KINGS COUNTY PLANNING COMMISSION

Regular Meeting
7:00 P.M.

Government Center
Hanford, California

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Agency at (559) 852-2680 by 4:00 p.m. on the Thursday prior to this meeting. Agenda backup information and any public records provided to the Commission after the posting of the agenda for this meeting will be available for public review at the Kings County Community Development Agency, Building No. 6, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California.

AGENDA
September 8, 2014

This meeting will be held in the Board of Supervisors Chambers, Administration Building No. 1, Kings County Government Center, 1400 W. Lacey Boulevard, Hanford, California. Pursuant to California Government Code Section 65009, subdivision (b), if you challenge the (nature of the proposed action) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

I. CALL TO ORDER - Kings County Planning Commission Meeting

1. **REQUEST THAT CELL PHONES BE TURNED OFF**
2. **PLEDGE OF ALLEGIANCE**
2. **SUMMARY OF THE AGENDA** - Staff
3. **UNSCHEDULED APPEARANCES**
   Any person may address the Commission on any subject matter within the jurisdiction or responsibility of the Commission at the beginning of the meeting; or may elect to address the Commission on any agenda item at the time the item is called by the Chair, but before the matter is acted upon by the Commission. Unscheduled comments will be limited to five minutes.
4. **APPROVAL OF MINUTES - Meeting of August 4, 2014.**

II. OLD BUSINESS

1. **CONDITIONAL USE PERMIT NO. 14-02 (CHAMPIONS RECOVERY - WEISENHAUS) –** A proposal to establish a 49-bed residenial substance abuse treatment facility within an existing building located at 11517 15th Ave, Lemoore, Assessor's Parcel Number 017-310-047.

   A. Staff Report
   B. Public Hearing
   C. Decision: Roll Call Vote

III. NEW BUSINESS

1. CONDITIONAL USE PERMIT NO. 12-08 (CON EDISON) – A proposal to:

A. Modify Conditional Use Permit (CUP) No. 10-03 for the CED Corcoran Solar 2 Project (formerly SPS Corcoran West) by adding 40 acres and 11.25 megawatts (MW) to the previously approved solar energy generating facility located at 6734 Nevada Avenue, Corcoran, CA, Assessor's Parcel Number 028-290-043. CUP No. 10-03 was previously approved on November 7, 2011, when the Kings County Planning Commission adopted Resolution No. 11 04 for an 8.5 MW solar energy generating facility on 84 acres. The modification of CUP No. 10-03 will increase the size of the project from 8.5 MW to 19.75 MW and increase the acreage of the project site from 84 acres to 124 acres.

B. Establish a new 20 MW solar energy generating facility for the CED Corcoran Solar 3 Project on 130 acres located at 7094 Nevada Avenue, Corcoran, CA, Assessor's Parcel Numbers 028-290-041 and 043.

IV. MISCELLANEOUS

1. **FUTURE MEETINGS** - The next regular meeting of the Planning Commission is scheduled for Monday, October 6, 2014.
2. **CORRESPONDENCE**
3. **STAFF COMMENTS**
4. **COMMISSION COMMENTS**

V. ADJOURNMENT

NOTICE OF RIGHT TO APPEAL: For projects where the Planning Commission's action is final, actions are subject to appeal by the applicant or any other directly affected person or party and no development proposed by the application may be authorized until the final date of the appeal period. An appeal may be filed with the Community Development Agency at 1400 W. Lacey Blvd., Building #6, Hanford, CA, on forms available at the Community Development Agency. A filing fee of $320.00 must accompany the appeal form. The appeal must be filed within 8 days of the Planning Commission's decision date, not including the date of the decision. If no appeal is received, the Planning Commission's action is final. There is no right of appeal for projects for which the Planning Commission's action is advisory to the Board of Supervisors.

KINGS COUNTY PLANNING COMMISSION
MINUTES

District 1 Commissioner – Riley Jones | District 2 Commissioner – Bob Bajwa
District 3 Commissioner – R.G. Trapnell* | District 4 Commissioner – Jim Gregory**
District 5 Commissioner - Louise Silacci
*Chairman **Vice-Chairman

August 4, 2014

CALL TO ORDER: The meeting of the Kings County Planning Commission was called to order by Chairman Gregory, on August 4, 2014, at 7:00 p.m. in the Board of Supervisors Chambers, Administration Building, Kings County Government Center, Hanford, California. The Pledge of Allegiance was recited.

COMMISSIONERS PRESENT: Riley Jones, R.G. Trapnell, Bob Bajwa, Jim Gregory

COMMISSIONERS ABSENT: Steven Dias

STAFF PRESENT: Greg Gatzka – Director, Erik Kaeding – County Counsel, Chuck Kinney – Deputy Director – Planning, Terri Yarbrough – Executive Secretary, Sandy Roper – Principle Planner, Dan Kassik - Planner

VISITORS PRESENT: Sue Weisenhaus, Crystal Hernandez, Linda Borsotti, Robert Cisneros, Albert VanDerGraaf, Steven Bickner, Leland Silveira, Harm VanDerGraaf

SUMMARY OF THE AGENDA: Mr. Gatzka summarized the agenda for the Commission.

UNSCHEDULED APPEARANCES: No one spoke during this portion of the meeting.

APPROVAL OF MINUTES: A motion was made and seconded (Trapnell/Jones) to approve the minutes of the June 2, 2014 meeting. Motion carried unanimously with Dias absent.

OLD BUSINESS - None

NEW BUSINESS:

1. Conditional Use Permit No. 14-02 (Champions Recovery)

Mr. Kassik provided an overview of a proposal to establish a 49 bed residential substance abuse treatment facility within an exiting building located at 11517 15th Avenue, Lemoore, Assessor's Parcel Number 017-310-047. Mr. Kassik reported that the project was located in an AL-10 zone district and is consistent with the 2035 General Plan and Kings County Zoning Ordinance. He also reported that the facility would be staffed 24 hours a day and would include one Kings County probation officer. Commissioner Jones asked what happened to the home for the elderly that was preciously operating at this location. Mr. Kassik stated that it had closed and he didn't know how long it had been closed. Commissioner Gregory reported that he had conversation with Supervisor Barba earlier in the day regarding this project.

Chairman Gregory opened the public hearing and asked if there was anyone wishing to speak in favor of the project. Sue Weisenhaus, Crystal Hernandez and Linda Borsotti spoke in favor of the project. Sue Weisenhaus, the applicant, and Crystal Hernandez, representing Champions Recovery, provided an overview of the project. Commissioner's Gregory and Trapnell asked for clarification regarding how many of the clients will be directed to this facility through the courts. Sue stated approximately 90% of the clients are directed through the courts. She also stated they don't accept violent criminals, sex offenders or arsonist and the minimum client age is 18. Chairman Gregory asked if there

was anyone wishing to speak against the project. Robert Cisneros, Albert VanDerGraaf, Steven Bickner, Leland Silveira and Harm VanDerGraaf spoke against the project. Concerns were expressed regarding the safety of the neighborhood, night supervision, locking of the facility, and residents walking up and down the streets unsupervised. Chairman Gregory asked if there was anyone else wishing to speak against the project. Seeing none, he asked if the applicant had a rebuttal. Sue Weisenhaus stated they would be installing 35 cameras inside and out of the facility which would record 24 hours per day and could be viewed from anywhere via cell phone. She also stated that uniformed staff would be on site and the Sherriff was considering placing a substation at the property. Sue Wiesenhaus and Crystal Hernandez explained that clients have daily schedules and must earn time out of the facility and are not free to come and go at any time they want. If residents break the rules there are consequences and rewards for staying on task. Chairman Trapnell then closed the Public Hearing.

Commissioner Trapnell made a motion that transportation services for clients be provided and that residents not be allowed to walk down the streets be added as conditions of CUP 14-02. After discussion, Commissioner Trapnell withdrew his motion.

A motion was made and seconded (Trapnell/Jones) to continue the agenda item to the next regularly scheduled meeting. Motion carried with three in favor, Gregory opposing and Dias absent.

A motion was made and seconded (Jones/Trapnell) to reopen the public hearing and continue the public hearing to the next regularly scheduled meeting. Motion carried unanimously with Dias absent.

2. **Kings County Development Code Update** – Mr. Gatzka reported that staff has been updating the zoning ordinance to make it easier to reference and to be consistent with the 2035 General Plan. He stated it is nearing completion and will be presented to the Planning Commission for action.

MISCELLANEOUS

1. **FUTURE MEETINGS**:	The next regular meeting of the Planning Commission is scheduled for Monday, September 8, 2014.
2. **CORRESPONDENCE:**	None
3. **STAFF COMMENTS:**	Greg Gatzka provided an updated list of Planning Commissioners and announced that Steven Dias had been appointed to represent District 5.
4. **COMMISSION COMMENTS:**	Commissioner Jones asked if someone from the Kings County Probation Department and Sherriff's Department could attend the next meeting to address questions regarding CUP 14-02.

ADJOURNMENT – The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

KINGS COUNTY PLANNING COMMISSION

Gregory R. Gatzka, Commission Secretary

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KINGS COUNTY PLANNING COMMISSION
STAFF REPORT

Conditional Use Permit No. 14-02
Zoning Ordinance No. 269.69
September 8, 2014 (Continued from August 4, 2014)

APPLICANT:	Sue Weisenhaus, 700 N. Irwin St, Hanford, CA 93230
PROPERTY OWNER:	Adelaide Castrence, 5308 La Mirada Way, Stockton, CA 95212
LOCATION:	11517 15th Avenue, Lemoore
GENERAL PLAN DESIGNATION:	Limited Agriculture (AL-10)
ZONE DISTRICT CLASSIFICATION:	Limited Agricultural (AL-10)
CONDITIONAL USE PROPOSED:	The applicant proposes to establish a 49-bed residential substance abuse treatment facility within the existing building and on-site Kings County Probation Department personnel.

DISCUSSION:

On August 4, 2014, the Planning Commission received the staff report for Conditional Use Permit No. 14-02 and opened the public hearing for the project. After receiving testimony from any interested person, the public hearing was closed. The Commission deliberated but still had concerns on how the issues of the public would be addressed. The Commission asked the applicant if they would be willing to hold a neighborhood meeting to address issues of the public and the applicant agreed to hold a meeting. The Commission re-opened the public hearing and continued the item to September 8, 2014.

On August 12, 2014, the applicant and representatives from the Sheriffs Department, Probation Department, Behavioral Health Department and Community Development Agency met to discuss the issues brought forth by residents at the public hearing. The applicant offered the following solutions and conditions:

- Clients will be transported from the facility to the Hanford-Armona Road bus stop. No clients will walk to and/or from Hanford Armona Road to the facility.
- Minimize traffic in the area by having all donations and orientations held at Champions Irwin St. office in Hanford.
- Install an 8-foot fence along the southern property line and a fence around the remaining portion of the property.
- Install security system to monitor when doors/windows open to track client movement.

- Neighborhood watch and/or neighborhood meetings

There was also clarification on the Sheriffs and Probation Departments role with the recovery facility. The Sheriff's Department will not have a manned substation at the site. The Sheriff's Department will patrol the area and also have a desk area to utilize in the facility if/when necessary. The Probation Department will have a full time person; however, the officer will have varying hours at the facility as the officer may also be at Champions other facilities.

On August 18, 2014, the applicant held an open house/neighborhood meeting in which all property owners and residents in the area were invited. Five residents attended along with representatives from the Sheriffs Department, Probation Department, and Community Development Agency. The applicant offered the property owners in attendance a tour of the facility and her availability to answer any questions. No formal presentation was given regarding the specific issues brought up by the residents at the Planning Commission meeting.

As a result of the meetings, Staff has included the following conditions in Resolution 14-07. The conditions are numbered to correspond with the numbers within the resolution.

20. An 8-foot view obscuring fence is required along the southern property line and a fence of sufficient height is required in a manner that will completely surround the 49-bed main building.

21. Transportation must be provided to transport clients to and from the facility and/or the Hanford Armona Road bus stop.

22. All client orientations and/or client entry processing/screening must be held at the Champions Recovery main office in Hanford. Only clients who have been accepted into the program will be on-site.

23. A security system that monitors when windows/doors are opened shall be installed to ensure adequate monitoring of clients.

24. The applicant shall hold a neighborhood meeting every two months for the first six months. A summary of each meeting shall be provided to the Community Development Agency.

25. Residents of the facility shall be limited to male adults 18 years of age or older.

PROJECT REVIEW:

June 30, 2014	Application submitted
July 1, 2014	Application certified complete
August 4, 2014	The Commission received the staff report, opened the public hearing, received testimony from any interested person, closed the public hearing and deliberated. The Commission re-opened the public hearing and continued the public hearing to September 8, 2014 to provide time for the applicant to hold a neighborhood meeting.

August 12, 2014	The applicant and Kings County staff met to discuss the issues brought forth by the public and possible solutions and/or conditions that could be applied part of the permit.
August 18, 2014	Applicant held neighborhood meeting.
September 8, 2014	Resume the public hearing, deliberate, and consider adopting Resolution No. 14-07

RECOMMENDATIONS:

It is recommended that the Commission approve Conditional Use Permit No. 14-02 as described above and adopt Resolution No. 14-07. Approval of this Resolution will:

1. Find that the proposed project is Categorically Exempt from environmental review pursuant to Section 15301 of the Guidelines for Environmental Quality Act (CEQA Guidelines).

2. Find that the project is consistent with the *2035 Kings County General Plan* and the *Kings County Zoning Ordinance.*

3. Approve the project with specified conditions of approval.

This permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted unless the Board of Supervisors shall act to review the decision of the Planning Commission.

A Conditional Use Permit shall lapse and shall become null and void one (1) year following the date on which the Conditional Use Permit became effective, unless prior to the expiration of one (1) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion of the site which was subject of the Conditional Use Permit application. A Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Planning Commission prior to the permit's expiration date.

BEFORE THE KINGS COUNTY PLANNING COMMISSION
COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF CONDITIONAL USE PERMIT NO. 14-02 (Champions Recovery)	**)** **)** **)**	**RESOLUTION NO. 14-07** **RE: 11517 15th Avenue, Lemoore**

WHEREAS, on June 30, 2014, Sue Weisenhaus filed Conditional Use Permit No. 14-02; to establish a 49-bed residential substance abuse treatment facility within the existing building; and

WHEREAS, the application was determined to be complete on July 1, 2014; and

WHEREAS, on July 3, 2014, the Kings County Community Development Agency recommended that the proposal is Categorically Exempt from environmental review pursuant to Section 15301, Class 1, of the *California Environmental Quality Act Guidelines* (*CEQA Guidelines*); and

WHEREAS, on July 25, 2014, the Kings County Planning Department staff notified the applicant of the proposed recommendation on this project; and

WHEREAS, on August 4, 2014, this Commission held a duly noticed public hearing to receive testimony from any interested person; and

WHEREAS, on August 4, 2014, this Commission closed the public hearing and deliberated with no decision as the Commission did not feel the residents concerns were fully addressed by the applicant; and

WHEREAS, the applicant volunteered to hold a neighborhood meeting to address the residents' concerns; and

WHEREAS, the Commission re-opened the public hearing and continued the public hearing to September 8, 2014; and

WHEREAS, on September 8, 2014, this Commission resumed the public hearing and allowed additional public testimony from any interested person and then this Commission closed the public hearing; and

WHEREAS, on September 8, 2014, this Commission resumed deliberations and considered the resolution.

NOW, THEREFORE, BE IT RESOLVED, that this Commission finds that:

1. The proposed project, as recommended for approval, <u>is consistent</u> with the policies of the Kings County General Plan, specifically:

   A. Figure LU-11, of the 2035 Kings County General Plan Land Use Element, designates this

site as Limited Agriculture (AL-10).

B. Page LU-13, Section III.A.1. of the "Land Use Element" states that the Limited Agriculture designation is intended primarily for application around cities and community districts to serve as a transitional buffer between intensive agricultural uses and urban land uses. Intensive agricultural uses are allowed in General Agriculture designated areas, and may include large animal concentrations. The Limited Agriculture designation allows less intensive agricultural practices and operations that are considered more compatible with urban land uses.

C. Page LU-13, Section III.A.1. of the "Land Use Element" states that agricultural land use designations account for a vast majority of the County's land use. Included within this land use type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce processing facilities within the Agricultural areas of the County shall develop to County standards.

2. The proposed project, as recommended for approval, is consistent with the *Kings County Zoning Ordinance*.

A. Article 4, Section 404.D.4 of the Limited Agricultural (AL-10) District lists "Community facilities and institutions including churches, monasteries, convents, and other religious institutions; philanthropic and charitable institutions; health facilities; private, non-commercial clubs and lodges; day care uses exceeding fourteen (14) individuals; community care facilities, supportive housing for the target population, and transitional housing which serve seven (7) or more persons as allowed by the Health and Safety Code" as conditional uses subject to Kings County Planning Commission approval.

3. The proposed project is Categorically Exempt from environmental review pursuant to Section 15301, Class 1, of the *California Environmental Quality Act Guidelines* (*CEQA Guidelines*). Class 1 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

4. The project site is not located in an area that requires engineered septic systems.

5. The project site is not located within an established Agricultural Preserve.

6. The site is within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0190C, dated June 16, 2009. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

7. The project site is located within the Kings County Enterprise Zone.

8. The project site is not located within an Airport Compatibility Zone.

BE IT FURTHER RESOLVED that based on the above findings, this Commission approves Conditional Use Permit No. 14-02, as proposed, subject to the conditions and exceptions as follows:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.

2. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.

3. The development shall comply with all regulations of *Zoning Ordinance No. 269*, with particular reference to the Limited Agricultural (AL-10) Zone District standards contained in Article 4 and the standards contained in Article 19.

4. Pursuant to Section 1606.C.1 of the Kings County Zoning Ordinance unless otherwise stated, the following signs are allowed as permitted use and do not require a sign permit, site plan review or conditional use permit. All signs shall be located outside of the public right-of-way and shall not be located within a traffic safety visibility area if over three (3) feet in height. Unless a different setback is specified for a particular zone district, the minimum setback distance for all signs over three (3) feet in height shall be ten (10) feet from property lines.

   Signs shall be permitted only as follows:

   A. Name plates or signs, not directly illuminated, with an aggregate area of not more than forty (40) square feet pertaining to a permitted use, permitted use with site plan review or conditional use conducted on the site.
   B. Signs exceeding forty (40) square feet in structural area and up to one-hundred-fifty (150) square feet in structural area which are incidental and pertaining to a permitted or conditional use may be permitted subject to a site plan review. Such signs may be located on the same parcel or an adjacent parcel used in conjunction with the permitted or conditional use. Signs exceeding forty (40) square feet in structural area may be illuminated and shall be thirty (30) feet from property lines adjacent to a road.
   C. One non illuminated on-site sign real estate sign or subdivision not exceeding thirty-two (32) square feet in structural area with copy on both sides pertaining to the sale, lease, rental or display of a structure or land per Section 1606.B.2.a.
   D. Directional or information (other than advertising) signs not exceeding two hundred and forty (240) square feet in area located adjacent to a state highway or a county road within an area limited by points not closer than one-fourth (¼) mile or further than three-fourths (¾) mile from a frontage road turnoff, listing commercial establishments accessible via the frontage road, and further provided that not more than four (4) such signs shall be permitted on each side of the highway or county road.
   E. Signs not exceeding two hundred forty (240) square feet in area located adjacent to a state highway or county road that is classified as an arterial or collector road (including such designations as urban or rural, major or minor) giving direction to or information about

Kings County cities, communities, or rural service centers which are accessible by such state highways or county roads or direct routes consisting of combinations thereof, provided that such signs shall be limited to four (4) per city, community or rural service center regardless of the sign's location in this district, and further provided that such signs shall not contain information pertaining to a subdivision of land or private development, commercial establishments or quasi-public developments.

F. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.

G. Political and Campaign Signs in accordance with Section 1606.B.3.

H. Placing a sign on property which is restricted by contract under the *California Land Conservation "Williamson" Act of 1965* shall be prohibited, except for temporary signs (pursuant to Section 1606.B.2.a, c, and d), political and campaign signs (pursuant to Section 1606.B.4), and signs incidental to a permitted use, permitted use with site plan review, or conditional use which are consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.

5. A minimum of twenty-two (22) off-street parking spaces, including one (1) handicapped parking space, shall be provided/maintained and that such parking shall be installed in accordance with the *Kings County Improvement Standards*.

