

July 31, 2024

TO: County of Colusa
Community Development Department
1213 Market Street
Colusa, CA 95932
Sent via email: gplucker@countyofcolusa.com

FROM: Antoinette Marsh, antemmarsh@gmail.com

RE: Notice of Preparation, Draft Environmental Impact Report for the Proposed Janus Solar and Battery Storage Project

This correspondence and attached files are in addition to my contributions provided in a prior correspondence dated July 25, 2023. I would kindly request confirmation of receipt via email.

To be compliant with Title 14 of the California Code of Regulations (CCR) Section 15082, beside complying with the time, notice and method of notice requirement, the information provided should include properly stated information containing sufficient information for the agencies to apply the “best available science,” to the project (Sierra Club v. Wagner, 2008).

As I read the Notice of Preparation, June 24, 2024, I noted several issues which could cause confusion or the inability of an agency to apply “best available science” to the project or understand the project due to conflicting information.

On page 2 & 3, it states, “...would generate and store up to 80 megawatts of alternative current (MWAC). Yet, the Notice of Completion & Environmental Document Transmittal (Appendix C) states, “Battery Storage 320 MW Hours.” Within the County provided documentation there are internal inconsistency with this value of energy storage. This then relates to if energy is generated elsewhere, non-local, coming off the grid, and to be stored on site OR if all the storage capacity onsite is from locally on site produced energy. The storage whether 320 or 80 are significantly different numbers and will impact the scope and data analysis for an EIR. In order for an appropriate EIR, correct project descriptions are required.

On page 3, it indicates “standard shipping containers.” This is vague and impossible for an agency to interpret what a “standard shipping container” criteria or description includes (thickness of the walls, sides, and top, ventilation, material, welded or bolted, etc).

On page 4, it states, “installed on existing, retrofitted, or new poles, either aboveground or underground depending on feasibility.” Again, this is vague and indeterminate language likely causing confusion for the agency responsible for drafting and providing appropriate level of environmental impact. Here, we have essentially 4 different variables relating to the transmission line without any definition relating to the term, “feasibility.” Feasibility could relate to costs, easements, time, geology, impact to traffic, soil structure, etc. The County needs to provide agencies sufficient information relating to the term, “feasibility” so the responding agency may apply the “best available science” to the project.

On page 6, “Greenhouse Gas Emissions,” involves more than just the listed items. Attached to this letter are pictures from a solar installation which shows plastic/vinyl coated wires (petroleum products), imported gravels, and other supplies that involve greenhouse gas emissions associated with their production or movement to the site. These other site-specific infrastructure items need to be included into the “Greenhouse Gas Emissions” calculations.

Page 7, “Noise” needs to be considered and modeled for the geographic site location. Attached to this email is a digital audio file of a solar farm installation, open flat ground for miles, with the recording taken ¼ mile from where the poles were being installed into tillable farm ground on a Saturday morning.

On page 8, “EIR will describe a reasonable range of alternatives to the proposed Project...” However, if the project is not correctly defined in sufficient detail then significant effects cannot be properly identified.

On page 8, “Opportunity for Public Comment” indicates “comments should be provided no later than 5:00 p.m. on July 31, 2024. However, again internally the documents provided by the county have inconsistent information as “Notice of Completion and Environmental Document Transmittal” Appendix C, show under “Local Public Review Period” as an “Ending Date of July 24, 2024.” What exactly is the timelines for the County announcements, and end of comment period? Did an agency see the July 24, 2024, deadline and will intentionally not comment due to assuming of a missed deadline. I understand through our telephone conversation last week that the state clearing house did have a date of July 31, 2024. Perhaps an addendum or printed page showing this should have been included in the posted to the county public notice materials.

With Form F, Summary Form for Electronic Document Submittal, it states, “Construction is planned for the first half of 2025.” However, under the Notice of Preparation Draft Environmental Impact Report, Project Description on page 2 of 10, it states, “Construction is planned to begin in July 2025 and conclude in June 2026, lasting approximately 11 months.” Again, this inconsistent project timeline within the provided documentation is confusing and provides inconsistent information to the agencies asked for their input.

The Summary Form for Electronic Document Submittal is missing information from the “areas of controversy known to the Lead Agency” section because it is missing statements concerning the importation of energy to the site (if that is still planned for this project). At this point the descriptions are not completely clear if only energy generated on site will be stored or if energy generated off site will be “imported” and “stored” on site (see above).

Several trustee agencies for the project should also be included such as the Regional Air Quality Control Board, US Bureau of Reclamation (due to their very important canal location to the present site), these are listed in the Reviewing Agencies Checklist but not included in the “responsible or trustee agencies for the project.” Moreover, these two agencies are only denoted with an “X” and not a “S” to indicate they received documentation. Air and water are critical parts of Environmental Impact Statement and assessment; thus the County should take the extra steps to ensure documents have been specifically sent to these two agencies, not just merely put into the “State Clearinghouse Distribution” list serve.

On the Notice of Completion & Environmental Documentation Transmittal form it states, “commercial” and not “industrial.” The county needs to scrutinize this and determine if a >50 MW plant is merely commercial or is it industrial? Does the county or state have a definition for this size project and the proposed storage capacity?

On the Notice of Completion & Environmental Documentation Transmittal form under “other” it states, Battery Storage 320 MW Hours” and the footnote on the same page indicates, “The project would generate and store up to 80 megawatts alternating current.” There is inconsistency in the amount of storage energy on the documents provided to give notice of the project.

For the reasons above, listed as individual concerns and/or in total, I do not believe that the county has complied with the strict requirements of Title 14, CCR Section 15082.

Files included (2)

- FoxSquirrelSolarFarm.pdf (images)
- Johnston Rd.m4A (Audio)