waite

NOES: None.

ABSENT: None.

William R. Waite
Chairman of the Board of Supervisors

ATTEST: Kathleen Moran, Clerk/Recorder
and Ex-Officio Clerk to the Board of Supervisors

By Sue Grave, Deputy

APPROVED AS TO FORM:

Donald F. Stanton
Colusa County Counsel

Attachment: Attachment #4 Colusa County's Williamson Act Permitted and Compatible Uses (9150 : Janus Solar Use Permit #20-01 (PD-3829))

STATEMENT OF AGRICULTURAL AND COMPATIBLE USE FOR AGRICULTURAL PRESERVE NUMBERS ONE AND TWO AND FARMLAND SECURITY ZONE

A. AGRICULTURAL USES

1. Agriculture, including any customary agricultural buildings and structures and such uses as, but not limited to, livestock ranges, animal husbandry, field crops, fallow, lands withdrawn from production pursuant to Federal agricultural programs such as, but not limited to, that authorized by the Crop and Adjustment Act, tree crops, nurseries and greenhouses together with all necessary equipment and facilities for support and maintenance of the operation.

2. Animal feed yards when more than 1000 feet from any existing dwelling.

3. Hog farms.

B. COMPATIBLE USES

1. Ranch and farm dwellings appurtenant to a principal agricultural use.

2. Drilling and operating of oil and gas wells for which a conditional use permit has been granted.

3. Electrical distribution substations.

4. Recreational uses for which a conditional use permit has been granted.

5. Living quarters of persons employed on the premises and relatives of the property owner or lessee.

6. Agricultural labor camps.

7. Mobile homes may be used as living quarters when they are located on land used for agricultural purposes and are appurtenant to such agricultural use, provided that there may not be more than one mobile home for each ten (10) acres of total site area.

8. Temporary shelters for herdsmen including mobile homes, wagons, and tents.

9. Guest houses, not rented or otherwise conducted as a business.

10. Home occupations.

11. Offices incidental and necessary to the conduct of a principal permitted use.

Attachment: Attachment #4 Colusa County's Williamson Act Permitted and Compatible Uses (9150 : Janus Solar Use Permit #20-01 (PD-3829))

12. Private garages, private parking areas, and private stables.

13. Roadside stands for the sale of agricultural products primarily grown in the local area.

14. Name plates and signs appurtenant to any permitted use including, but not limited to, temporary real estate signs advertising the sale, rental, or lease of the premises upon which the sign is located.

15. Temporary landing strips appurtenant to a principal permitted use.

16. Other accessory uses and buildings customarily appurtenant to a permitted use including, but not limited to, almond hulling, fruit, grain and bean storage and drying when such products are primarily produced on the premises.

17. Any customary agricultural building, structure or dwelling appurtenant to an agricultural use no longer necessary for the operation of the principal use may be rented or leased for similar use.

18. Hunting clubs or hunting activities for which a conditional use permit has been granted which permit hunting only during the dormant or winter fallow agricultural season. More particularly, the act of hunting does not begin until after harvest and ceases before planting season begins.

19. The erection, construction, alteration or maintenance of gas, electric, water, or communication utility facilities.

Attachment: Attachment #4 Colusa County's Williamson Act Permitted and Compatible Uses (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COLUSA COUNTY BOARD OF SUPERVISORS
Clerk of the Board
546 Jay Street
Colusa, CA 95932
530-458-0508
cocolusa@colusanet.com

AGENDA TIME:

AGENDA REQUEST FORM

1.) Meeting Date:	2.) Department/Organization:	3.) Name:	4.) Phone:
12-17-02	Planning & Building	Stephen Hackney	458-0480

5.) Timed Item ☐ 6.) Numbered Item ☒ 7.) Consent Item ☐ 8.) Estimated Time:

9). Request:

Consider Resolution Amending Exhibit A to Resolution 82-67 Relating to the Implementation of the California Land Conservation Act in Colusa County (Williamson Act).

10.) Documentation:

See attached Resolution.

11.) Signature Requirements:

Requires signature from Chairman, Clerk, and County Counsel.

12) Notes:

Return copy to Planning & Building.