6. All parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires two (2) inches of Type "B" Asphalt Concrete over six (6) inches of R-70 Native @ 95% compaction under the "Heavy Use (Alternative Design)".

7. The minimum yard requirements from property line to a structure shall be as follows:

A. The minimum front yard shall be not less than fifty (50) feet except along those streets and highways where a greater setback is required by other ordinances of the county including but not limited the Kings County Improvement Standards, and further provided that the distance from the center line of a street to the rear of the required front yard shall not be less than eighty (80) feet.

B. The minimum rear yard shall be ten (10) feet.

C. The minimum side yards shall be ten (10) feet on interior sites except along those streets and highways where a greater setback is required by other ordinances of the county.

D. If greater minimum distance between structures than those listed in the *Kings County Zoning Ordinance* are required by the fire code regulations for safety and fire protection, such greater separation requirements shall be imposed. This includes distances from structures on adjacent properties. Construction methods using higher fire ratings may be substituted to satisfy all or part of such higher fire-related separation requirements.

8. The minimum distance between structures shall be ten (10) feet.

9. Exterior lighting shall be hooded so as to be directed only on site.

10. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and Department of Environmental Heath Services, and all other local and state regulatory agencies.

11. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.

12. No process, equipment or materials shall be used which are found by the Planning Commission to be substantially injurious to persons, property, crops, or livestock in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water carried wastes, noise, vibration, illumination, glare or unsightliness or to involve any undue risk of fire or explosion.

13. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a "Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings" shall be signed, notarized, and recorded.

14. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that this resolution is adopted.

15. Sales or use tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office. For general information, please call the Board of Equalization at 1-800-400-7115.

16. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.

17. This Conditional Use Permit shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void one (1) year following the date that the Conditional Use Permit became effective, unless prior to the expiration of one (1) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.

18. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Kings County Community Development Agency prior to the permit's expiration date. It is the responsibility of the applicant to file an extension of time prior to the permit's expiration date. No further notice will be provided by the Community Development Agency prior to the permit's expiration date.

19. This approved conditional use permit shall run with the land and shall continue to be valid upon change of ownership of the site which was the subject of the conditional use permit approval.

20. An 8-foot view obscuring fence is required along the southern property line and a fence of sufficient height is required in a manner that will completely surround the 49-bed main building.

21. Transportation must be provided to transport clients to and from the facility and/or the Hanford Armona Road bus stop.

22. All client orientations and/or client entry processing/screening must be held at the Champions Recovery main office in Hanford. Only clients who have been accepted into the program will be on-site.

23. A security system that monitors when windows/doors are opened shall be installed to ensure adequate monitoring of clients.

24. The applicant shall hold a neighborhood meeting every two months for the first six months. A summary of each meeting shall be provided to the Community Development Agency.

25. Residents of the facility shall be limited to male adults 18 years of age or older.

For additional information regarding the above conditions contact Dan Kassik of the Kings County Community Development Agency at (559) 852-2655.

BE IT FURTHER RESOLVED that the following departments' and agencies' have listed requirements, standards, and regulations that must be met under those departments' and agencies' jurisdiction. The Planning Commission has no authority to modify, amend, or delete any of these requirements, standards, and regulations, but lists them here as information to the applicant. Appeals for relief of these standards and regulations must be made through that department's or agency's procedures, not through the Zoning Ordinance procedures. However, failure of the applicant to comply with these other departments' and agencies' requirements, standards, and regulations is a violation of this conditional use permit and could result in revocation of this conditional use permit.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements.

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.

2. The applicant shall contact the Building Division of the Kings County Community Development Agency, concerning obtaining a compliance inspection to determine the adequacy of the structure for the intended use. After conducting the compliance inspection, the Building Division of the Kings County Community Development Agency shall provide a list of any corrections that need to be made to the building. Any corrections required by the Building Division shall be made prior to the issuance of the certificate of occupancy for the structure.

3. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.

4. Minimum of (3) sets of plans and calculations signed by an architect or engineer licensed to practice in the Sate of California shall be required for all structures.

5. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or

structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.

6. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.
7. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.

8. The site, as well as the buildings, shall be made accessible and usable by the disabled according to the *California Building Code*.

9. The tenant, lessee and/or owner are responsible for compliance with the Americans with Disabilities Act (ADA). By federal law the facility shall be made accessible to the highest degree possible.

10. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.

11. All construction shall conform to the 2013 California Building Standards Code which consist of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.

KINGS COUNTY FIRE DEPARTMENT Contact Rick Smith of the Kings County Fire Department at (559) 852-2881 regarding the following requirements

1. A sufficient size water storage tank may be required on the site. Plans will need to be submitted to the Fire Department to determine if the existing storage tank is adequate.

2. The tank will need to be equipped with a pressure system and float valve device to keep the tank full at all times.

3. The tank is to have a minimum 4 ½ inch line installed in a manner to permit fire apparatus to be hooked up and draft water from the tank. Hook up for fire apparatus to be in an area easily accessible all year. Outlets for the fire hook up to be a 4 1/2 inch outlet with national standard threads with male outlet with cap to keep clean of trash and a butterfly-type valve.

4. A minimum 20-foot all weather access be provided.

5. A 2A:10BC fire extinguisher is required to be located in plain sight not more than 75 feet from any point in the structure. The location of fire extinguishers must be easily accessible, be free from blocking by storage and equipment or both, be near entrances or exit doors and be rapidly visible. All extinguishers shall be mounted to walls or columns with securely fastened hangers so that the weight of the extinguisher is adequately supported.

6. Employees should be familiar with the use of fire safety equipment.

7. A set of building plans must be reviewed by the Kings County Fire Department to make an adequate determination.

8. The plot plan is inadequate to make a determination and the applicant should meet with the Kings County Fire Department for further information

9. The fire protection system, if provided, must be up to date on required inspections and tests and be approved by the Kings County Fire Department.

10. Plans must comply with the California Fire Code and all regulations of the Kings County Fire Department.

11. Property must be equipped with a Knox Box for Fire Department access.

12. A set of building plans must be provided for review. More exact requirements will be articulated at that time, and may include fire alarm and kitchen extinguishing system requirements.

KINGS COUNTY PUBLIC WORKS DEPARTMENT Contact Mike Hawkins of the Kings County Public Works Department at (559) 852-2708 regarding the following requirements:

1. All requirements required hereafter conform to the Kings County Improvement Standards.

2. All other alternatives to Public Works requirements must be approved by the Kings County Public Works Department.

3. Applicant shall secure an encroachment permit for any work in County right-of-way.

4. Applicant shall provide asphalt concrete drive approach(es).

5. Additional right-of-way of 5 feet by 30 feet along the subject property shall be dedicated.

6. The right-of-way, access lanes and easements shall be cleared of all obstructions. The clearing of all right of way obstructions shall be at the expense of the owner.

7. The drive approach at the south end of the property shall be reconstructed to County standards.

KINGS COUNTY HEALTH DEPARTMENT: Contact Lee Johnson of the Kings County Department of Environmental Health Services at (559) 852-2631 regarding the following requirements:

1. A public drinking water permit is required from facilities that meet the definition of a small public water systems as per *Section 116275 of the California Safe Drinking Water Act, which is contained in Part 12, Chapter 4 of the California Health and Safety Code.* Facilities that serve 5 or more residential units or provide water to 25 or more people for 60 or more days per year fall under this requirement. A completed and approved application package is required prior to operating a public water system.

2. The on-site septic system must be maintained fully functional and operational at all times.

CALIFORNIA STATE BOARD OF EQUALIZATION (For general information, please call the Board of Equalization at 1-800-400-7115).

1. Sales or use tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office.

The foregoing Resolution was adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held on September 8, 2014, by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSTAIN: COMMISSIONERS
ABSENT: COMMISSIONERS

KINGS COUNTY PLANNING COMMISSION

_____
Riley Jones, Vice Chairperson

WITNESS, my hand this ____ day of _____, 2014.

_____
Gregory R. Gatzka
Secretary to the Commission

cc: Kings County Board of Supervisors
Kings County Counsel
Kings County Community Development Agency – Building Division
Kings County Fire Department
Kings County Health Department – Division of Environmental Health Services
Kings County Public Works Department

KINGS COUNTY PLANNING COMMISSION
STAFF REPORT

Conditional Use Permit No. 12-08
Zoning Ordinance No. 269.69
September 8, 2014

APPLICANT: CED Corcoran Solar 2, LLC (formerly, SPS Corcoran West, LLC) and CED Corcoran Solar 3, LLC (formerly, SPS Sweetwater, LLC)(Robert Deobler), 100 Summitt Lake Drive, Suite 410, Valhalla, NY 10595

CONSULTANT: Provost and Pritchard Consulting Group (Dawn Marple), 130 N. Garden Street, Visalia, CA 93291

CED CORCORAN 2 PROPERTY OWNERS: Corcoran Irrigation District, P.O Box 566, Corcoran, CA 93212 and J.G. Boswell Company, P.O. Box 457, Corcoran, CA 93212

CED CORCORAN 3 PROPERTY OWNERS: J.G. Boswell Company, P.O. Box 457, Corcoran, CA 93212

CED CORCORAN 2 LOCATION: The CED Corcoran Solar 2 (formerly SPS Corcoran West) project site is located at 6734 Nevada Avenue, Corcoran, CA. The Project site consists of a 84 acre parcel located within Assessor's Parcel Number (APN) 028-280-023 and a 40.0 acre portion of a 180.45 acre parcel located within APN: 028-290-043 (on the east side of the Sweetwater Canal). The project facilities would be located approximately 2.5 miles north of the City of Corcoran, California.

CED CORCORAN 3 LOCATION: The CED Corcoran Solar 3 (formerly SPS Sweetwater) site is located at 7094 Nevada Avenue, Corcoran, CA. The Project site consists of a 14.05 acre parcel located within APN: 028-290-041 and a 130.00 acre portion of a 180.45 acre parcel located within APN: 028-290-043 (on the west side of the Sweetwater Canal). The project facilities would be located approximately 2.5 miles north of the City of Corcoran, California.

GENERAL PLAN DESIGNATION: General Agriculture (AG-40)

ZONE DISTRICT CLASSIFICATION: General Agricultural (AG-40)

CONDITIONAL USE PROPOSED:

The applicant proposes to:

A. Modify Conditional Use Permit (CUP) No. 10-03 for the CED Corcoran Solar 2 Project (formerly SPS Corcoran West) by adding 40 acres and 11.25 megawatts (MW) to the previously approved solar energy generating facility located at 6734 Nevada Avenue, Corcoran, CA, APN: 028-290-043. CUP No. 10-03 was previously approved on November 7, 2011, when the Kings County Planning Commission adopted Resolution No. 11-04 for an 8.5 megawatt (MW) solar energy generating facility on 84 acres within APN: 028-280-023. The modification of CUP No. 10-03 will increase the size of the project from 8.5 MW to 19.75 MW and increase the acreage of the project site from 84 acres to 124 acres.

B. Establish a new 20 MW solar energy generating facility for the CED Corcoran Solar 3 Project (formerly SPS Sweetwater) on 130 acres located at 7094 Nevada Avenue, Corcoran, CA, APNs: 028-290-041 and 043.

CURRENT USE OF SITE:

The Project Site is approximately 32 miles east of the Coast Range and approximately 28 miles west of the Sierra Nevada Mountain Range in the San Joaquin Valley. Topographically, the Project Site is at an elevation of approximately 210 feet above mean sea level [see Figure 2 of the Initial Study/Mitigated Negative Declaration (IS/MND)]. The Project Site is currently vacant and used for grazing cattle. APNs: 028-290-041 and 043 are both restricted by Williamson Act contracts.

LAND USE SURROUNDING SITE:

The land uses surrounding the Project Site include agriculture and water storage, conveyance, and recharge. To the immediate south is Nevada Avenue beyond which are agricultural uses; to the west are water conveyance facilities and agricultural uses; to the north are water conveyance facilities and grazing land. Farther east are two solar facilities, CUP No. 10-04 SPS Corcoran 20MW Solar Project and also CUP No. 11-13 CID 20MW Solar Project (approved but not yet built). The Project Site is bounded on the Southwest by State Route 43, on the Northwest by the Lakeland Canal and a vacant field, and on the East by the Sweet Canal on the upper portion and vacant land on the lower half.

ENVIRONMENTAL REVIEW:

The IS/MND for CUP No. 12-08 for the CED Corcoran 2 and 3 project was circulated for public review from July 18, 2014, through August 18, 2014. Comments were received before the end of the public review period from the California Department of Transportation (Caltrans). The comments from Caltrans

are attached to this staff report as Attachment No. 1. The letter from Caltrans contained standards and requirements which have been listed in both the staff report and the resolution for this project as conditions of approval.

These comments did not result in any changes to the IS/MND and did not affect the adequacy of the environmental analysis, nor do they identify any significant new impacts, or present significant new information. However, staff has determined that it is necessary to make minor changes to the IS/MND, which serve merely to clarify, amplify and make insignificant modifications to the IS/MND. Accordingly, pursuant to CEQA Guidelines § 15073.5, recirculation of the IS/MND is not required. The revisions to the IS/MND are contained in an erratum, which is attached to the draft resolution as Exhibit "A".

A review of this Project in compliance with the *California Environmental Quality Act (CEQA)* indicates that there may be significant adverse impacts to the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Program, which is attached to the Planning Commission Resolution for this project. There is no evidence in the record that indicates that the Project has potential for adverse effects on wildlife, resources or habitat for wildlife.

DISCUSSION:

Project Background

The CED Corcoran Solar 2 and CED Corcoran Solar 3 generation facilities would be located on land owned by the JG Boswell Company and the Corcoran Irrigation District. Each facility would utilize the traditional photovoltaic flat plate solar modules typically found in installations throughout the Central Valley.

Conditional Use Permit (CUP) Application 10-03 was approved on November 7, 2011 by the Kings County Planning Commission. The Planning Commission's approval allowed for the development of the SPS Corcoran West, an 8.5 Megawatt (MW) solar generation facility, on approximately 84 acres (APN 028-280-023). The environmental impacts of this project were analyzed under a separate IS/MND.

Conditional Use Permit 12-08 was submitted to the Kings County Planning Department by Solar Project Solutions in December of 2012. The CUP requested the development of a 20 Megawatt (MW) solar generation facility on approximately 155 acres portion of a 194 acre site (APNs 028-290-41, 43 (portion), it also included a 0.60 acre access road.

The Applicant is requesting to modify CUPs 10-03 for the CED Corcoran Solar 2 Project (formerly SPS Corcoran West), and CUP 12-08 for the CED Corcoran Solar 3 Project (formerly SPS Sweetwater).

CED Corcoran Solar 2

CUP No. 12-08 will modify CUP No. 10-03 (CED Corcoran Solar 2) by adding an additional 11.25 MW on 40 acres of land. At its final build out the CED Corcoran Solar 2 Project will consist of the territory previously approved by CUP No. 10-03 and an additional 40 acres requested by CUP 12-08. No additional analysis is needed for the previously approved 84 acres analyzed by the IS/MND completed for the original CUP 10-03 application; however the additional 40 acres will be covered by the IS/MND for CUP No. 12-08.

CED Corcoran Solar 3

CUP No. 12-08 has been modified from its original request in December of 2012 to establish a new 20 MW solar energy generating facility on approximately 130 acres. The IS/MND for CUP No. 12-08 also analyzes the 130 acres for CED Corcoran Solar 3.

Project Description

The proposed Projects involve the construction of two solar energy generating facilities; an 11.25 MW solar facility on 40 acres of land (CED Corcoran Solar 2). At its total build out the CED Corcoran Solar 2 will construct 19.75 MW (8.5 MW previously approved under CUP 10-03 and 11.25 MW requested under CUP No. 12-08), and CED Corcoran Solar 3 will construct a 20 MW solar generation facility on approximately 130 acres of land (requested under CUP No. 12-08). The two solar generation facilities and their associated infrastructure will provide a total generating capacity of 39.75 MW ac. The Projects are intended to operate year round and would generate electricity during daylight hours.

Each Project would consist of the following components: (1) PV modules; (2) mounting structures; (3) inverters and transformers; (4) electrical collection and distribution system; (5) generation step-up transformer; (6) on-site switchgear, and (7) an on-site substation. Power generated from each of the Projects would be delivered from the via separate new gen-tie lines to existing 115kV power lines.

The CED Corcoran Solar 2 facility would connect with the previously approved SPS Corcoran West facility (CUP 10-03) and have a total installed generating capacity of 19.75MW. The CED Corcoran Solar 3 facility (CUP 12-08) would have a total installed capacity of 20MWac.

Project Specifics

Project	Capacity MWac	Site Gross Acres	Module Capacity Range (1)	Inverter Capacity Range (1)	Module Racking Type	Perimeter Fence
CED Corcoran Solar 2 (Previously Approved)	8.5	84	300Wdc to 310Wdc	500kWac to 2MWac	Tracking	Chain link 8ft tall
CED Corcoran Solar 2 (Addition)	11.25	40	300Wdc to 310Wdc	500kWac to 2MWac	Tracking	Chain link 8ft tall
CED Corcoran Solar 3	20.00	130	300Wdc to 310Wdc	500kWac to 2MWac	Tracking	Chain link 8ft tall

(1) total quantity dependent upon capacity selected.

Solar Panel Field

The solar panels would be installed on a horizontal single-axis tracker, with each tracker consisting of multiple rows with a tracking range of -45 degrees to +45 degrees. At full tilt, the lower side of each panel would be about 18 inches from the ground while the higher side would be about 8 feet above the ground.

Lighting would normally be off at the facility, and would only be triggered manually for emergency repairs or automatically by motion sensors.

The solar panels would be light-absorbing with anti-reflective coatings that virtually eliminate glare. Security fencing, neutral paint color on electrical equipment and the flat topography on and around the Project site will make the Project consistent with the regional view shed.

Construction

Project construction would require the use of graders, trenchers, and a crane. After initial site grading, a hydraulic driver would be used to drive metal piers into the ground. Concrete pads would be poured for the electrical equipment enclosures. Electrical collection cables and distribution system cables would be trenched below grade.

Construction of the Project would take approximately 12 months. The Project would comply with San Joaquin Valley Air Pollution Control District Rule 8021 for construction and earthmoving activities. In addition, a Storm Water Pollution Prevention Plan ("SWPPP") would be in effect for the Project to prevent impacts from any storm water generated on-site.

Maintenance and Occupation

The facilities would be operated and monitored remotely. Local operating staff would visit the sites occasionally to perform preventative maintenance and panel washing.

Figure 1 - Regional Location

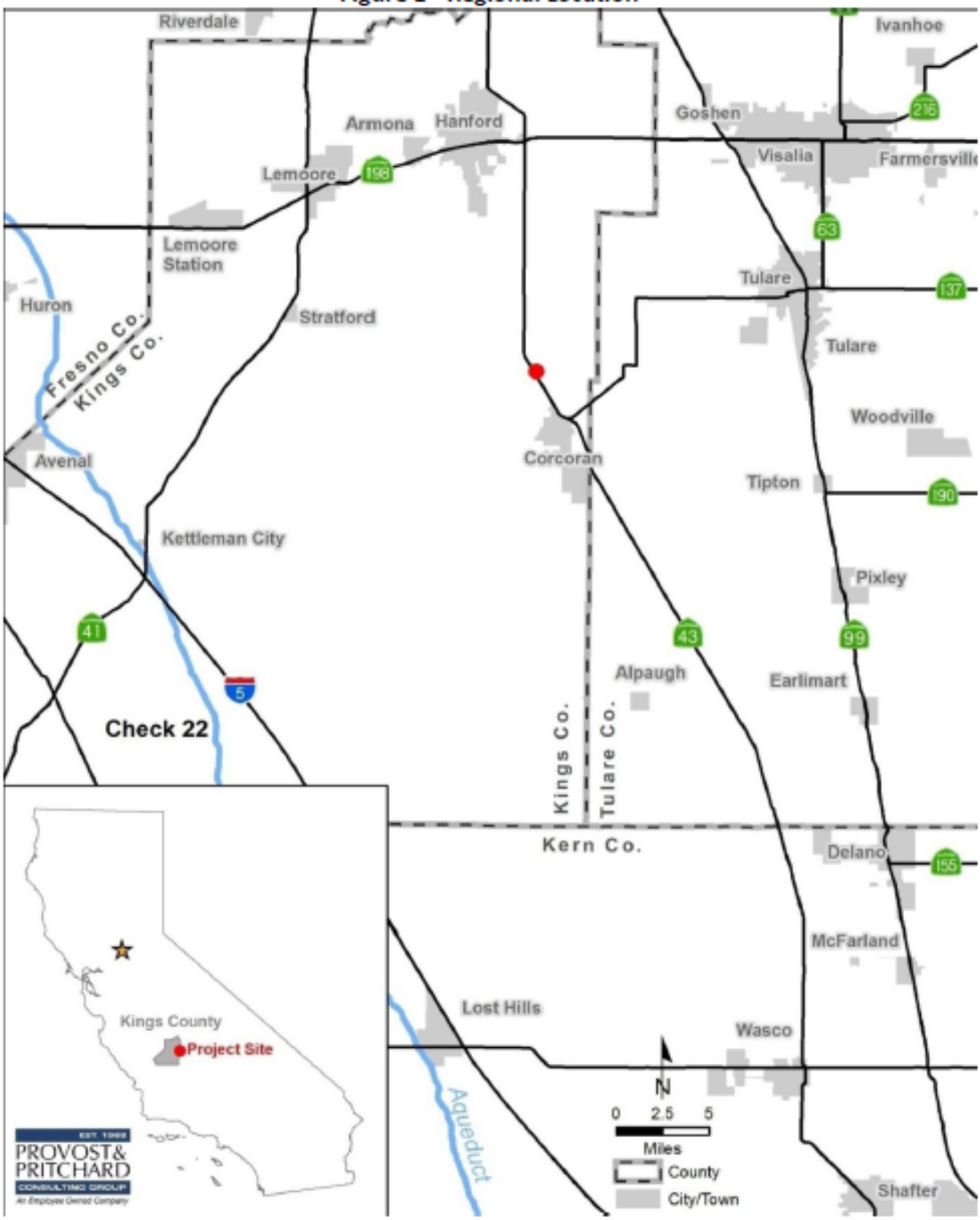

Figure 2 – Topographic Map

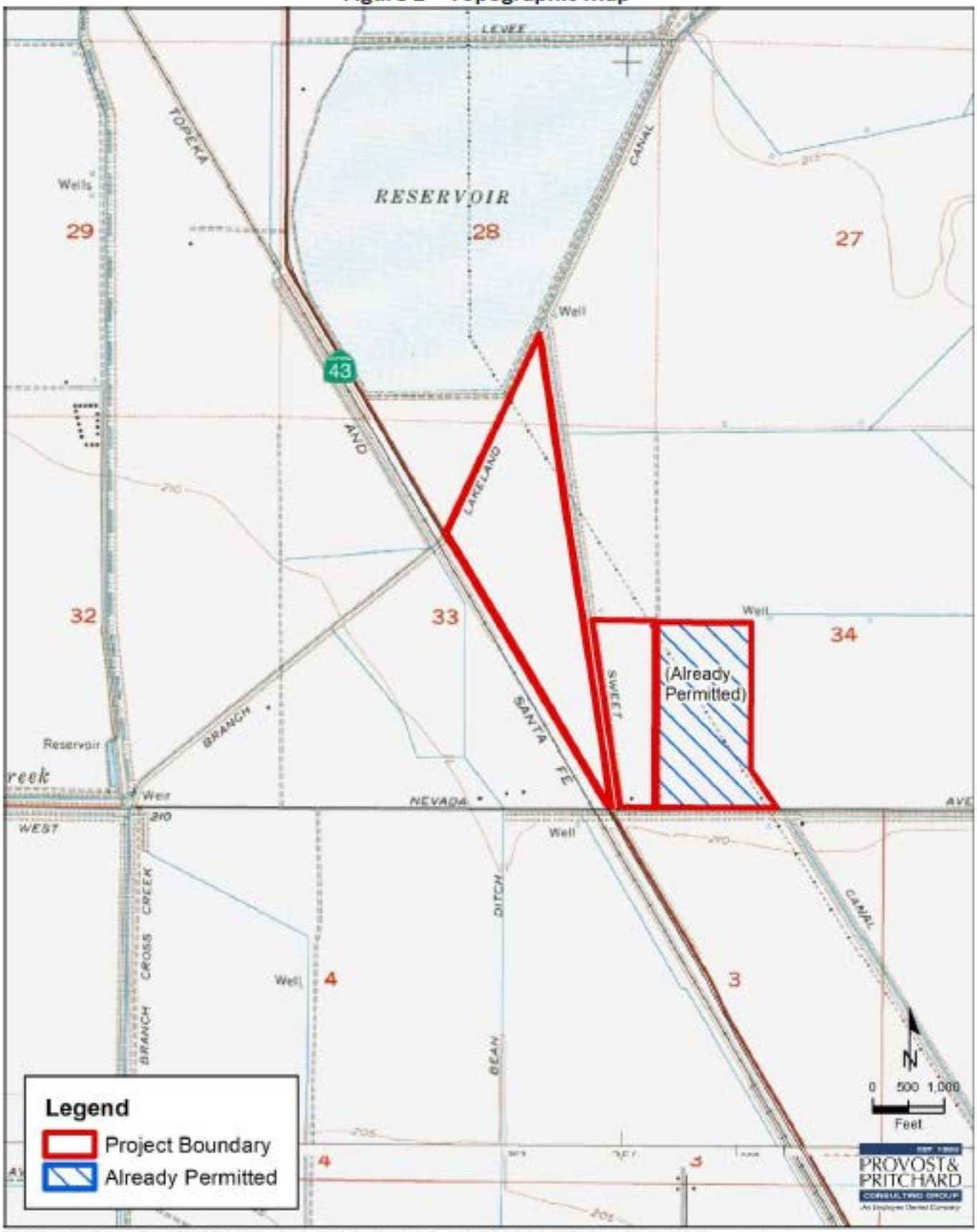

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Figure 3 – Zoning Designation