FOR CLERK USE ONLY

Board Action: Approved ☒ Denied ☐ Approve with Revisions ☐

Set Public Hearing for:_____ Continued to: _____

Referred/Direction to:_____

Other: 02-82

VOTE: All yes ☐ NOES:_____ ABSTAIN:_____

Notes:

Attachment: Attachment #4 Colusa County's Williamson Act Permitted and Compatible Uses (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COLUSA COUNTY BOARD OF SUPERVISORS
Clerk of the Board
546 Jay Street
Colusa, CA 95932
(530) 458-0508/0509
cocolusa@colusanet.com

BACKGROUND INFORMATION

Meeting Date:	Department:	Name:	Phone:
December 17, 2002	Planning & Building	Stephen Hackney	458-0480

SUBJECT

Resolution amending Exhibit A to Resolution 82-67 relating to the implementation of the California Land Conservation Act in Colusa County (Williamson Act).

REQUEST

Consider Resolution.

FINANCIAL

N/A

ALTERNATIVES

N/A

PRIOR REVIEW/OTHER DEPARTMENT INVOLVEMENT

Resolution prepared by County Counsel.

RECOMMENDATION

Adopt Resolution.

Attachment: Attachment #4 Colusa County's Williamson Act Permitted and Compatible Uses (9150 : Janus Solar Use Permit #20-01 (PD-3829))

PATWIN CULTURAL PROTECTION AND PRESERVATION PLAN

YOCHA DEHE WINTUN NATION

CACHIL DEHE WINTUN

CORTINA RANCHERIA Kletsel Dehe BAND OF WINTUN INDIANS OF CALIFORNIA

PREAMBLE

Three sovereign tribes – the Cachil Dehe, Kletsel Dehe and Yocha Dehe (the "Tribes") – are joining together to support and strengthen our shared interest in preserving and protecting our common Patwin history and culture. People of Cachil Dehe, Kletsel Dehe and Yocha Dehe traditionally occupied lands in Yolo, Colusa, Sutter, Solano, Butte, Napa, and Lake Counties. Lands throughout these counties are full of cultural and sacred resources important to our Tribes.

STATEMENT OF INTENT

Cachil Dehe, Kletsel Dehe and Yocha Dehe are exercising our sovereign duty to protect each Tribe's individual and collective right to preserve our common history and culture. With great respect for traditional cultural authority, each Tribe pledges mutual support to the other in defending our sacred sites and cultural resources.

Cachil Dehe, Kletsel Dehe and Yocha Dehe are exercising inherent rights to our own cultural items. All cultural items held in private or public institutions, universities or museums should be repatriated. No further cultural items should be taken from us. We value and respect our culture and ancestors and want to welcome them home.

DECLARATION

Cachil Dehe, Kletsel Dehe and Yocha Dehe declare our common interest in protecting our sacred sites and cultural resources. We will stand together to ensure the protection of Patwin sacred sites and cultural resources. We recognize our common values regarding burial disturbances. Each Tribe shall determine what it considers to be a sacred site or cultural resources.

Attachment: Attachment #5 Patwin Cultural Protection Preservation Plan (9150 : Janus Solar Use Permit #20-01 (PD-3829))

PATWIN CULTURAL PROTECTION AND PRESERVATION PLAN

PRINCIPLES IMPORTANT TO CULTURAL RESOURCE PROTECTION

Our Tribes adopt the principles of the United Nations Declaration on the Rights of Indigenous People. We include the most important Articles here for emphasis.

Article 11 We have the right to practice and revitalize our cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of our cultures, such as archaeological and historical sites, artifacts, designs, ceremonies, technologies, and cultural arts such as dance, basket making, songs and storytelling.

Article 12 We have the right to manifest, practice, develop and teach our spiritual and religious traditions, customs and ceremonies; the right to maintain, protect, and have access in privacy to our religious and cultural sites; the right to the use and control of our ceremonial objects; and the right to the repatriation of our human remains.

Article 13 We have the right to revitalize, use, develop and transmit to future generations our histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain our own names for communities, places and persons.

Article 14 We have the right to establish and control our educational systems and institutions providing education in our own languages, in a manner appropriate to our cultural methods of teaching and learning.

Article 25 We have the right to maintain and strengthen our distinctive spiritual relationship with our traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold our responsibilities to future generations in this regard.