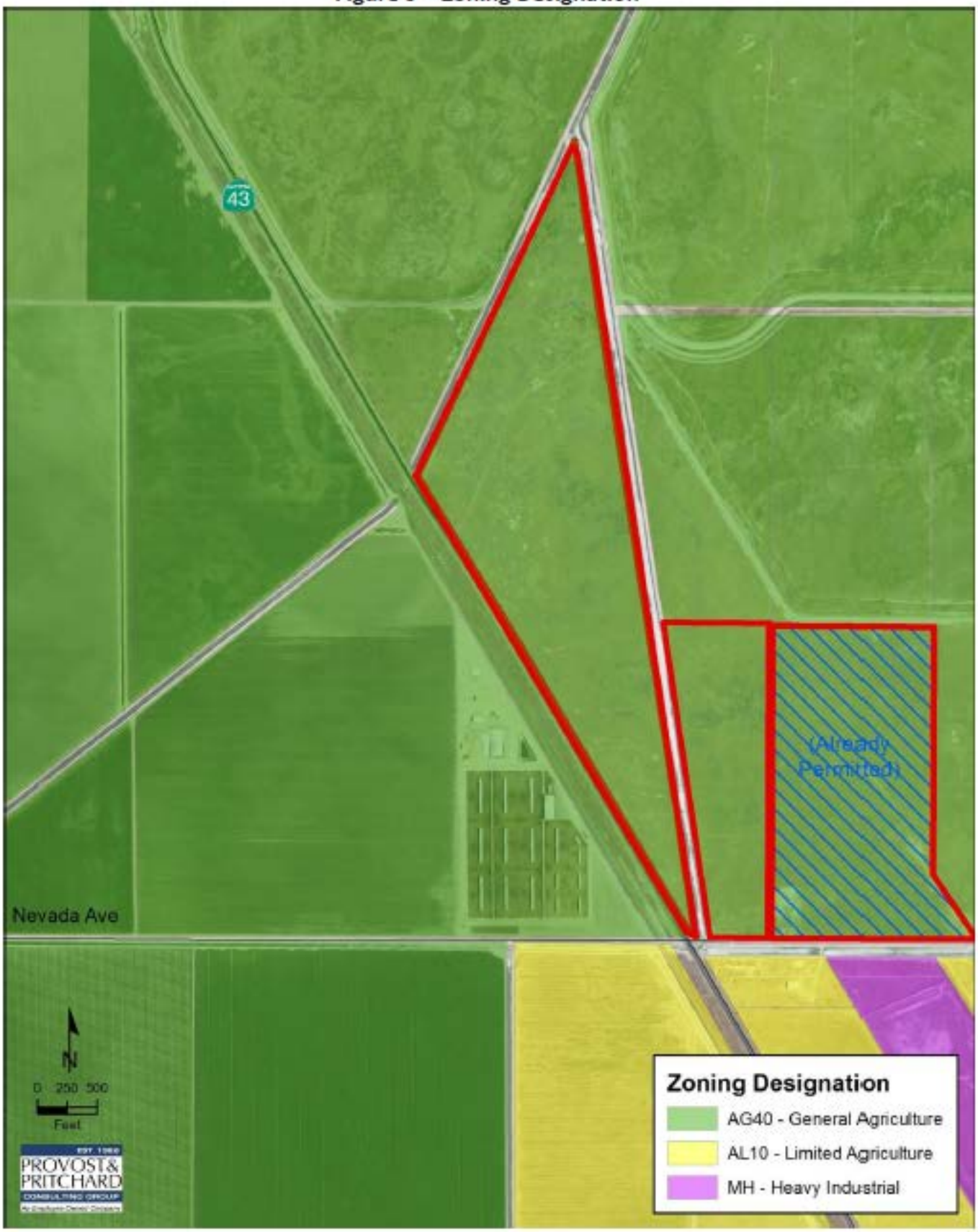

Figure 4 - Aerial Map

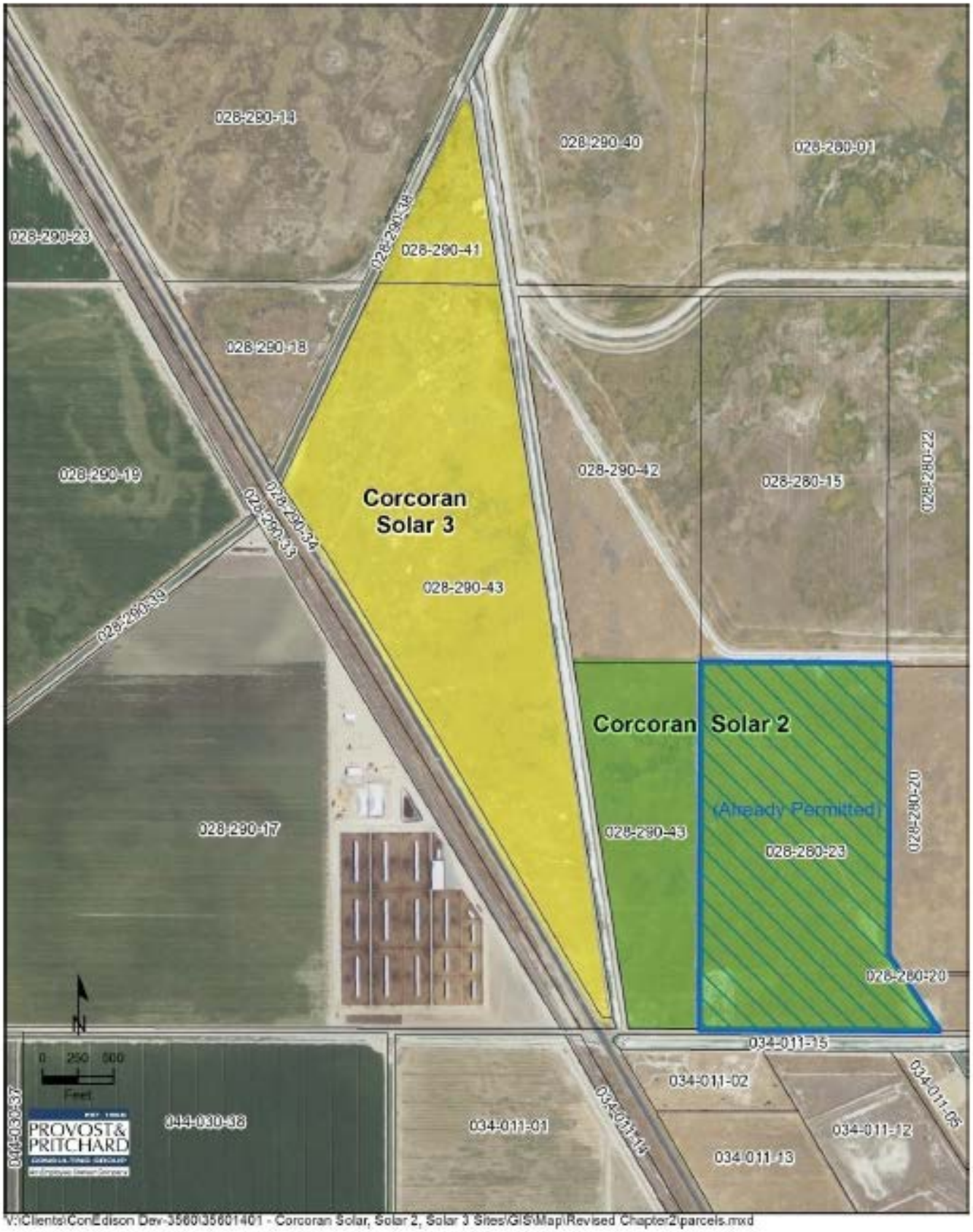

Figure 5 - Farmland Designation Map

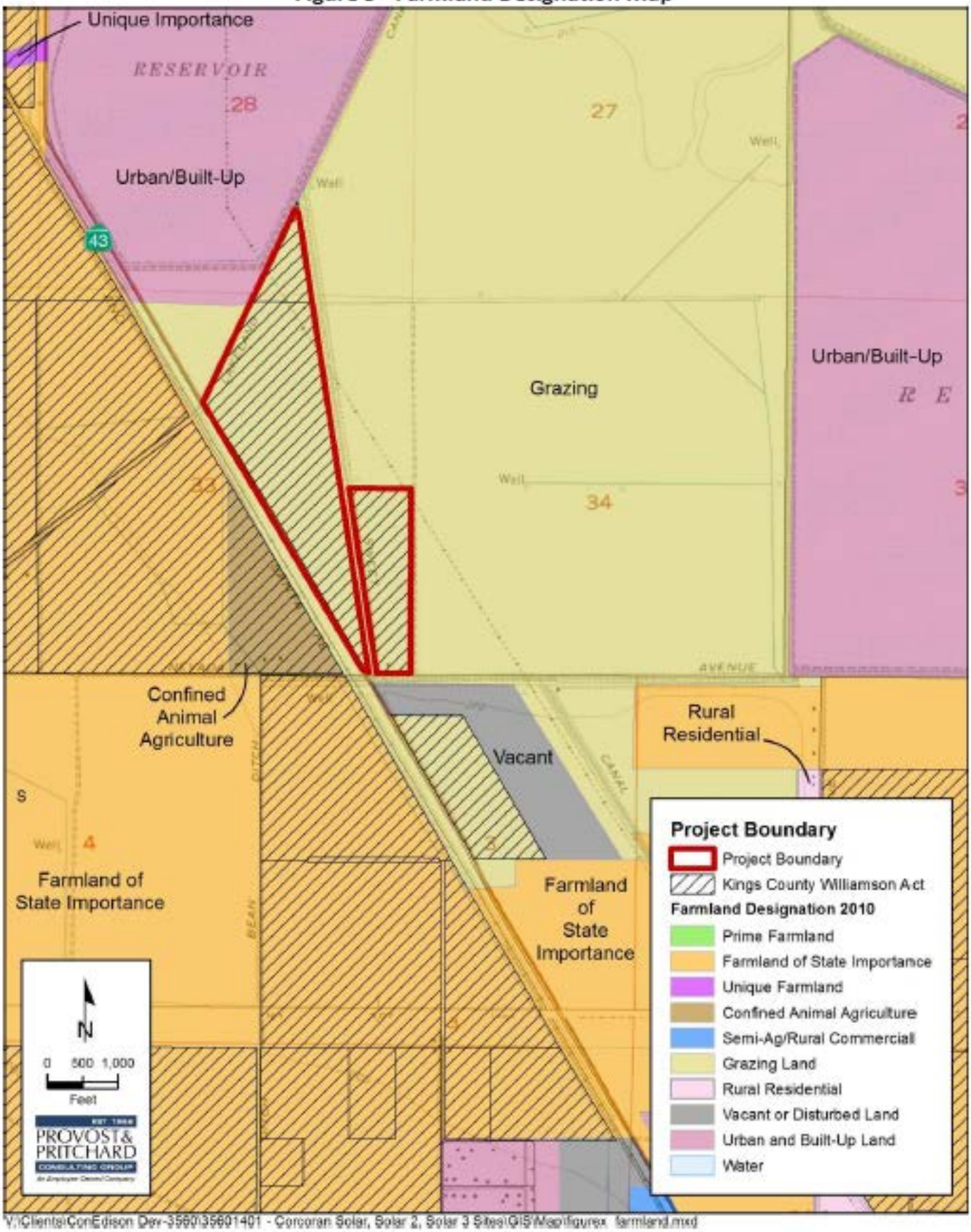

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Figure 6 – FEMA DFIRM Map

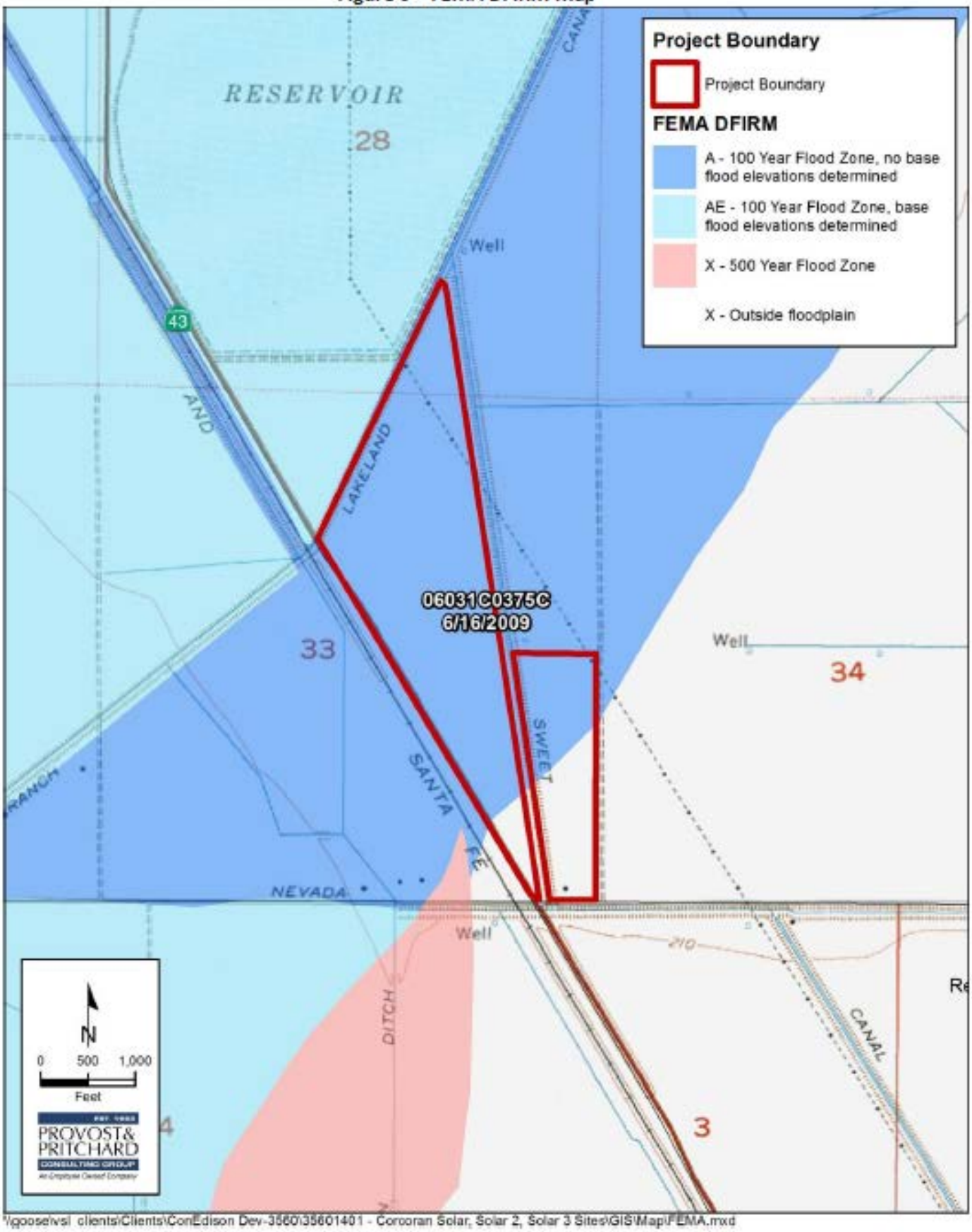

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Figure 7

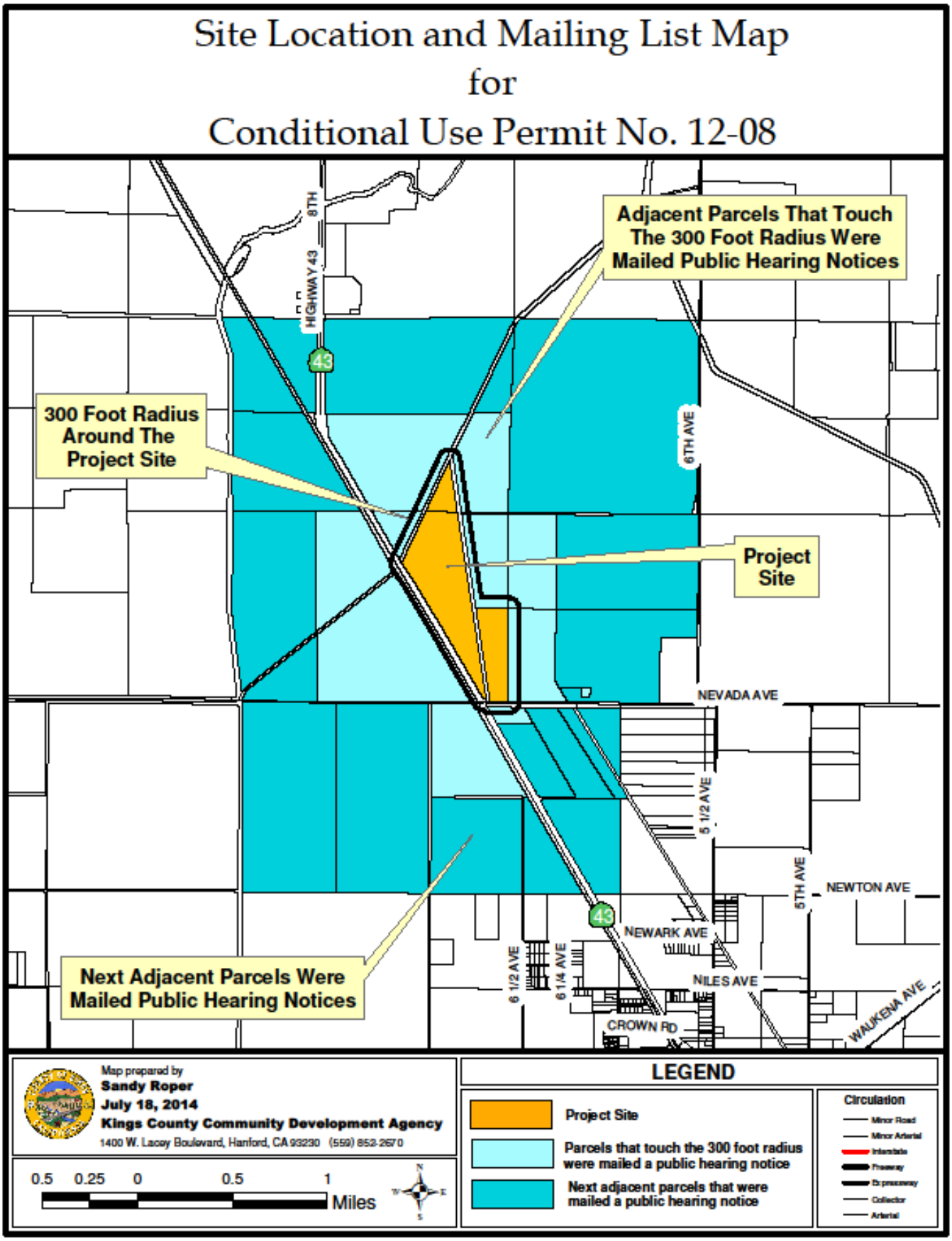

Site Location and Mailing List Map
for
Conditional Use Permit No. 12-08
Adjacent Parcels That Touch The 300 Foot Radius Were Mailed Public Hearing Notices
300 Foot Radius Around The Project Site
Project Site
Next Adjacent Parcels Were Mailed Public Hearing Notices
HIGHWAY 43
8TH
43
6TH AVE
NEVADA AVE
5 1/2 AVE
5TH AVE
NEWTON AVE
NEWARK AVE
NILES AVE
6 1/2 AVE
6 1/4 AVE
CROWN RD
WALKENA AVE
Map prepared by
Sandy Roper
July 18, 2014
Kings County Community Development Agency
1400 W. Lacey Boulevard, Hanford, CA 93230 (559) 852-2670
0.5 0.25 0 0.5 1
Miles
LEGEND
Project Site
Parcels that touch the 300 foot radius were mailed a public hearing notice
Next adjacent parcels that were mailed a public hearing notice
Circulation
Minor Road
Minor Arterial
Interstate
Freeway
Expressway
Collector
Arterial

Figure 8 - CED Corcoran Solar 2 Site Plan

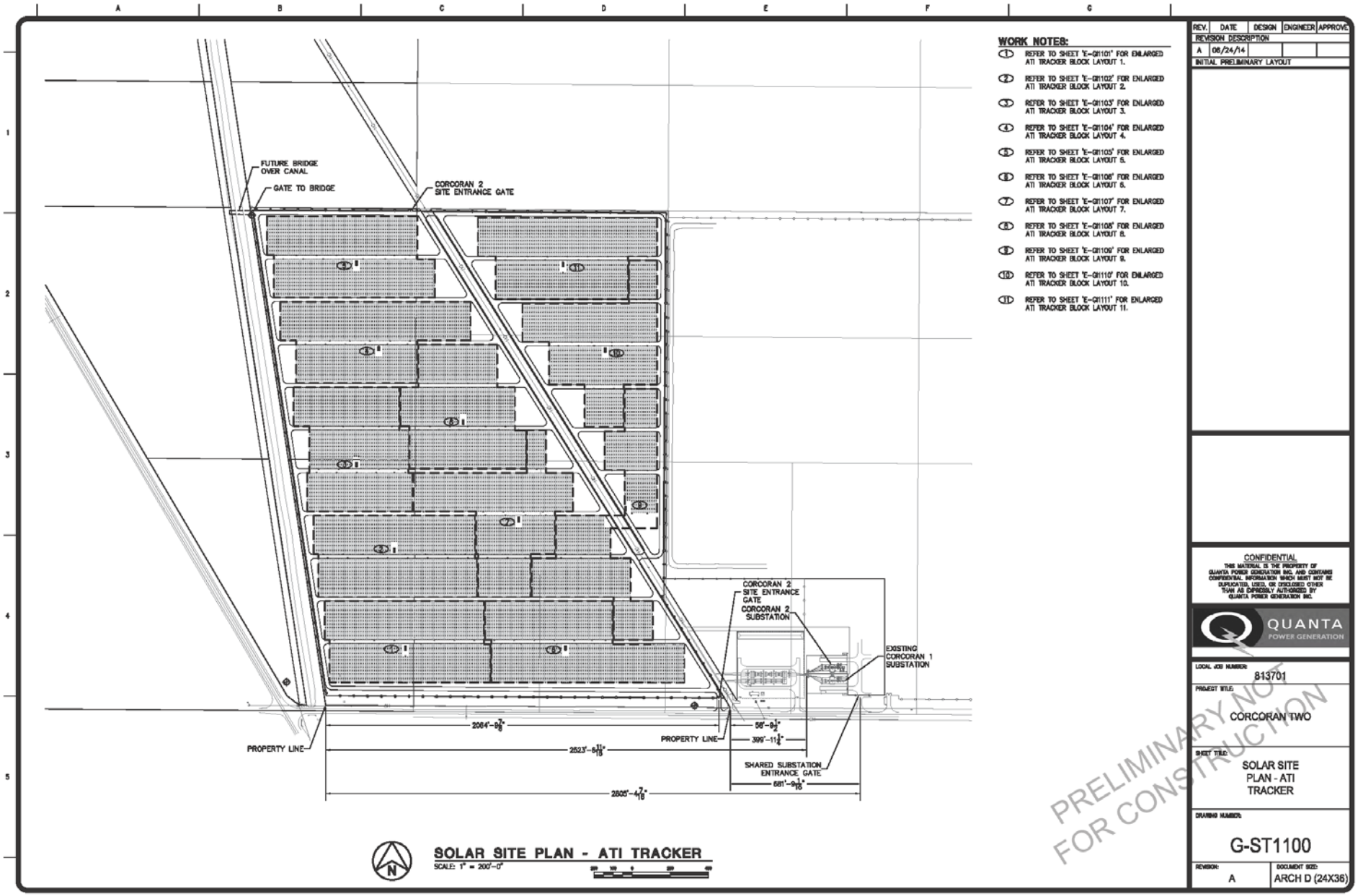
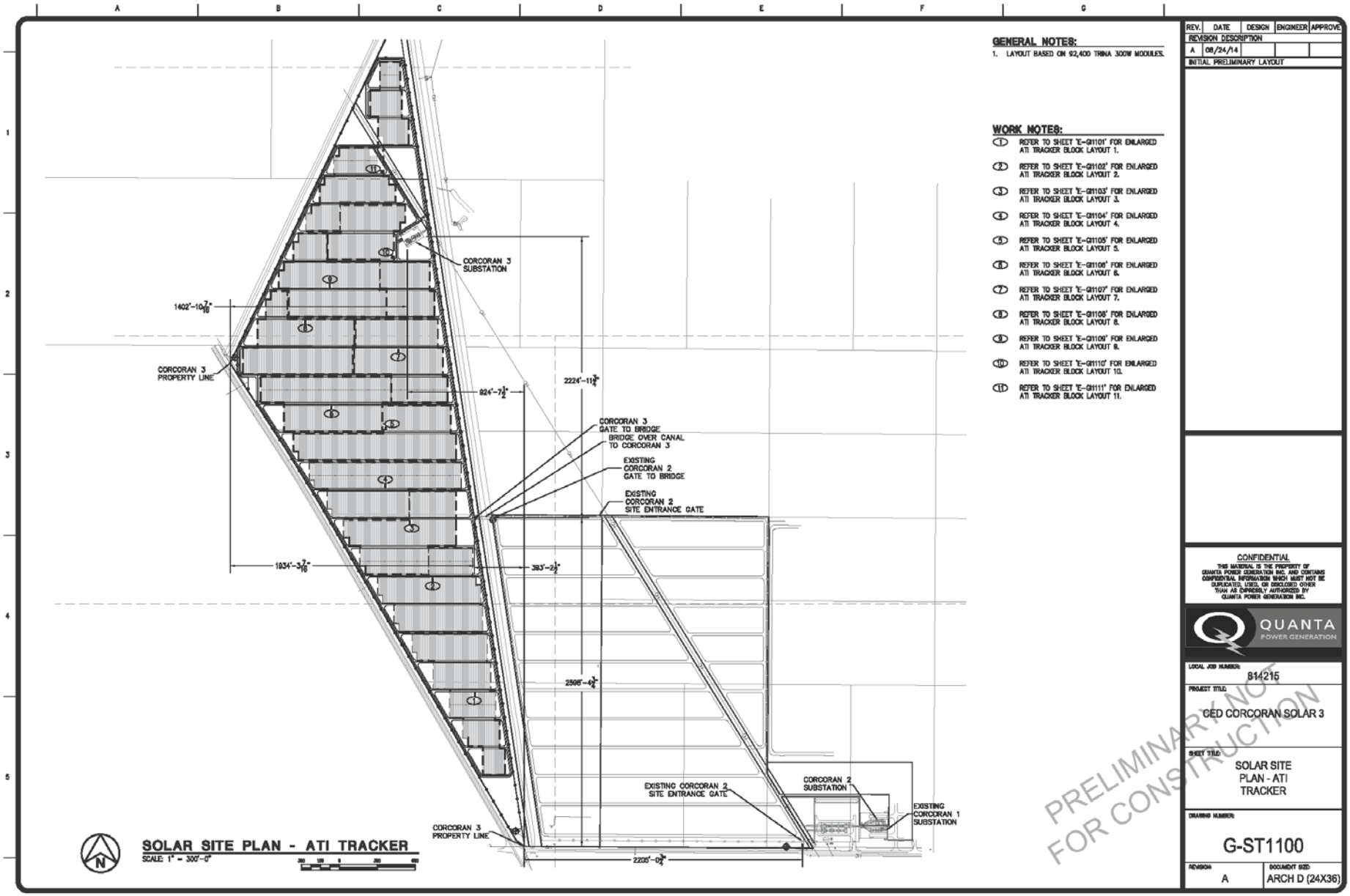


Figure 8 - CED Corcoran Solar 3 Site Plan



PROJECT REVIEW:

December 11, 2012	Application submitted by SPS Sweetwater, LLC
January 13, 2014	Solar Projects Solutions, LLC transferred their equity interest in SPS Corcoran West, LLC (now known as CED Corcoran Solar 2, LLC) and SPS Sweetwater, LLC (now known as CED Corcoran Solar 3, LLC) to CED California Holdings 2, LLC a wholly-owned subsidiary of Consolidated Edison Development, Inc.
May 23, 2014	The Applicant submitted a revision to CUP No. 12-08 which proposed to: 1) modify Conditional Use Permit (CUP) No. 10-03 for the CED Corcoran Solar 2 Project (formerly SPS Corcoran West) by adding 40 acres and 11.25 megawatts (MW) to the previously approved solar energy generating facility and 2) establish a new 20 MW solar energy generating facility for the CED Corcoran Solar 3 Project (formerly SPS Sweetwater) on 130 acres
May 23, 2014	Application certified complete
July 18, 2014	Begin 30-day review period for environmental review
August 18, 2014	30-day environmental review period ends
September 8, 2014	Planning Commission hearing

STAFF ANALYSIS: In order to approve this permit, the Commission is first required to find that:

- The use conforms to the policies of the *General Plan*.
- The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity.
- The use will comply with applicable provisions of the *Ordinance*.

With regard to these required findings, staff comments that:

1. The proposed Project, as recommended for approval, <u>is consistent</u> with the objectives and the policies of the *2035 Kings County General Plan*, specifically:

   A. Figure LU-15, the Kings County Land Use Map, of the Land Use Element of the *2035 Kings County General Plan* designates this site as General Agriculture (AG-40).

   B. Page LU-13, Section III.A.1 of the "Land Use Element" of the *2035 Kings County General Plan* states that agricultural land use designations account for a vast majority of the County's land use. Included within this land use type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce

processing facilities within the Agricultural areas of the County shall develop to County standards.

C. Page LU-13, Section III.A.1 of the "Land Use Element" of the *2035 Kings County General Plan* states that the AG-40 designation is applied to rural areas of the County south of Kansas Avenue, excluding the Urban Fringe areas of Corcoran, the communities of Kettleman City and Stratford, and high slope areas of the Coast Ranges. Included within this designation are large corporate farming areas of the Tulare Lake Basin, and areas of the valley floor generally characterized by extensive and intensive agricultural uses. Extensive irrigation channels and levees divert surface water to support field crops along the valley floor and orchards along the Kettleman Hills. This designation allows intensive agricultural uses that by their nature may be incompatible with urban uses. Much of the land within this designation is also subject to flood hazard risk and should remain devoted to agriculture use to reduce the potential for future conflicts.

D. Page LU-27, Section IV.B of the "Land Use Element" of the *2035 Kings County General Plan* states that the physical development of agricultural properties is regulated and implemented by the zoning ordinance.

E. Page LU-38, LU Goal B7 of the "Land Use Element" of the *2035 Kings County General Plan* states that community benefiting non-agricultural uses remain compatible within the County's Agriculture Open Space area, and are supported for their continued operation and existence.

F. Page LU-38, LU Policy B7.1.3 of the "Land Use Element" of the *2035 Kings County General Plan* states that power generation facilities for commercial markets shall be allowed and regulated through the Conditional Use Permit approval process, and include thermal, wind, and solar photovoltaic electrical generating facilities that produce power.

G. Page RC-50, Section G, Objective G1.2 of the "Resource Conservation Element" states that the County will promote the development of sustainable and renewable alternative energy sources, including wind, solar, hydroelectric and biomass energy.

H. Page RC-50, Section G, Policy G1.2.2 of the "Resource Conservation Element" states the County will encourage and support efforts to develop commercial alternative energy sources in lower priority agricultural lands within Kings County, when appropriately sited.

I. Page RC-51, Section G, Policy G1.2.7 of the "Resource Conservation Element" states the County will require commercial solar and wind energy systems to be reviewed as a conditional use permit pursuant to the procedures of the Kings County Zoning Ordinance.

2. The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity. A Mitigated Negative Declaration has been recommended for this Project. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit "B." On the basis of the whole record (including the initial study and all comments received), there is no substantial evidence that the project, with incorporation of mitigation measures, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.

3. The use complies with the applicable provisions of the ordinance, specifically: The proposed Project, as recommended for approval, <u>is consistent</u> with the *Kings County Zoning Ordinance*.

A. Article 4, Section 405.D.30 of the General Agricultural (AG-40) District lists solar photovoltaic electrical generating facilities that commercially produce power for sale, which comply with all local, regional, State, and Federal regulations as a conditional use subject to Kings County Planning Commission approval.

B. Article 19, Section 1908.H of the *Kings County Zoning Ordinance* states that the when an application is submitted for a solar photovoltaic electrical facility for commercial sale and distribution of electrical power, the following findings shall be made before granting a conditional use permit:

(1) The proposed site is located in an area designated as either "Very Low Priority," "Low Priority," or "Low-Medium Priority" land according to Figure RC-13 Priority Agricultural Land (2035 Kings County General Plan, Resource Conservation Element, Page RC-20). "Medium Priority" land may be considered when comparable agricultural operations are integrated, the standard mitigation requirement is applied, or combination thereof.

a. Figure RC-13 "Priority Agricultural Land," in the Resource Conservation Element of the *2035 Kings County General Plan* designates the project site as Very Low Priority Land.

(2) The proposed site is located within 1 mile of an existing 60 KV or higher utility electrical line.

a. An existing 115 KV power line traverses the project site.

(3) Agricultural mitigation is proposed for every acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance converted for a commercial solar facility. The agricultural mitigation shall preserve at a ratio of 1:1 an equal amount of agricultural acreage of equal or greater quality in a manner acceptable to the County that coincides with the life of the project. Agricultural mitigation on land designed "Medium-High" or higher priority land shall preserve an equivalent amount of agricultural acreage at a ratio of 2:1.

a. Agricultural mitigation does not apply because no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project. The entire project site is designated as Grazing land by the FMMP.

(4) The project includes a reclamation plan and financial assurance acceptable to the County that ensures the return of the land to a farmable state after completion of the project life, and retains surface water rights.

a. The project would provide a reclamation plan and financial assurance acceptable to the County, prior to the issuance of a building permit, which ensures the return of the land to a farmable state after completion of the project life prior to issuance of construction permits. The property is not assessed by the Corcoran Irrigation District and receives no water supply from the District; therefore, there are no surface water rights to retain.

(5) The project includes a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption.

a. The project would provide a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption prior to issuance of construction permits. The weed abatement plan would ensure that 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 limited in height or

removed through mechanical equipment. Herbicides may be applied if warranted by site conditions as specified in the weed abatement plan. Additionally, the project would include fire breaks around the project boundary in the form of driveways subject to county standards. The pest management plan would reduce anticipated nuisance impacts to adjacent farmland from pests inhabiting project facilities. Rodenticide and herbicide would be selected and used in a manner that minimizes impacts to protected biological species. The pest management plan would set action thresholds, identify pests, specify prevention methods as a first course of action, specify control methods as a second course of action, and establish a qualitative performance goal of nuisance reduction to adjacent farmland.

(6) The project establishes internal access roads that do not exceed a maximum distance of 300 feet between lanes.

a. The project establishes internal gravel access driveways that do not exceed a maximum separation distance of 300 feet.

(7) The project includes a solid waste management plan for site maintenance and disposal of trash and debris.

a. The project would provide a solid waste management plan for site maintenance and disposal of trash and debris prior to issuance of construction permits.

(8) The project site is not located on Williamson Act or Farmland Security Zone contracted land, unless it meets the principles of compatibility under Government Code Section 51238.1(a). Otherwise, the contract is proposed for cancellation or is eligible and converts to a Solar Easement.

a. The project site is located on Williamson Act contracted land and the contract is proposed for cancellation. Cancellation would need to be completed prior to the issuance of building permits.

STATEMENT OF FINDINGS OF CONSISTENCY:

1. **LAND CONSERVATION (WILLIAMSON) ACT FINDINGS:**

A. The project site (APN: 028-290-041 and 043) is located within an established agricultural preserve.

(1) The project site is located on Williamson Act contracted land and the applicant is proposing to discontinue the grazing operation and cancel the Williamson Act contract that currently restricts the project site. The cancellation would need to be completed prior to the issuance of building permits.

(2) On March 27, 2012, the Kings County Board of Supervisors adopted Resolution No. 12-016 amending the County's Implementation Procedures for the California Land Conservation "Williamson" Act of 1965 by adding the following paragraph to Section I under Uniform Ruses for Agricultural Preserves: "Commercial solar photovoltaic system facilities that are designed primarily for the production of electrical energy for third party consumption are not compatible under the provisions of Section 51238(a)(1). For purposes of determining compatibility, a project must be determined consistent with the principles of compatibility under Section 51238.1(a)." Since the applicant is proposing to discontinue the grazing operation and cancel the Williamson Act contract that currently restricts the project site, the cancellation would need to be completed prior to the issuance of building permits.

2. FLOOD PLAIN FINDINGS:

A. A portion of the site CED Corcoran Solar 2 and CED Corcoran Solar 3 are located within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Numbers 06031C0375C, dated June 16, 2009. See Figure 6 on Page 11 of the staff report. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.

B. A portion of the site CED Corcoran Solar 2 and CED Corcoran Solar 3 are located within Zone A as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0375C, dated June 16, 2009. See Figure 6 on Page 11 of the staff report. Zone A is a Special Flood Hazard Area Subject to Inundation by the 1 percent Annual Chance Flood where no base flood elevations have been determined.

(1) Any future development of structures within Zone A will be subject to standard requirements and the requirements of Chapter 5A of the *Kings County Code of Ordinances.*

a. Any future development will require that the elevation be determined and the Project designed according to the criteria of the *Flood Damage Prevention Ordinance* (Chapter 5A of the *Kings County Code of Ordinances*) for any structure constructed on the portion of the site within the flood zone.

3. ENTERPRISE ZONE FINDINGS:

A. The project site <u>is not located</u> within the Kings County Enterprise Zone.

4. AIRPORT COMPATIBILITY ZONE FINDINGS:

A. The project site <u>is not located</u> within an Airport Compatibility Zone.

5. SEPTIC SYSTEM FINDINGS:

A. The Project site <u>is located</u> within an area requiring engineering for any new septic systems that are installed; however, no septic systems are proposed for development on the Project site.

RECOMMENDATIONS:

It is recommended that the Commission approve Conditional Use Permit No. 12-08 as described above and adopt Resolution No. 14-08. Approval of this Resolution will:

1. Find that the proposed project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution as Exhibit "B," and approves a ***Mitigated Negative Declaration***.

2. Find that the project is consistent with the *Kings County General Plan*, *Kings County Zoning Ordinance*, and the *California Land Conservation Act of 1965 (Williamson Act).*

3. Approve the project with specified conditions of approval.

This permit shall become effective upon the expiration of eight (8) days following the date on which the permit was granted unless the Board of Supervisors shall act to review the decision of the Planning Commission.

For the information of the applicant, compliance with other adopted rules and regulations of any local or state regulatory agency shall be required by the Planning Commission. This includes but is not limited to the following:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY – PLANNING DIVISION: Contact Sandy Roper of the Kings County Community Development Agency at (559) 852-2685 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.

2. Prior to any ground disturbance, the applicant shall hire a Native American Monitor to monitor the project during all ground disturbing activities during both the construction and decommissioning phases of the project for CED Corcoran Solar 2 and CED Corcoran Solar 3.

3. Prior to any ground disturbance, a surface inspection of the project site shall be conducted by an Archaeologist. In addition, an Archaeologist shall monitor the project during all ground disturbing activities during both the construction and decommissioning phases of the project for CED Corcoran Solar 2 and CED Corcoran Solar 3

4. Prior to the issuance of a building permit for CED Corcoran Solar 2 the applicant shall obtain cancellation of the portion of the Williamson Act contract that would be occupied by CED Corcoran Solar 2.

5. Prior to the issuance of a building permit for CED Corcoran Solar 3 the applicant shall obtain cancellation of the portion of the Williamson Act contract that would be occupied by CED Corcoran Solar 3.

6. As per the Kings County Public Health Officer, *Coccidiodes immiti*, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be maintained on the job site at all times in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at www.cdph.ca.gov/programs/hesis/Documents/CocciFact.pdf and http://www.cdph.ca.gov/programs/ohb/Documents/OccCocci.pdf. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.

7. The site plan for the project is approved in concept. However, it is understood that during the actual design of the project that either of the following minor alterations to the site plan may be necessary: 1) structural alterations; and/or 2) alterations to the location of structures. Any minor alterations shall comply with the following requirements:

   A. The site shall be developed in substantial compliance with the conceptually approved site plan. Development of the site shall be considered substantially consistent with the approved conceptual site plan if any minor structural alteration is within ten (10) percent of the square footage shown on the conceptually approved site plan or up to a 2,500 square foot increase in structural size, whichever is less, and the minor structural alteration complies with coverage standards.

B. A minor alteration of the location of a structure shall be considered substantially consistent with the approved conceptual site plan if the new location of the structure complies with all setback requirements for the zone district that the project site is located in.

C. Any minor alteration that would make it necessary to modify or change any condition of approval placed on the project would require resubmittal of the application to amend the approval of the Conditional Use Permit.

D. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the conceptually approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.

8. The development shall comply with all regulations of *Zoning Ordinance No. 269*, with particular reference to the General Agricultural (AG-40) Zone District standards contained in Article 4.

9. Pursuant to Section 1605.B.1.a.1 of the Kings County Zoning Ordinance, No solid fence, wall, hedge or shrub exceeding three (3) feet in height shall be erected, planted or maintained within a required Traffic Safety Visibility Area. Traffic Safety Visibility Area is defined as a space set aside on a lot in which all visual obstructions, such as structures, fences and plantings that inhibit visibility and thus have the potential to cause a hazard to traffic and pedestrian safety are prohibited, as follows:

a. **Area adjacent to a driveway on any lot -** the Traffic Safety Visibility Area is that area on the street side of a diagonal line connecting points, measured from the intersection of the driveway (located on the property or adjoining parcel) and the street right of way line, twenty (20) feet along the side of the driveway and twenty (20) feet along the street side of a lot.

b. **On a corner lot -** the Traffic Safety Visibility Area also includes that area of a corner lot on the street side of a diagonal line connecting points, measured from the property corner where the streets intersect, set back one (1) foot for every one (1) mile per hour of the posted speed limit along each street.

10. Pursuant to Section 1606.C.1 of the *Kings County Zoning Ordinance* unless otherwise stated, the following signs are allowed as a permitted use and do not require a sign permit, site plan review or conditional use permit. All signs shall be located outside of the public right-of-way and shall not be located within a traffic safety visibility area if over three (3) feet in height. Unless a different setback is specified for a particular zone district, the minimum setback distance for all signs over three (3) feet in height shall be ten (10) feet from property lines. Signs shall be permitted only as follows in Agricultural (A) Districts:

A. Name plates or signs, not directly illuminated, with an aggregate area of not more than forty (40) square feet pertaining to a permitted use, permitted use with site plan review or conditional use conducted on the site.

B. Signs exceeding forty (40) square feet in structural area and up to one-hundred-fifty (150) square feet in structural area which are incidental and pertaining to a permitted or conditional use may be permitted subject to a site plan review. Such signs may be located on the same parcel or an adjacent parcel used in conjunction with the permitted or

conditional use. Signs exceeding forty (40) square feet in structural area may be illuminated and shall be thirty (30) feet from property lines adjacent to a road.

C. One non-illuminated on-site sign real estate sign or subdivision not exceeding thirty-two (32) square feet in structural area with copy on both sides pertaining to the sale, lease, rental or display of a structure or land per Section 1606.B.2.a.

D. Directional or information (other than advertising) signs not exceeding two hundred and forty (240) square feet in area located adjacent to a state highway or a county road within an area limited by points not closer than one-fourth (¼) mile or further than three-fourths (¾) mile from a frontage road turnoff, listing commercial establishments accessible via the frontage road, and further provided that not more than four (4) such signs shall be permitted on each side of the highway or county road.

E. Signs not exceeding two hundred forty (240) square feet in area located adjacent to a state highway or county road that is classified as an arterial or collector road (including such designations as urban or rural, major or minor) giving direction to or information about Kings County cities, communities, or rural service centers which are accessible by such state highways or county roads or direct routes consisting of combinations thereof, provided that such signs shall be limited to four (4) per city, community or rural service center regardless of the sign's location in this district, and further provided that such signs shall not contain information pertaining to a subdivision of land or private development, commercial establishments or quasi-public developments.

F. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.

G. Political and Campaign Signs in accordance with Section 1606.B.3.

H. Placing a sign on property which is restricted by contract under the *California Land Conservation "Williamson" Act of 1965* shall be prohibited, except for temporary signs (pursuant to Section 1606.B.2.a, c, and d), political and campaign signs (pursuant to Section 1606.B.4), and signs incidental to a permitted use, permitted use with site plan review, or conditional use which are consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.

11. Exterior lighting shall be hooded so as to be directed only on site.

12. A minimum of four (4) off-street parking spaces shall be provided and that such parking shall be installed in accordance with the *Kings County Improvement Standards*.

13. All parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires Cutback Asphalt over four (4) inches of Decomposed Granite under the "Rural Alternative." (Note: The Kings County Zoning Administrator hereby reserves the right to require additional improvements to the parking area and driveway if at any time in the future the decomposed granite surface deteriorates and either a dust problem is created due vehicles driving on the decomposed granite surface, or a mud problem is created due to vehicles tracking mud onto County Roads.)

14. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.

15. The minimum yard requirements from property line to a structure shall be as follows:

    A. The minimum front yard setback for occupied structures shall be not less than fifty (50) feet from the public road right-of-way line or the property line if not fronting on a public road right-of-way. The minimum front yard setback for non-occupied uses shall be not less than thirty-five (35) feet from the public road right-of-way or property line if not fronting on a public road right-of-way.
    B. The minimum side yard setback shall be ten (10) feet from the side property line for interior sites. The minimum side yard setback shall be twenty (20) feet from the public road right-of-way line on the street side of a corner site.
    C. The minimum rear yard setback shall be ten (10) feet from the rear property line.

16. The minimum distance between structures shall be ten (10) feet.

17. The applicant shall comply with all requirements of, and obtain any necessary permits from, the San Joaquin Valley Air Pollution Control District (SJVAPCD). Questions concerning SJVAPCD requirements should be direct to Jessica Willis at (559) 230-5818.

18. The applicant shall comply with all requirements of, and obtain any necessary permits from, the California Regional Water Quality Control Board (CRWQCB). Questions concerning CRWQCB requirements should be direct to David Sholes at (559) 445-6279.

19. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and the Environmental Heath Services Division of the Health Department, and all other local and state regulatory agencies.

20. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a "Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings" shall be signed, notarized, and recorded.

21. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that Planning Commission Resolution No. 14-08 is adopted.

22. Sales or use tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office. For general information, please call the Board of Equalization at 1-800-400-7115.

23. Prior to the issuance of a building permit, the applicant shall submit a Soil Reclamation Plan for review and approval by Community Development Agency staff. The plan shall contain an analysis of pre-project baseline soil conditions, and shall contain specific measures to restore the soil to its pre-project condition, including removal of all fixtures, equipment, non-agricultural driveways, and restoration of compacted soil. Reclamation shall be completed within six months of the expiration of the use permit.

24. Prior to the issuance of a building permit, the applicant shall post a performance bond or similar instrument to ensure completion of the activities under the Reclamation Plan. An Updated Engineer's Cost Estimate shall be submitted by the applicant every 5 years so that the financial assurances for the Reclamation Plan can be reviewed every 5 years by the Kings County Community Development Agency to determine if finances are sufficient to perform reclamation of the Project. The financial assurance must be adjusted if, during the five year review, finances are determined to be insufficient to perform reclamation of the Project.

25. Additional annual service impact fees affecting the Kings County Fire and Sheriff departments will not be billed to the applicant. Instead, the applicant will be responsible to pay for services rendered by the two departments during times of emergency when services are provided.

26. All mitigation measures in the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan that pertain to CUP No. 12-08 are adopted as conditions of this approval, and included in the Conditional Use Permit.

27. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.

28. This Conditional Use Permit shall lapse and shall become null and void three (3) years following the date that the Conditional Use Permit became effective, unless prior to the expiration of three (3) years the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void three (3) years following the date that the Conditional Use Permit became effective, unless prior to the expiration of three (3) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.

29. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Planning Commission prior to the permit's expiration date.

OTHER AGENCY'S COMMENTS, STANDARDS, AND REGULATIONS:

The following departments and agencies have provided comments, standards, and regulations concerning the proposed project. The Planning Commission has no authority to modify, amend, or delete any of these comments, standards, and regulations but lists them here as information to the applicant. Appeals for relief of other agency's standards and regulations must be made through that department's or agency's procedures, not through the Zoning Ordinance procedures. However, the applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and the Environmental Heath Services Division of the Health Department, and all other local and state regulatory agencies. Failure of the applicant to comply with all adopted standards and regulations of all other local and state regulatory agencies is a violation of this conditional use permit (see Planning Division Condition No. 19 above) and could result in revocation of this conditional use permit.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements:

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.

2. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.

3. A minimum of (2) sets of plans and calculations signed by an architect or engineer licensed to practice in the Sate of California shall be required for all structures.

4. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.

5. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.

6. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.

7. If the facility will have employees on-site for maintenance of the system an accessible restroom shall be provided. This may be accomplished by either construction of a permanent structure or use of a chemical toilet with a regular maintenance schedule.

8. Pursuant to the *California Building Code* one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided. The parking space shall be 9’ x 20’ with an 8’ wide loading and unloading aisle placed on the side opposite the driver’s side. The surfacing of the parking space, loading and unloading aisle and the accessible path from the space to the entrance of the building shall be either asphalt concrete or concrete.

9. A soils report, prepared by a qualified soils engineer, shall be provided to the Building Division prior to issuance of building permits.

10. The site is located within a Special Flood Hazard Area. The proposed development shall meet the requirements of the Kings County Code of Ordinances, Chapter 5A, Flood Damage Prevention.

11. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.

12. All construction shall conform to the 2013 California Building Standards Code which consists of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.

KINGS COUNTY PUBLIC WORKS DEPARTMENT: Contact Mike Hawkins of the Kings County Public Works Department at (559) 852-2708 regarding the following requirements:

1. All requirements required hereafter shall conform to the Kings County Improvement Standards.

2. All other alternatives to Public Works requirements must be approved by the Kings County Public Works Department.

3. All drainage shall be contained on-site.

4. All proposals of the applicant are conditions of approval unless otherwise mentioned.

5. Canal Company shall be informed of bridge to be constructed over the Sweet Canal for their review and comments.

6. No signs or structures are to be placed in the County right-of-way. Any existing signs or structures within the County right-of-way shall be removed. This condition affects all phases of the solar farm.

7. Perimeter fencing along County maintained roads shall be placed at one (1) foot beyond the right-of-way line. Contact the Kings County Public Works Department for right-of-way information.

KINGS COUNTY FIRE DEPARTMENT: Contact Rick Smith of the Kings County Fire Department at (559) 852-2885 for the following requirements:

1. Rows of solar panels shall not exceed 300 feet in length.

2. There shall be a minimum of 4 feet of separation between rows to allow access for fire suppression personnel.

3. There shall be access roads of an all-weather surface capable of supporting heavy fire apparatus between the 300 foot sections of solar panels to allow fire apparatus access to the panels so that no portion of any panel is greater than 150 feet from fire suppression access. The access roads shall be maintained and completely surround the solar panels to allow access from any side or end. Widths of access roads shall be determined by the Fire Marshal.

4. The solar field shall be kept clear of combustible weeds and debris.

5. The solar fields shall be protected to prevent public access.

6. Fire Department requires a Knox box or other approved system to store and secure keys for any fence or buildings within the property.

7. Applicant shall provide training for fire personnel to be able to interrupt electrical power safely for emergency incidents requiring fire suppression or rescue activities.

8. Architects, Engineers and Designers shall provide detailed plans for review of the project and shall meet with the Fire Marshal in a timely manner upon his request for clarification of any issues.

9. Any fire suppression systems or fire flow requirements will be dependent upon project facilities and review of the project specifications.

10. Fire Department reserves the right to add additional comments or requirements depending upon the hazards involved with the project.

KINGS COUNTY HEALTH DEPARTMENT: Contact Lee Johnson of the Kings County Department of Environmental Health Services at (559) 852-2631 regarding the following requirements:

1. If hazardous materials at or above threshold reporting quantities (55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a gas) will be kept on site, the facility must file a Hazardous Materials Business Plan online at http://cers.calepa.ca.gov within 30 days of beginning operations. Hazardous materials are broadly defined, and include fuel, lubricants, antifreeze, motor vehicle batteries, welding gases, paints, solvents, glues, agricultural chemicals, etc. Please contact our office if you require assistance with the online registration process.

2. Any quantities of hazardous wastes generated by the facility operation must be managed in accordance with Federal, State, and local laws and regulations. Hazardous wastes cannot be disposed of into the municipal waste stream or onsite sewage disposal system. The owner/operator must contact our office at with any questions regarding proper management and reporting of any hazardous wastes associated with this operation.

3. Any plumbing fixtures that may be provided on site, such as hand wash sinks, used by employees for personal use must have bacteriologically safe water. Sinks should be limited to hand washing only and should be posted with signage indicating that the water is suitable for washing and general cleaning, but not recommended for drinking. Bottled water or other potable source must be provided for drinking. If drinking water will be provided to 25 employees or more for 60 days or more over a calendar year, then the facility may require a public water system permit from our office. Portable toilets must be serviced at an adequate frequency so as not to create nuisance conditions.

4. If an onsite septic system will be installed, three copies of septic system plans must be submitted to our office for review and approval prior to construction of the system.

CALTRANS: Contact Alec Kimmel, Transportation Planner with Caltrans at (559) 488-4325 regarding the following requirements:

1. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State Highway right-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

2. The project site is adjacent to access control right-of-way. Access to the site from the State right-of-way is prohibited.

3. The right-of-way fence shall remain unmodified and undisturbed. An encroachment permit is required to repair the fence if damaged or modified. Any proposed fences shall meet current State Standards if located within or adjacent to the State right-of-way.

4. Any proposed curb, gutter, sidewalk, and access ramps shall be required to comply with current ADA requirements or other applicable State or Federal law.

5. The highway drainage shall not be modified. Site runoff is not allowed into the State right-of-way without approval from the Department.

6. Any future improvements should account for future utility placements whether underground or above ground.

7. Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the issuance of an encroachment permit.

8. If right-of-way is dedicated to the State because of the project or the work proposed in the State right-of-way, it will need to be dedicated and conveyed to the State (in a form approved by the State) before an encroachment permit is issued for any work in the State right-of-way.

9. No advertising signs are allowed in or over the State right-of-way. A sign permit may be required for advertising signs adjacent to and visible from the State Highway right-of-way.

10. Landscape and irrigation should be kept outside of the State right-of-way. If not, a landscape and maintenance agreement is required between the Department and the local jurisdiction for the landscape and irrigation proposed before an encroachment permit is issued.

PREPARATION:

Prepared by the Kings County Community Development Agency (Sandy Roper) on August 20, 2014. Copies are available for review at the Kings County Community Development Department, Government Center, Hanford, California, or at the Kings County Clerk's Office, Government Center, Hanford, California.

Attachments to the Staff Report:

1. 8-13-14 Letter from Caltrans

ATTACHMENT No. 1

DEPARTMENT OF TRANSPORTATION
DISTRICT 6
1352 WEST OLIVE AVENUE
P.O. BOX 12616
FRESNO, CA 93778-2616
PHONE (559) 488-4325
FAX (559) 445-4088
TTY 711
www.dot.ca.gov

Serious drought.
Help save water!