Article 31 We have the right to maintain, control, protect and develop our cultural heritage, traditional knowledge and traditional cultural expressions and manifestations of our sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. We also have the right to maintain, control, protect and develop our intellectual property over such cultural heritage, traditional knowledge and traditional cultural expressions.

Attachment: Attachment #5 Patwin Cultural Protection Preservation Plan (9150 : Janus Solar Use Permit #20-01 (PD-3829))

PATWIN CULTURAL PROTECTION AND PRESERVATION PLAN

NOTICE AND CONSULTATION

If sacred sites are likely to be impacted by a proposed land use, protective protocols must be followed through notification of and consultation with the Tribes. Proper notice and Meaningful Consultation is necessary to protect the dignity of sacred sites affected by proposed land use.

Notification and consultation are two separate principles. However, both notice and Meaningful Consultation must be early in any proposed land use planning. The Tribes are more aware of which locations contain, or are more likely to contain, sacred or cultural resources and early involvement and consultation with the Tribes is the best way to avoid delay. Notification of a potential impact should be made as early as possible, as soon as it is known or believed that an area that includes a proposed land use could contain cultural resources that could be impacted.

Counties and agencies should consider involving the Tribes in the planning process and provide the Tribes a seat on appropriate advisory committees involving project planning.

What is considered Meaningful Consultation will vary depending on each situation. However, Meaningful Consultation will at least include:

(1) In-person consultation with the tribal government;
(2) Good faith attempts to resolve whatever issues need to be resolved;
(3) Using whatever methods are necessary to address the Tribes' concerns.

Each Tribe's tribal government speaks on behalf of the Tribe.

TRIBAL MONITORING AND TREATMENT PROTOCOLS

Counties and agencies should ensure that Tribal monitors are on site during any ground-disturbing activity that could potentially impact sacred or cultural resources.

If a Tribe determines avoidance isn't possible then re-burial in a close location shall be an alternative. Tribes will define close location depending upon the

Attachment: Attachment #5 Patwin Cultural Protection Preservation Plan (9150 : Janus Solar Use Permit #20-01 (PD-3829))

nature of the site and seek to identify an area that is as close as possible, but in an area that will not be disturbed.

TREATMENT PROTOCOLS

The Tribes see it as necessary and proper to consult with Tribal Knowledge Keepers and Tribal Cultural Authority to follow traditional ways. The Tribes' first guiding principle is total avoidance of disturbing human remains or cultural resources.

If authorized by the Tribes' it is acceptable to move cultural or funerary items **only if** the project that is impacting the cultural resource cannot be stopped or relocated. If an item must be moved, the first preference is to relocate in within area it came from, as close as possible, to a location that will not be further disturbed.

If an item must be moved, it may be stored in a temporary repository that allows the Tribes to maintain physical control over the items. Unless authorized by the Tribes' no human remains or cultural resources shall be moved for permanent curation. Items that the Tribes deem acceptable for curation shall be placed with a Tribal curator if available.

Tribal Knowledge Keepers and Tribal Cultural Authority will be appointed or identified by each Tribe.

INCORPORATING TRIBAL TREATMENT PROTOCOLS

Counties and agencies should incorporate the Tribes' treatment protocols for the handing of human remains and cultural items affiliated with a Tribe. If human remains are discovered the party or agency should notify the appropriate authorities and conduct Meaningful Consultation with the Tribe as to the appropriate treatment protocol. All cultural resources, as determined by the Tribes should be turned over to the Tribe for appropriate treatment. All cultural resources turned over to a Tribe shall be handled in accordance with the Tribe's treatment protocols.

Attachment: Attachment #5 Patwin Cultural Protection Preservation Plan (9150 : Janus Solar Use Permit #20-01 (PD-3829))

PATWIN CULTURAL PROTECTION AND PRESERVATION PLAN

SIGNATORIES

Each Tribe acknowledges and freely joins this Patwin Cultural Protection and Preservation Plan.