August 13, 2014

2135-IGR/CEQA
06-KIN-43-5.09
CUP 12-08 (Con Edison)
SCH # 2014071064

Sandy Roper, Principal Planner
Kings County Community Development Agency
1400 W. Lacey Boulevard
Hanford, CA 93230

Sandy Roper:

Thank you for the opportunity to review a notice of intent to adopt a mitigated negative declaration for Conditional Use Permit (CUP) 12-08. The proposal includes modification of CUP 10-03 for the CED Corcoran Solar 2 Project by adding 40 acres and 11.25 megawatts (MW) of production to the previously approved solar facility, and proposes a new 20 MW solar facility, the CED Corcoran Solar 3 project, on 130 acres. The project sites are located on the north side of Nevada Avenue, just east of and adjacent to State Route (SR) 43 near the City of Corcoran in unincorporated Kings County.

Based on the information provided, Caltrans has the following comments:

- An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State highway rights-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes, Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

- The project site is adjacent to access control right-of-way. Access to the site from the State right-of-way is prohibited.

- The right-of-way fence shall remain unmodified and undisturbed. An encroachment permit

is required to repair the fence if damaged or modified. Any proposed fences shall meet current State Standards if located within or adjacent to the State right-of-way.

- Any proposed curb, gutter, sidewalk, and access ramps shall be required to comply with current ADA requirements or other applicable State or Federal law.

- The highway drainage shall not be modified. Site runoff is not allowed into the State right-of-way without approval from the Department.

- Any future improvements should account for future utility placements whether underground or above ground.

- Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Compliance with the Departments NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the issuance of an encroachment permit.

- If right-of-way is dedicated to the State because of the project or the work proposed in the State right-of-way, it will need to be dedicated and conveyed to the State (in a form approved by the State) before an encroachment permit is issued for any work in the State right-of-way.

- No advertising signs are allowed in or over the State right-of-way. A sign permit may be required for advertising signs adjacent to and visible from the State Highway right-of-way.

- Landscape and irrigation should be kept outside of the State right-of-way. If not, a landscape and maintenance agreement is required between the Department and the local jurisdiction for the landscape and irrigation proposed before an encroachment permit is issued.

If you have any questions regarding the above comments, please contact me at (559) 488-4325.

Sincerely,

ALEC KIMMEL, Transportation Planner
Planning South Branch

KINGS COUNTY
COMMUNITY DEVELOPMENT AGENCY

Gregory R. Gatzka, Director

PLANNING DIVISION

Chuck Kinney, Deputy Director – Planning

Web Site: http://www.countyofkings.com/departments/community-development-agency

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the Kings County Community Development Agency invites public review and comment on the environmental document listed below. The public review period begins on July 18, 2014, and ends on August 18, 2014. Written comments concerning the adequacy of the document will be accepted until 5:00 P.M. on August 18, 2014, at the Kings County Community Development Agency, at the Kings County Government Center, Engineering Building No. 6, 1400 W. Lacey Boulevard, Hanford, CA 93230. The document is posted in the County Clerk's office and is also available at the Kings County Community Development Agency. If you would like to request an electronic copy of a document then please contact Sandy Roper, with the Community Development Agency, at (559) 852-2685, or by email at Sandy.Roper@co.kings.ca.us.

INITIAL STUDY PROPOSED AS A MITIGATED NEGATIVE DECLARATION:

1. Conditional Use Permit No. 12-08 (Con Edison) – A proposal to:

   A. Modify Conditional Use Permit (CUP) No. 10-03 for the CED Corcoran Solar 2 Project (formerly SPS Corcoran West) by adding 40 acres and 11.25 megawatts (MW) to the previously approved solar energy generating facility located at 6734 Nevada Avenue, Corcoran, CA, Assessor's Parcel Number 028-290-043. CUP No. 10-03 was previously approved on November 7, 2011, when the Kings County Planning Commission adopted Resolution No. 11-04 for an 8.5 MW solar energy generating facility on 83.99 acres. The modification of CUP No. 10-03 will increase the size of the project from 8.5 MW to 19.75 MW and increase the acreage of the project site from 83.99 acres to 123.99 acres.

   B. Establish a new 20 MW solar energy generating facility for the CED Corcoran Solar 3 Project on 130 acres located at 7094 Nevada Avenue, Corcoran, CA, Assessor's Parcel Numbers 028-290-041 and 043.

The Kings County Planning Commission will hold a public hearing to consider the environmental document for the proposed project that is listed above. The public hearing will be held on Monday, September 8, 2014 at 7:00 P.M., in the Kings County Board of Supervisors Chambers, in the Administrative Building No. 1, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California. Pursuant to California Government Code Section 65009, subdivision (b), if you challenge Conditional Use Permit No. 12-08 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 to the Kings County Planning Commission at, or prior to, the public hearing. Interested parties are invited to appear and present evidence or make statements of fact regarding the proposed projects. For more information regarding the proposed project please call Sandy Roper, of the Kings County Community Development Agency, at (559) 852-2685.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY
Gregory R. Gatzka, Director

Sandy R. Roper, Principal Planner

PUBLISH: July 18, 2014

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY

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HANFORD, CA 93230

Modification of Conditional Use Permit No. 10-03 for the CED Corcoran Solar 2 and Conditional Use Permit No. 12-08 for the CED Corcoran Solar 3 Generation Facilities Project

Initial Study &
Mitigated Negative Declaration

July 2014

Prepared by:

KINGS COUNTY
COMMUNITY DEVELOPMENT AGENCY

EST. 1968
PROVOST& PRITCHARD
CONSULTING GROUP
An Employee Owned Company

3560-1401

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CHAPTER 1

INTRODUCTION

CHAPTER 1-INTRODUCTION

The Kings County Community Development Agency (Agency) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) to address the environmental effects of the Modification of Conditional Use Permit (CUP) No. 10-03 for the CED Corcoran Solar 2 project and CUP No. 12-08 for the CED Corcoran 3 Generation project (together the "Project"). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code §21000 et.seq. The Kings County Community Development Agency is the CEQA lead agency for this proposed Project.

The proposed Project involves approximately 170 acres of land for the construction and operation of a photovoltaic solar generation facility. The Project would also include the construction and operation of associated electrical equipment. The proposed Project is described in detail in Chapter 2, Project Description.

Regulatory Information

An Initial Study (IS) is a document conducted by a lead agency to determine if a project may have a significant effect on the environment. In accordance with the California Code of Regulations Title 14 (Chapter 3, §15000 et seq.)-- also known as the CEQA Guidelines-- Section 15064 (a)(1) states an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant. A negative declaration may be prepared instead, if the lead agency finds that there is *no* substantial evidence, in light of the whole record that the project may have a significant effect on the environment. A negative declaration is a written statement describing the reasons why a proposed project, not exempt from CEQA pursuant to §15300 et seq. of Article 19 of the Guidelines, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines Section 15371). According to CEQA Guidelines Section 15070, a negative declaration shall be prepared for a project subject to CEQA when either:

a) The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

b) The IS identified potentially significant effects, but:

(1) Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed negative declaration and initial study is released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and

(2) There is no substantial evidence, in light of the whole record before the agency, that the proposed project *as revised* may have a significant effect on the environment. If revisions are adopted by the Lead Agency into the proposed project in accordance with the CEQA Guidelines Section 15070(b), a *Mitigated Negative Declaration (MND)* is prepared.

Document Format

This IS/MND contains five chapters, and five technical appendices. Chapter 1, Introduction, provides an overview of the proposed Project and the CEQA environmental documentation process. Chapter 2, Project Description, provides a detailed description of proposed Project objectives and components. Chapter 3, Impact Analysis, presents the CEQA checklist and environmental analysis for all impact areas, mandatory findings of significance, and feasible mitigation measures. If the proposed Project does not have the potential to significantly impact a given issue area, the relevant section provides a brief discussion of the reasons why no impacts are expected. If the proposed Project could have a potentially significant impact on a resource, the issue area discussion provides a description of potential impacts, and appropriate mitigation measures and/or permit requirements that would reduce those impacts to a less than significant level. Chapter 4, Mitigation Monitoring and Reporting Program (MMR&P), provides the proposed mitigation measures, completion timeline, and person/agency responsible for implementation and Chapter 5, List of Preparers, provides a list of key personnel involved in the preparation of the IS/MND.

The NRCS Custom Soil Resource Report, CalEEMod Output Files, Biological Technical Report and Cultural Resources Constraints Assessment are provided as technical appendices at the end of this document.

Environmental impacts are separated into the following categories:

Potentially Significant Impact. This category is applicable if there is substantial evidence that an effect may be significant, and no feasible mitigation measures can be identified to reduce impacts to a less than significant level. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

Less Than Significant After Mitigation Incorporated. This category applies where the incorporation of mitigation measures would reduce an effect from a "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measure(s), and briefly explain how they would reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).

Less Than Significant Impact. This category is identified when the proposed Project would result in impacts below the threshold of significance, and no mitigation measures are required.

No Impact. This category applies when a project would not create an impact in the specific environmental issue area. "No Impact" answers do not require a detailed explanation if they are adequately supported by the information sources cited by the lead agency, which show that the impact does not apply to the specific project (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis.)

Acronyms Used in this Document

AB	Assembly Bill
ARB	Air Resources Board
CAA	Clean Air Act
CalEEMod	California Emissions Estimator Model
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CH_4	Methane
CO_2	Carbon Dioxide
CUP	Conditional Use Permit
EIR	Environmental Impact Report
GHG	Greenhouse Gas
IS	Initial Study
LLC	Limited Liability Corporation
MMR&P	Mitigation Monitoring & Reporting Program
MND	Mitigated Negative Declaration
MW	Megawatt
NOx	Nitrogen Oxide
NRCS	Natural Resources Conservation Service
PV	Photovoltaic
RMA	Resources Management Agency
SB	Senate Bill
TAC	Toxic Air Contaminants
USDA	United States Department of Agriculture
USEPA	United States Environmental Protection Agency

CHAPTER 2

PROJECT DESCRIPTION

CHAPTER 2-PROJECT DESCRIPTION

Project Background and Objectives

1. Project Title:

Modification of Conditional Use Permit No. 10-03 for the CED Corcoran Solar 2 (formerly SPS Corcoran West) and Conditional Use Permit No. 12-08 for the CED Corcoran Solar 3 Generation Facilities Project (also on Figure 4, Aerial Map)

2. Lead Agency Name and Address:

Kings County Community Development Agency
1400 W. Lacey Blvd.
Hanford, CA 93230

3. Contact Person and Phone Number:

Lead Agency Contact
Kings County Community Development Agency
Sandy Roper, Principal Planner
(559) 852-2685

CEQA Consultant
Provost & Pritchard Consulting Group
Dawn Marple, Project Manager
(559) 636-1166

Applicant
ConEdison Development, LLC
Robert Deobler
Project Developer
(914) 419-6701

4. Project Location:

The Project is located in eastern Kings County, central California, approximately 219 miles southeast of Sacramento and 66 miles north of Bakersfield (see Figure 1). The Project Site is situated on the east side of State Route 43, immediately north of Nevada Avenue approximately 2.5 miles north of the City of Corcoran. The Project Site can be found within the census designated place of Waukena, CA, United States Geological Survey (USGS) 7.5 minute quadrangle, in Section 34, Township 20 South, Range 22 East, Mount Diablo Base & Meridian (M. D. B & M). Specifically CED Corcoran Solar 2 will be located on APN 028-290-043 (on the east side of the Sweetwater Canal), while CED Corcoran Solar 3 will be located on APNs 028-290-043 (on the west side of the Sweetwater Canal) and 028-290-041

5. Latitude and Longitude:

N 36° 08’ 45”, W 119° 35’ 00”

6. General Plan Designation:

General Agriculture (see Figure 2)

7. Zoning:

AG-40, General Agricultural, 40-Acre Minimum (See Figure 3)

8. Description of Project:

Project Background

The CED Corcoran Solar 2 and CED Corcoran Solar 3 generation facilities would be located on land owned by the JG Boswell Company and the Corcoran Irrigation District. Each facility would utilize the traditional photovoltaic flat plate solar modules typically found in installations throughout the Central Valley.

Conditional Use Permit (CUP) Application 10-03 was approved on November 7, 2011 by the Kings County Planning Commission. The Planning Commission’s approval allowed for the development of the SPS Corcoran West, an 8.5 Megawatt (MW) solar generation facility, on approximately 84 acres (APN 028-280-023). The environmental impacts of this project were analyzed under a separate IS/MND.

Conditional Use Permit 12-08 was submitted to the Kings County Planning Department by Solar Project Solutions in December of 2012. The CUP requested the development of a 20 Megawatt (MW) solar generation facility on approximately 155 acres portion of a 194 acre site (APNs 028-290-41, 43 (portion), it also included a 0.60 acre access road.

The SPS Corcoran West solar generation facility, not yet developed, and Conditional Use Permit 12-08 has since been sold to ConEdison Development, LLC.

ConEdison Development, LLC is requesting to modify CUPs 10-03, CED Corcoran Solar 2 (formerly SPS Corcoran West), and 12-08, CED Corcoran Solar 3.

CED Corcoran Solar 2

CUP 12-08 will modify CUP 10-03 (CED Corcoran Solar 2) by adding an additional 11.25 MW on 40 acres of land. At its final build out the CED Corcoran Solar 2 Project will consist of the territory previously approved by CUP 10-03 and an additional 40 acres requested by CUP 12-08. No additional analysis is needed for the previously approved 84 acres analyzed by the IS/MND completed for the original CUP 10-03 application; however the additional 40 acres will be covered by this IS/MND.

CED Corcoran Solar 3

CUP 12-08 has been modified from its original request in December of 2012 to establish a new 20 MW solar energy generating facility on approximately 130 acres. This IS/MND also analyzes the 130 acres for CED Corcoran Solar 3.

Project Description

The proposed Projects involve the construction of two solar energy generating facilities; an 11.25 MW solar facility on 40 acres of land (CED Corcoran Solar 2). At its total build out the CED Corcoran Solar 2 will construct 19.75 MW (8.5 MW previously approved under CUP 10-03 and 11.25 MW requested under CUP 12-08), and a 20 MW solar generation facility on approximately 130 acres of land (CED Corcoran Solar 3). The two solar generation facilities and their associated infrastructure will provide a total generating capacity of 39.75 MWac. The Projects are intended to operate year round and would generate electricity during daylight hours.

Each Project would consist of the following components: (1) PV modules; (2) mounting structures; (3) inverters and transformers; (4) electrical collection and distribution system; (5) generation step-up transformer; (6) on-site switchgear, and (7) an on-site substation. Power generated from each of the Projects would be delivered from the via separate new gen-tie lines to existing 115kV power lines.

The CED Corcoran Solar 2 facility would connect with the previously approved SPS Corcoran West facility (CUP 10-03) and have a total installed generating capacity of 19.75MW. The CED Corcoran Solar 3 facility (CUP 12-08) would have a total installed capacity of 20MWac.

Project Specifics

Project	Capacity MWac	Site Gross Acres	Module Capacity Range (1)	Inverter Capacity Range (1)	Module Racking Type	Perimeter Fence
CED Corcoran Solar 2 (Previously Approved)	8.5	84	300Wdc to 310Wdc	500kWac to 2MWac	Tracking	Chain link 8ft tall
CED Corcoran Solar 2 (Addition)	11.25	40	300Wdc to 310Wdc	500kWac to 2MWac	Tracking	Chain link 8ft tall
CED Corcoran Solar 3	20.00	130	300Wdc to 310Wdc	500kWac to 2MWac	Tracking	Chain link 8ft tall

(1) total quantity dependent upon capacity selected.

Solar Panel Field

The solar panels would be installed on a horizontal single-axis tracker, with each tracker consisting of multiple rows with a tracking range of -45 degrees to +45 degrees. At full tilt, the

lower side of each panel would be about 18 inches from the ground while the higher side would be about 8 feet above the ground.

Lighting would normally be off at the facility, and would only be triggered manually for emergency repairs or automatically by motion sensors.

The solar panels would be light-absorbing with anti-reflective coatings that virtually eliminate glare. Security fencing, neutral paint color on electrical equipment and the flat topography on and around the Project site will make the Project consistent with the regional viewshed.

Construction

Project construction would require the use of graders, trenchers, and a crane. After initial site grading, a hydraulic driver would be used to drive metal piers into the ground. Concrete pads would be poured for the electrical equipment enclosures. Electrical collection cables and distribution system cables would be trenched below grade.

Construction of the Project would take approximately 12 months. The Project would comply with San Joaquin Valley Air Pollution Control District Rule 8021 for construction and earthmoving activities. In addition, a Storm Water Pollution Prevention Plan ("SWPPP") would be in effect for the Project to prevent impacts from any storm water generated on-site.

Maintenance and Occupation

The facilities would be operated and monitored remotely. Local operating staff would visit the sites occasionally to perform preventative maintenance and panel washing.

9. Surrounding Land Uses and Setting:

The Project Site is approximately 32 miles east of the Coast Range and approximately 28 miles west of the Sierra Nevada Mountain Range in the San Joaquin Valley. Topographically, the Project Site is at an elevation of approximately 210 feet above mean sea level (see Figure 2). The Project Site is currently vacant and used for grazing cattle. The land uses surrounding the Project Site include agriculture and water storage, conveyance, and recharge. To the immediate south is Nevada Avenue beyond which are agricultural uses; to the west are water conveyance facilities and agricultural uses; to the north are water conveyance facilities and grazing land. Farther east are two solar facilities, CUP 10-04 SPS Corcoran 20MW Solar Project and also CUP 11-13 CID 20MW Solar Project (approved but not yet built). The Project Site is bounded on the Southwest by State Route 43, on the Northwest by the Lakeland Canal and a vacant field, and on the East by the Sweet Canal on the upper portion and vacant land on the lower half.

Figure LU-15, Land Use Map of Corcoran "Urban Fringe", of the Land Use Element of the 2035 Kings County General Plan designates the Project site land use as General Agriculture (AG-40). The surrounding land use is designated as General Agriculture (AG-40), Limited Agriculture (AL-10), Heavy Industrial (IH). The Project Site is located in the General Agricultural (AG-40) zone district.

North:
Zoning: AG-40 (General Agriculture, 40-Acre Minimum)

Land Use: Agriculture (grazing) and water fowl mitigation area, established in 2004 (see Figures 4 and 5)

East:
Zoning: AG-40 (General Agriculture, 40-Acre Minimum)
Land Use: water regulation and recharge basins (see Figures 4 and 5). There are also three solar facilities; CUP 10-03 SPS Corcoran West 8.5 MW(approved but not yet built), CUP 10-04 SPS Corcoran 20MW Solar Project, and CUP 11-13 CID 20MW Solar Project (approved but not yet built).

West:
Zoning: AG-40 (General Agriculture, 40-Acre Minimum)
Land Use: Agriculture (see Figures 4 and 5)

South:
Zoning: AG-40 (General Agriculture, 40-Acre Minimum), AL-10 (Limited Agriculture, 10-Acre Minimum), and MH (Heavy Industrial)
Land Use: Agriculture (see Figures 4 and 5)

The nearest water bodies to the Project Site include the Lakeland and Sweet Canals, which border and cross the site to the Northwest and East, respectively. To the immediate North of the site, two reservoirs total approximately 1.5 square miles. One mile to the East is a two-square-mile reservoir, which itself is bounded on the South by a one-square-mile percolation basin. The nearest River is the Tule River, approximately seven miles east of the Project site. Lake Success is located approximately 36 miles east. The nearest residence is located approximately one quarter of a mile southeast of the site.

10. Other Public Agencies Whose Approval May Be Required:

Discretionary approvals that may be required:

- State Water Resources Control Board – NPDES Construction General Permit
- Regional Water Quality Control Board, Central Valley Region – Waste Discharge Requirements
- San Joaquin Valley Air Pollution Control District – rules and regulations (Regulation VIII, Rule 9510, Rule 4641)
- California Public Utilities Commission – approval for utility upgrades (not anticipated to be necessary)

Ministerial approvals and agreements that may be required:

- Kings County – Franchise Route Agreement
- Kings County – building permits

Figure 1 - Regional Location

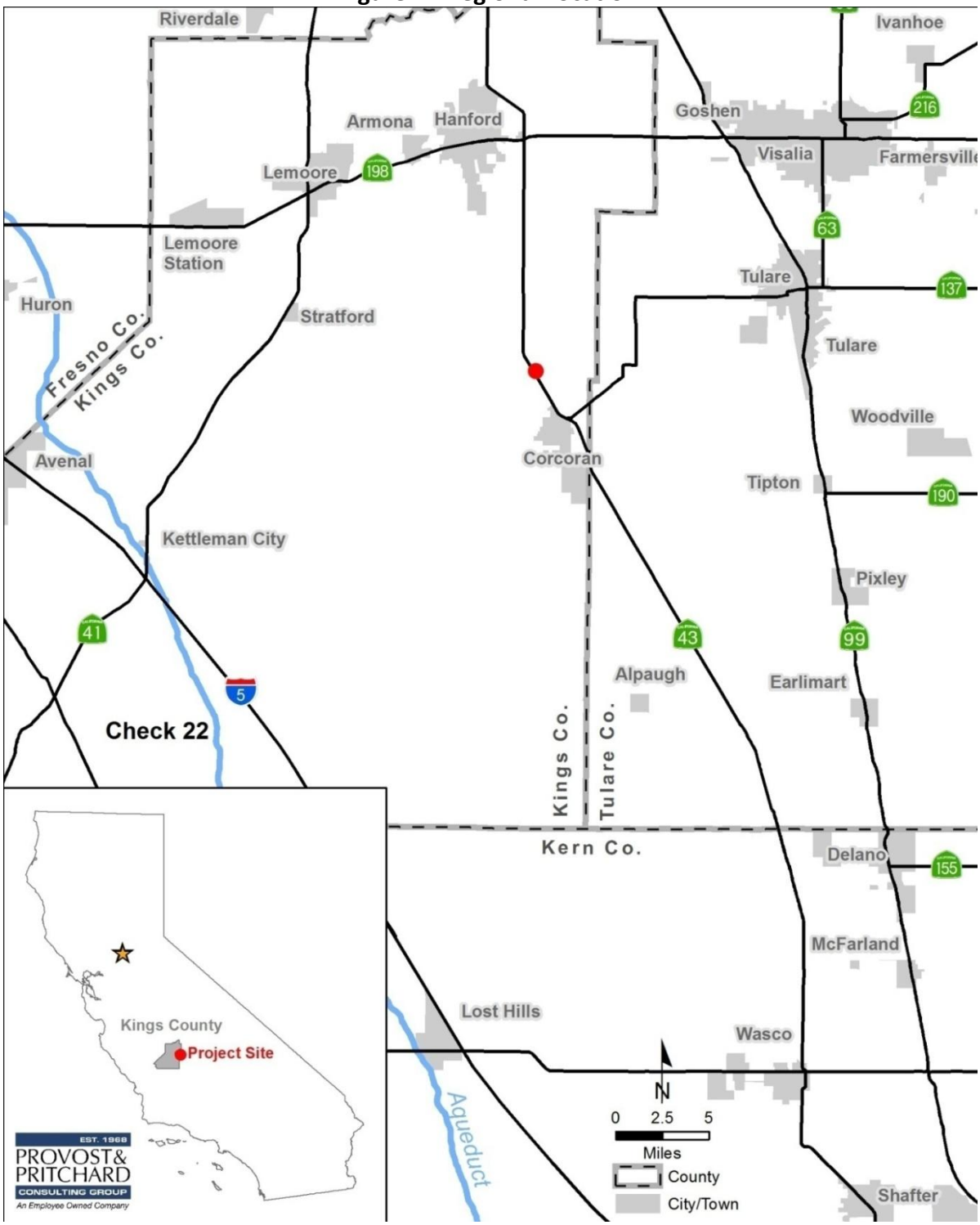
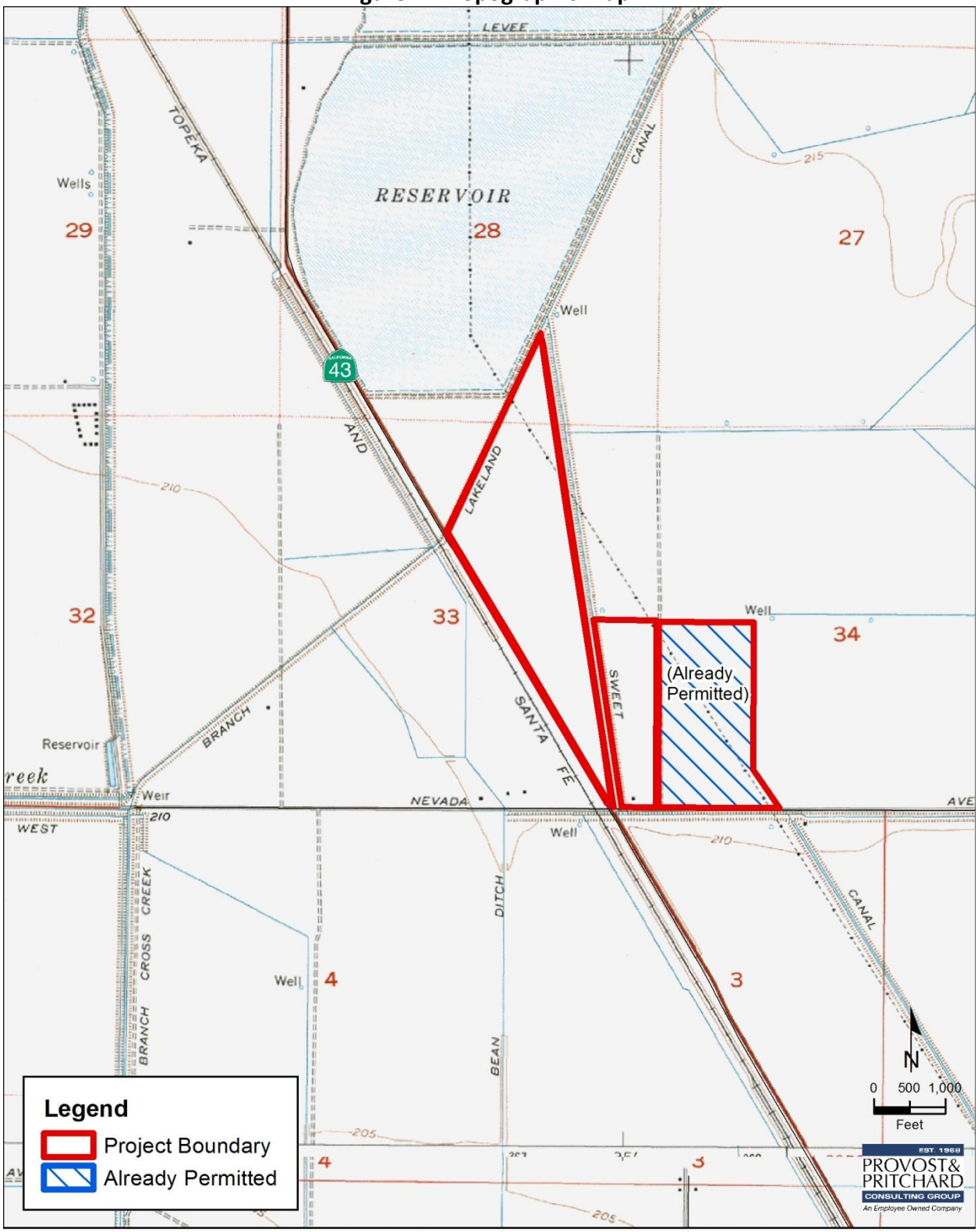


Figure 2 – Topographic Map



V:\Clients\ConEdison Dev-3560\35601401 - Corcoran Solar, Solar 2, Solar 3 Sites\GIS\Map\Revised Chapter2\figurex_topo.mxd

Figure 3 – Zoning Designation

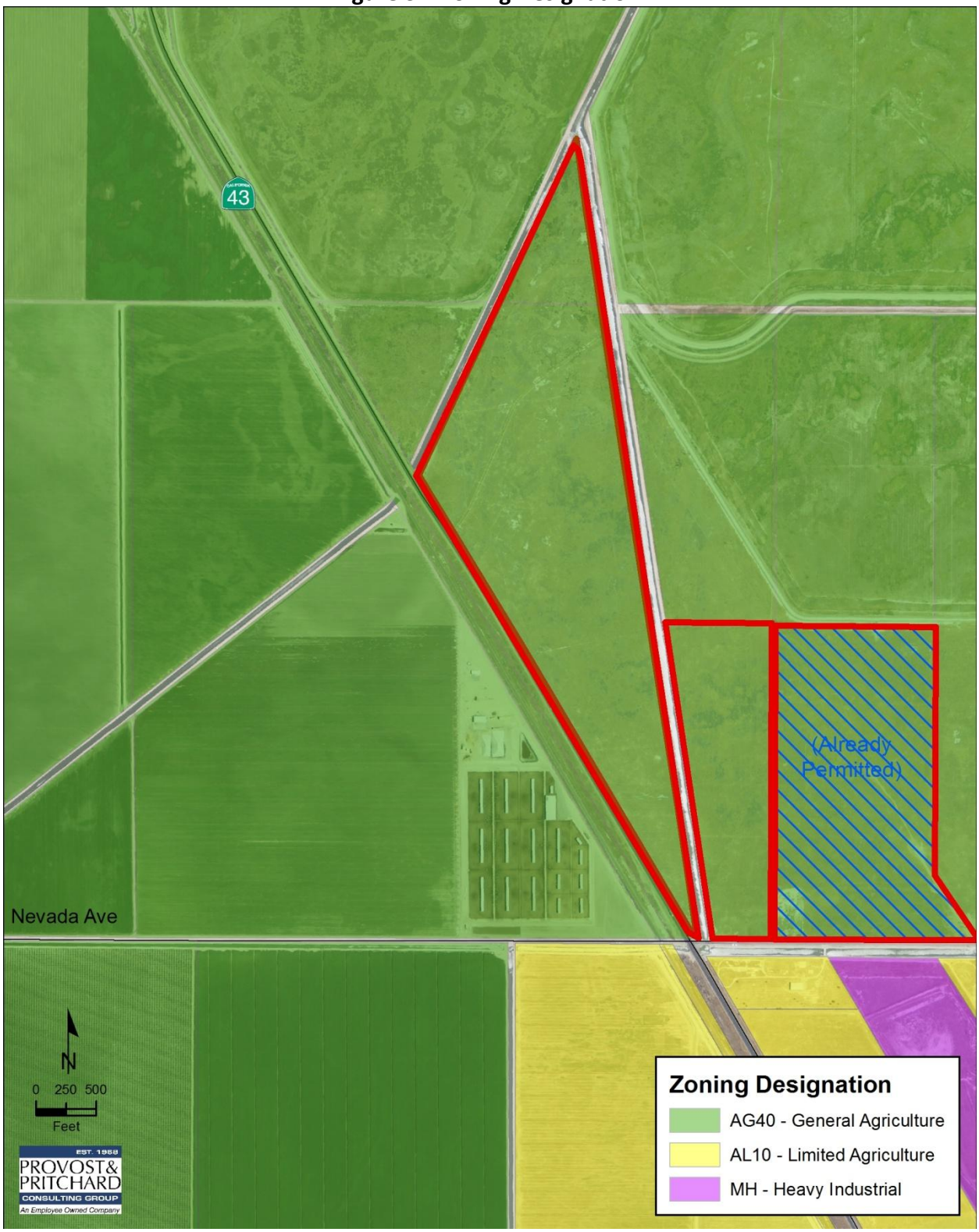
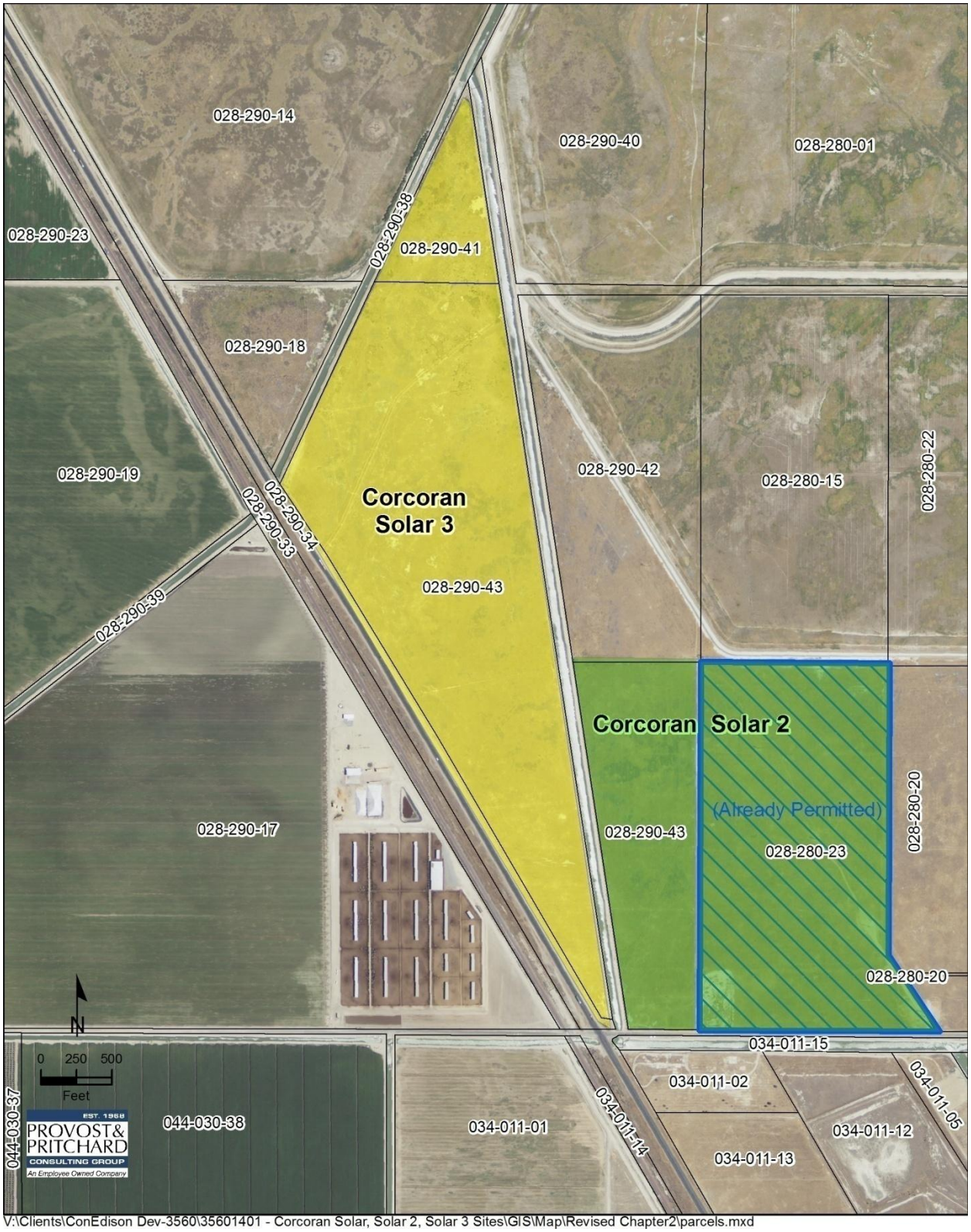


Figure 4 - Aerial Map



ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, as indicated by the checklist and subsequent discussion on the following pages.

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

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

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

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

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

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

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

Sandy Roper
Signature

7-17-14
Date

Sandy Roper
Printed name

Kings County Community Development Agency
For

CHAPTER 3

IMPACT ANALYSIS

CHAPTER 3-IMPACT ANALYSIS

I. AESTHETICS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a 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) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

BASELINE CONDITIONS

Environmental Setting

Regional views for the unincorporated area of Kings County are characterized by flat plains with low-density communities, water conveyance infrastructure, and agricultural land. The nighttime lighting environment mainly consists of vehicle headlights and scattered street lighting from sparse commercial, recreational and residential development.

Typically, landscapes of high visual quality are composed of unique landscape features (e.g., landmarks, distinctive landforms or a unique grove of trees), water features (streams, rivers, ocean frontage), scenic vistas, and/or distinct compositions. There are two canals that run along and through the Project site; the West Branch Lakeland Canal (which runs along the upper northern section of the site) and the Sweet Canal, along the northeastern side of the site and then through the southeastern section.

There are no specially designated scenic areas (scenic byway, scenic corridor, etc.) located within the Project area. Currently the site is vacant and used as grazing land. There are no existing structures on site.

The only structure in the Project vicinity is a small heifer ranch to the west. The landscape is predominately flat with distant views to the south and west of the Coastal Range. Views of the mountains are often obstructed by vegetation, houses, existing infrastructure elements, air quality, and lighting conditions. The landscape to the north and east is flat and provides views to the horizon when unobstructed; however, small vertical features such as earthen berms for ponding basins and trees limit the distant views to the east of the Sierra Nevada mountain range. Typical views throughout the study area are of field crops, fallow land, and rural residences.

Regulatory Setting

Federal

Aesthetic resources are protected by several federal regulations, none of which are relevant to this project because it will not be located on lands administered by a federal agency, and the project applicant is not requesting federal funding or a federal permit.

State

Nighttime Sky – Title 24 Outdoor Lighting Standards: The Energy Commission adopted changes to Title 24, Parts 1 and 6, Building Energy Efficiency Standards (Standards), on November 5, 2003. These new Standards became effective on October 1, 2005. Included in the changes to the Standards are new requirements for outdoor lighting. The requirements vary according to which "Lighting Zone" the equipment is in. The Standards contain lighting power allowances for newly installed equipment and specific alterations that are dependent on which Lighting Zone the project is located in. Existing outdoor lighting systems are not required to meet these lighting power allowances. However, alterations that increase the connected load, or replace more than 50% of the existing luminaires, for each outdoor lighting application that is regulated by the Standards, must meet the lighting power allowances for newly installed equipment.

An important part of the Standards is to base the lighting power that is allowed on how bright the surrounding conditions are. The eyes adapt to darker surrounding conditions, and less light is needed to properly see; when the surrounding conditions get brighter, more light is needed to see. The least power is allowed in Lighting Zone 1 and increasingly more power is allowed in Lighting Zones 2, 3, and 4.

The Energy Commission defines the boundaries of Lighting Zones based on U.S. Census Bureau boundaries for urban and rural areas as well as the legal boundaries of wilderness and park areas (see Standards Table 10-114-A). By default, government designated parks, recreation areas and wildlife preserves are Lighting Zone 1; rural areas are Lighting Zone 2; and urban areas are Lighting Zone 3. Lighting Zone 4 is a special use district that may be adopted by a local government[1]. The proposed Project site is located in a rural area as designated by the U.S. Census Bureau and is therefore in Lighting Zone 2.

California Scenic Highway Program: The Scenic Highway Program allows county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program and was created by the Legislature in 1963. Its purpose is to protect and enhance the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Sections 260 through 263.

In addition, this project is being evaluated pursuant to CEQA.

[1] California Department of Energy. Title 24 Standards Table 10-114-, Lighting Zone Characteristics and Rules for Amendments by Local Jurisdictions. http://www.energy.ca.gov/title24/2005standards/outdoor_lighting/2004-09-30_LIGHTING_ZONES.PDF. Site accessed April 2012.

Local

2035 Kings County General Plan: Scenic resources, as designated by the County, primarily include the Coast Ranges to the southwest, with formations of the Chalk Buttes-Reef Ridge portion of the Kreyenhagen Hills, the Pyramid Hills, Cottonwood Pass, and Sunflower Valley. Other scenic resources include the various ridgelines located west of the County in adjacent Fresno County, which are visible along State Route 41 from the northern county line to Kettleman City; the Kings River; Cross Creek; and the Valley Oak trees.

As one of the agricultural Counties in the Central San Joaquin Valley, Kings County agricultural land serves a significant role in the County's agricultural based economy, and production of food and fiber for the rest of the Country. In addition to their economic value and commodity production, the vast stretches of green field crops, orchards and vineyards are also valued for their scenic beauty and representation of Kings County's identity.

The 2035 Kings County General Plan includes policies to maintain and enhance the aesthetic qualities of the area. The 2035 Kings County General Plan was adopted by the county board of supervisors on January 26, 2010.

General Plan goals, objectives, and policies pertaining to aesthetics:

LU Policy D1.3.4: Preserve the existing nighttime environment by limiting the illumination of areas surrounding new development. New lighting that is part of residential, commercial, industrial, or recreational development shall be oriented away from sensitive uses, and should be hooded, shielded, and located to direct light pools downward and prevent glare.