CACHIL DEHE BAND OF WINTUN INDIANS OF THE COLUSA INDIAN COMMUNITY

02 . 21 . 14

Chairman Wayne R. Mitchum Jr. Date

CORTINA RANCHERIA KLETSEL DEHE BAND OF WINTUN INDIANS

2-21-2014

Chairman Charlie Wright Date

YOCHA DEHE WINTUN NATION

2-21-2014

Chairman Marshall McKay Date

Attachment: Attachment #5 Patwin Cultural Protection Preservation Plan (9150 : Janus Solar Use Permit #20-01 (PD-3829))

COLUSA COUNTY Pioneer Review
430 Market Street, Suite G, Colusa, CA 95932
(530) 458-4141

Draft Proof

COUNTY OF COLUSA
547 MARKET ST., STE 102
COLUSA, CA 95932

NOTICE DESCRIPTION

NOTICE OF PUBLIC HEARING:
FINAL ENVIRONMENTAL IMPACT REPORT
AND USE PERMIT
FOR THE JANUS SOLAR PROJECT

RUN DATES

07/13/2023

This is not an affidavit of publication.
You will receive the signed
affidavit of publication
within 5-days of publication date.

COUNTY OF COLUSA

NOTICE OF PUBLIC HEARING: FINAL ENVIRONMENTAL IMPACT REPORT AND USE PERMIT FOR THE JANUS SOLAR PROJECT

NOTICE IS HEREBY GIVEN THAT that the Colusa County Planning Commission will conduct a Public Hearing on Wednesday, August 2, 2023 at 9:00 a.m., or as soon thereafter as the matter can be heard, in the Board of Supervisors Chambers located at 546 Jay Street, Suite 108, Colusa, CA, 95932 to consider the following:

Public Hearing: The Planning Commission will hold a public hearing to consider all public testimony on the adequacy of the response to comments to the Draft EIR previously prepared and circulated and whether to adopt a resolution which would: (1) certify the Final Environmental Impact Report (SCH Number 2020070577) with minor DEIR amendments; (2) adopt a Mitigation and Monitoring Reporting Program; and (3) approve the Use Permit for the Janus Solar project (PD-3829/UP 20-01). All persons are invited to attend and be heard.

Project Location: The Project is approximately 6.5 miles southwest of the City of Williams. Access to the site is provided by Spring Valley Road and is approximately 1.64 miles to the south of the Spring Valley Road/Walnut Drive street intersection. The proposed Project would be located on three parcels (APN's 018-050-005, -006, and -013) totaling 1,023.9 acres. The Project would connect to the Cortina Substation, located on Walnut Drive, approximately 3 miles northeast of the Project site.

Project Description: The project would include: (1) approximately 196,000 solar PV modules in multiple solar arrays interconnected to form a utility-scale PV system and ancillary infrastructure; (2) a battery energy storage system (BESS) consisting of batteries, battery storage system enclosures, ancillary infrastructure and fire protection systems; (3) and an on-site substation that would connect to the existing Cortina Substation via a 60 kV gen-tie line installed on new poles approximately 80 feet in height.

Environmental Review: The 45-day public comment period for the Draft EIR began on October 14, 2021 and ended on November 29, 2021. Comments received during the comment period were responded to and those comments and responses are included in the Final EIR. Comments to the Final EIR have also been received, are available for review, and are discussed in the project documentation.

Document Availability: The Final EIR, Draft EIR, Staff Report and all other project documentation is available for review online at: https://www.countyofcolusa.org/996/Janus-Solar-Project. Hard copies are available for review at the Colusa Main Library at 738 Market St. in Colusa, CA 95932, the Williams Branch Library at 901 E Street in Williams, CA 95987, and the Community Development Department at 1213 Market Street, Colusa, CA. 95932, (530) 458-0480. Additional documentation is available for review in accordance with Agenda Scheduling Deadlines at the Office of the Clerk of the Board, 547 Market Street, Ste. 102, Colusa, CA (530)458-0508.

If you have questions or concerns regarding this matter, or would like to submit comments, you may do so to the following: Secretary to the Planning Commission, 1213 Market Street, Colusa, CA (530)458-0483, or by e-mail at gplucker@countyofcolusa.com.

If you challenge the proposed project or environmental determination in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered at, or prior to, the public hearing.

Dated: July 10, 2023

/s/ Melissa Kitts, Deputy Clerk

07/132023 - CCPR # 2023-0447

Attachment: 08-02-23 Janus Solar Project - Notice of Public Hearing (9150 : Janus Solar Use Permit #20-01 (PD-3829))