RC OBJECTIVE D3.1: Ensure that, in development decisions affecting riparian environments, the conservation of fish and wildlife habitat and the protection of scenic qualities are balanced with other purposes representing basic health, safety, and economic needs.

OS GOAL B1: Maintain and protect the scenic beauty of Kings County.

OS OBJECTIVE B1.1: Protect and enhance views from roadways which cross scenic areas or serve as scenic entranceways to cities and communities.

OS Policy B1.1.1: Coordinate with the Kings County Association of Governments to explore designation of State Route 41, between State Route 33 and the Kern County line, as an Official State Scenic Highway through the Caltrans Transportation Enhancement program.

OS OBJECTIVE B1.2 Preserve roadside landscapes which have high visual quality and contribute to the local environment.

OS Policy B1.2.1: Review new development and utility projects for compatibility and potential for impacting scenic view sheds along highly traveled scenic routes.

OS OBJECTIVE B1.3: Protect the scenic qualities of human-made and natural landscapes and prominent view sheds.

OS Policy B1.3.1: Require new development to be designed so that it does not significantly impact or block views of Kings County's natural landscape or other important scenic features. Discretionary permit applications will be evaluated against this requirement as part of the development review process. New developments may be required, as appropriate to:

- Minimize obstruction of views from public lands and rights-of-way.
- Reduce visual prominence by keeping development and structures below ridgelines.
- Limit the impact of new roadways and grading on natural settings. Such limits shall be within design safety guidelines.

OS Policy B1.3.2: Protect the visual access to Kings River and other prominent watercourses by locating and designing new development to minimize visual impacts and obstruction of views of scenic watercourses from public lands and rights-of-way.

OS GOAL C1: Preserve the visual identities of Community Districts by maintaining open space separations between urban areas.

OS OBJECTIVE C1.1: Preserve open spaces, maintain rural character, and limit development in community separator areas.

OS Policy C1.1.1: Preserve the agricultural open space buffer between the Community of Armona and City of Hanford to maintain community separation between Lacey Boulevard and Front Street along the west side of 13th Avenue.

Kings County Zoning Ordinance: The Kings County Zoning Ordinance establishes setback, parking and sign standards, building height limits, and building densities. Article 19 of the Kings County Zoning Ordinance includes the guidelines for permits for conditional uses, which allows the planning commission to make a finding that a proposed development is in conformity with the intent and provisions of the ordinance and as a guide for the issuance of building permits. Permits for conditional uses are also intended to protect the public welfare by ensuring that there would be no adverse effects of a project on surrounding property. It applies to any use listed within a particular zoning district as a conditional use subject to planning commission approval. It includes considerations relative to neighborhood compatibility, setbacks, building height, location of service, landscaping, fences and walls, views and obstructions, signs, and lighting. Specifically, permits for conditional uses ensure that proposed lighting is so arranged as to reflect the light away from adjoining properties. Article 19, Section 1908.H of the Kings County Zoning Ordinance contains eight findings that are required to be made before granting a conditional use permit for a solar photovoltaic electrical facility for commercial sale and distribution of electrical power. Article 4, Section 405.D.20 of the Kings County Zoning Ordinance lists solar photovoltaic electrical generating facilities that commercially produce power for sale as a conditional use in the General Agricultural (AG-40) zone district. Section 405.D.20 requires solar photovoltaic electrical generating facilities that commercially produce power for sale to comply with all local, regional, State, and Federal regulations. Article 4, Section 405.B.11 of the Kings County Zoning Ordinance lists public utility and public service structures including electric transmission as a

permitted use in the General Agricultural (AG-40) zone district that does not require any type of zoning permit.

IMPACT ASSESSMENT

I-a) Have a substantial adverse effect on a scenic vista?

Less Than Significant Impact. The Project site is located on the San Joaquin Valley floor in the eastern portion of unincorporated Kings County, California. There are no scenic resources within the Project vicinity. The proposed 170-acre Project site is currently vacant and being used as grazing land. The Project would modify the existing character of the 170-acre Project area of the overall site through the conversion of grazing land for the construction of a solar electricity generation facility; however it would not degrade the visual quality of the site. The site is flat and does not contain high ground that would be visible from surrounding properties. The solar panel modules would be a maximum height of 8-feet above grade. Construction activities would occur over a twelve-month period and would be visible from the adjacent roadsides; however, they would be temporary and would not affect a scenic vista. The impact would be less than significant.

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

No Impact. The Scenic Highway Program protects and enhances California's natural scenic beauty by allowing county and city governments to apply to the California Department of Transportation (Caltrans) to establish a scenic corridor protection program. According to CalTrans, three eligible state scenic highways are located near the Project site: State Route 190 (SR 190), State Route 198 (SR 198), and State Route 41 (SR 41); however these scenic highway segments are located approximately 30, 16, and 24 miles away from the Project site, respectively. There would be no impact.

I-c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Less Than Significant Impact. The Project site is surrounded by agricultural grazing uses, water recharge ponding basins to the North, agricultural grazing and solar facilities to the East , Highway 43 and agricultural land uses to the West, and agricultural and industrial uses to the South. The solar electricity generation facility would be similar in visual character to the existing landscape and viewshed. The Project would not degrade the existing visual character or quality of the area or its surroundings. The impact would be less than significant.

I-d) 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 photovoltaic panels would have a maximum height of 8-feet from the ground. The lighting at the facility would normally be off and would only be triggered manually for emergency repairs or automatically by motion sensors. The light-absorbent panels are designed to absorb sunlight and will reduce reflectivity to less than that of anti-reflectiveglass. Therefore, any potential glare would be reduced to a less than significant impact.

II. AGRICULTURE AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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 Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☒	☐	☐

BASELINE CONDITIONS

Environmental Setting

In 2010, Kings County was ranked 9th among California counties in agricultural production. The County is ranked 1st among California counties in cotton lint and cotton seed production; 2nd in the production of processing tomatoes; 3rd in the production of apricots and nectarines; and is ranked 4th among California counties in the production of the following commodities: milk and cream, plums, silage, turkeys, and wheat[2].

A review of the "Important Farmlands" mapping by the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program (FMMP) shows that the proposed Project site is designated as Vacant or Disturbed Land. The FMMP provides statistics on conversion of farmland to nonagricultural uses for Kings County, where the project site is located. Of the total land area that was inventoried (890,784 acres), in 2006, Kings County had approximately 594,484 acres of Important Farmlands (including Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance) and an additional 243,183 acres of grazing land. The remaining 53,117 acres of land were Urban and Built-up Land, Other Land, and Water Area. In the period between 2004 and 2006, Important Farmlands had shown a net decrease of 12,677 acres (2.1 percent) within the County[3]. Pursuant to Kings County's Priority Agricultural Land Model[4], the Project site is not identified as being within a designated classification of established priority agricultural land.

Historically, land use at the Project site has been used to store cotton; however, it is now vacant. The site is zoned by Kings County as AG40 - General Agricultural and Land adjacent to the site is also vacant or farmed land that is also zoned AG40. Directly across SR 43, to the west of the proposed Project site is a heifer ranch. No forest or timber land is present at the Project site or in the Project vicinity.

Regulatory Setting

Federal

Farmland Protection Policy Act: The Natural Resources Conservation Service, a federal agency within the U.S. Department of Agriculture, is the agency primarily responsible for implementation of the Farmland Protection Policy Act (FPPA). The FPPA was enacted after the 1981 Congressional report, Compact Cities: Energy-Saving Strategies for the Eighties indicated that a great deal of urban sprawl was the result of programs funded by the federal government. The purpose of the FPPA is to minimize federal programs' contribution to the conversion of farmland to non-agricultural uses by ensuring that federal programs are administered in a manner that is compatible with state, local, and private programs designed to protect farmland. Federal agencies are required to develop and review their policies and procures to implement the FPPA every two years[5].

State

[2] Kings County Department of Agriculture, 2011
[3] California Department of Conservation, 2006 - http://redirect.conservation.ca.gov/dlrp/fmmp/county_info_results.asp
[4] 2035 Kings County General Plan, Resource Conservation Element, Figure RC-13
[5] USDA, Natural Resource Conservation Service, 2011

California Environmental Quality Act (CEQA) Definition of Agricultural Lands: Public Resources Code Section 21060.1 defines "agricultural land" for the purposes of assessing environmental impacts using the FMMP. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP provides analysis of agricultural land use and land use changes throughout California.

California Department of Conservation, Division of Land Resource Protection: The California Department of Conservation (DOC) applies the Natural Resources Conservation Service (NRCS) soil classifications to identify agricultural lands, and these agricultural designations are used in planning for the present and future of California's agricultural land resources. Pursuant to the DOC's FMMP, these designated agricultural lands are included in the Important Farmland Maps (IFM) used in planning for the present and future of California's agricultural land resources. The FMMP was established in 1982 to assess the location, quality, and quantity of agricultural lands and the conversion of these lands. The FMMP provides analysis of agricultural land use and land use changes throughout California. The DOC has a minimum mapping unit of 10 acres, with parcels that are smaller than 10 acres being absorbed into the surrounding classifications.

The list below provides a comprehensive description of all the categories mapped by the DOC. Collectively, lands classified as Prime Farmland, Farmland of Statewide Importance, and Unique Farmland is referred to as Farmland[6].

- Prime Farmland. Farmland that has the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

- Farmland of Statewide Importance. Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

- Unique Farmland. Farmland of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated, but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

- Farmland of Local Importance. Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

- Grazing Land. Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other

[6] California Department of Conservation. FMMP – Important Farmland Map Categories. http://www.consrv.ca.gov/dlrp/fmmp/mccu/Pages/map_categories.aspx. Site accessed August 2013.

groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

- Urban and Built-up Land. Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

- Other Land. Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines and borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

California Land Conservation Act (Williamson Act): The California Land Conservation Act of 1965, also known as the Williamson Act, is designed to preserve agricultural and open space lands by discouraging their premature and unnecessary conversion to urban uses. Williamson Act contracts, also known as agricultural preserves, create an arrangement whereby private landowners' contract with counties and cities to voluntarily restrict their land to agricultural and compatible open-space uses. The vehicle for these agreements is a rolling term 10-year contract.[2] In return; restricted parcels are assessed for tax purposes at a rate consistent with their actual use, rather than potential market value. To end a Williamson Act contract, either the local government or the landowner can initiate the nonrenewal process. A "notice of nonrenewal" starts a 9-year nonrenewal period. During the nonrenewal process, the annual tax assessment gradually increases. At the end of the 9-year nonrenewal period, the contract is terminated. Contracts renew automatically every year unless the nonrenewal process is initiated. Williamson Act contracts can be divided into the following categories: Prime Agricultural Land, Non-Prime Agricultural Land, Open Space Easement, Built Up Land, and Agricultural Land in Non-Renewal. An alternate way to end a Williamson Act contract is for the land owner to request cancellation and for the board or council to approve the cancellation pursuant to the findings required under Government Code § 51280 through 51287.

The Williamson Act states that a board or council by resolution shall adopt rules governing the administration of agricultural preserves. The rules of each agricultural preserve specify the uses allowed. Generally, any commercial agricultural use would be permitted within any agricultural preserve. In addition, local governments may identify compatible uses permitted with a use permit. As described below, Kings County has adopted its own rules governing agricultural preserves and compatible uses.

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. Also Section 51238 states that 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 Section 51238.1.

Further, California Government Code Section 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 on the subject contracted parcel or parcels or neighboring lands, 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.

Forestry Resources: State regulations regarding forestry resources are not relevant to the proposed project because no forestry resources exist at the project site.

Local

2035 Kings County General Plan: The Resource Conservation Element of the 2035 Kings County General Plan describes how agricultural resources continue to remain one of the highest valued assets within Kings County. Since 1969, the County has implemented several programs, ordinances, and policies to sustain agriculture. Recently, Kings County has developed the "Priority Agricultural Land Model" by using geographic information system (GIS) data and other relevant information resources to evaluate farmland resources throughout the County. The model established a "highest to lowest" priority designation of all agricultural growing areas[7].

Kings County Zoning Ordinance: The Kings County Zoning Ordinance establishes the basic regulations under which land within the county unincorporated areas is developed. This includes allowable or conditional uses, building setback requirements, and development standards. Pursuant to State law, the zoning ordinance must be consistent with the Kings County General Plan. The basic intent of the Kings County Zoning Ordinance is to preserve, promote and protect the public health, safety, comfort, convenience, prosperity and general welfare via the orderly regulation of land uses throughout the unincorporated area of the County.

Article 19: On March 27, 2012, the Kings County Board of Supervisors adopted Resolution No. 12-016, providing that when an application is submitted for a solar photovoltaic electrical facility for commercial sale and distribution of electrical power, the following findings shall be made before granting a conditional use permit:

- The proposed site is located in an area designated as either "Very Low Priority," "Low Priority," or "Low-Medium Priority" land according to Figure RC-13 Priority Agricultural Land[8]. "Medium Priority" land may be considered when comparable agricultural operations are integrated, the standard mitigation requirement is applied, or combination thereof.
- The proposed site is located within one mile of an existing 60 KV or higher utility electrical line.
- Agricultural mitigation is proposed for every acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance converted for a commercial solar facility. The agricultural mitigation shall preserve at a ratio of 1:1 an equal amount of agricultural acreage of equal or greater quality in a manner acceptable to the County that coincides with the life of the project.

[7] 2035 Kings County General Plan, Resource Conservation Element. Page RC-19
[8] 2035 Kings County General Plan, Resource Conservation Element, Page RC-20

Agricultural mitigation on land designated "Medium-High" or higher priority land shall preserve an equivalent amount of agricultural acreage at a ratio of 2:1.

- The project includes a reclamation plan and financial assurance acceptable to the County that ensures the return of the land to a farmable state after completion of the project life, and retains surface water rights.
- The project includes a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption.
- The project establishes internal access roads that do not exceed a maximum distance of 300 feet between lanes.
- The project includes a solid waste management plan for site maintenance and disposal of trash and debris.
- The project site is not located on Williamson Act or Farmland Security Zone contracted land, unless it meets the principles of compatibility under Government Code Section 51238.1.(a). Otherwise, the contract is proposed for cancellation or is eligible and converts to a Solar Easement.

Zoning Districts

General Agriculture-40 District (AG-40)

The purpose of the AG-40 zone is to designate areas suitable for extensive or intensive agricultural uses, in rural areas generally south of Kansas Avenue and the southwestern mountainous part of the county. Permitted land uses include agriculture, residential uses, agricultural commercial uses, utility and communication facilities, resource extraction, institutional uses, and miscellaneous accessory structures related to permitted uses. Solar photovoltaic electrical generating facilities are allowable with the approval of a Conditional Use Permit (CUP).

County of Kings Implementation Procedures for the California Land Conservation "Williamson" Act of 1965, Including Farmland Security Zones

Uniform Rules for Agricultural Preserves in Kings County

Kings County has adopted a set of Agricultural Preserve Standard Uniform Rules that identify land uses that are considered compatible uses within agricultural preserves established under the Williamson Act. These rules are designed to restrict the uses of land enrolled in a Williamson Act contract to commercial agricultural uses and compatible uses. Commercial agricultural uses include crop cultivation, grazing operations, commercial wind farms, livestock breeding, dairies, and uses that are incidental to agricultural uses. Compatible uses include the erection of gas, electric, communications, water, and other similar public utilities[9].

On March 27, 2012, the Kings County Board of Supervisors adopted Resolution No. 12-016. When the Board of Supervisors adopted Resolution No. 12-016 they found that commercial solar facilities are not considered compatible under Government Code Section 51238(a)(1) as "electric facilities." However, the Board also found that commercial solar facilities located on Williamson Act or Farmland Security Zone contracted land that are not proposed for contract cancellation, may be allowed without cancellation if they are consistent with the principles of compatibility under Government Code Section 51238.1(a). The adoption of Resolution No. 12-016 also amended the County's Implementation Procedures for the California Land Conservation "Williamson" Act by adding the following paragraph to Section I under Uniform Rules for Agricultural Preserves:

[9] Implementation Procedures for the California Land Conservation "Williamson" Act of 1965. Updated November 27, 2013.

> *Commercial solar photovoltaic system facilities that are designed primarily for the production of electrical energy for third party consumption are not compatible under the provisions of Section 51238(a)(1). For purposes of determining compatibility, a project must be determined consistent with the principles of compatibility under Section 51238.1(a).*

IMPACT ASSESSMENT

II-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?

No Impact. The Department of Conservation (DOC), Farmland Mapping and Monitoring Program (FMMP) designates the entire Project site as Grazing Land. Implementation of the proposed Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as determined by the FMMP. In 2010, the DOC identified approximately 271,831 acres of Grazing Land in Kings County[10]. The Project site makes up 0.06253% of the total Grazing Land in the County.

The Resources Conservation Element of the 2035 Kings County General Plan developed a Priority Agricultural Land Model (Figure RC-13) utilizing geographic information system (GIS) data and other relevant information resources to evaluate farmland resources throughout the County. Utilizing data from the State of California, Department of Water Resources 2003 Land Use Survey Data, DOC FMMP data, and the NRCS Soil Classification Map, Kings County established the prioritization schematic of highest to lowest priority of all agricultural growing areas. The Project site is not identified as being within any designated classification of established priority agricultural land by the 2035 County of Kings General Plan.

LU Objective B7.1, on Page LU-38 of the Land Use Element of the 2035 Kings County General Plan, allows compatible Open Space and Public uses of land within the Agriculture Open Space area of the County. LU Policy B7.1.3, on Page LU-38 of the Land Use Element, states "Power generation facilities for commercial markets shall be allowed through the Conditional Use Permit approval process, and include thermal, wind, and solar photovoltaic electrical generating facilities that produce power." At the end of the Project life, the land would be restored as a reclamation plan and financial assurance would be required as a condition of approval of the Conditional Use Permit and mitigation measures AG-1 and AG-2. The proposed Project would be developed in accordance with the Zoning Ordinance and it would be consistent with General Plan Polices. The proposed Project would be located on land that is not designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance, and not designated as priority agricultural land by the 2035 Kings County General Plan, Resource Conservation Element (Figure RC-13). Therefore there would be no impact to land designated as Prime Farmland, Unique Farmland or Farmland of Statewide Importance.

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

Less Than Significant Impact. The proposed 170-acre site is located outside the 2008 Primary Sphere of the Blueprint Urban Growth boundaries for the Corcoran area in the General Plan Update of 2005. It is

[10] Kings County Agricultural Crop Report. http://www.co.kings.ca.us/ag%20commissioner/Crop%20Reports/2012%20Crop%20Report.pdf. Page 20. Site accessed May 2014.

located in the 2008 Secondary Sphere of the Blueprint Urban Growth boundaries. Currently the land use is listed as General Agriculture and is zoned General Agriculture – 40 Acre Minimum (AG-40). According to Zoning Ordinance Section 405.D. item 20, the AG-40 zone district allows for "solar photovoltaic electrical generating facilities that commercially produce power for sale, which comply with all local, regional, State, and Federal regulations" when a conditional use permit is in place. Most of the County parcels surrounding the Project site are also zoned as AG-40, except for the parcels located South of Nevada Avenue that are zoned as Heavy Industrial (MH) and Limited Agricultural (AL-10), respectively.

The Project site is located on two Assessor's Parcels (APN 028-290-41 and APN 028-290-43) which total approximately 170 acres in size and both are subject to a California Land Conservation ("Williamson Act") Contract (Williamson Act Contract #01394 dated January 1, 1971). These acres will be leased as a part of the project (the "Project site"). The proposed Project does not conflict with the existing zoning as it is an allowable conditional use under the existing AG-40 zone district. The Project is proposing to petition for cancellation of the existing Williamson Act Contracts. Therefore any impacts regarding conflicts with a Williamson Act Contract are considered to be less than significant.

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

Less Than Significant Impact. Any impacts regarding the potential conversion of farmland due to the Project's location have been discussed in the analysis of Impacts II-a, II-b and II-e. No forest or timberland is located on or near the Project. The impact would be less than significant.

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

No Impact. No forest land is on or near the Project site. There would be no impact.

II-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?

Less than Significant with Mitigation Incorporated. As discussed above in Impact II(a), the proposed Project would result in the long-term use of approximately 170 acres of Grazing Land at the Project site for solar energy development, during the life of the Project. The proposed solar use is considered compatible with the adjacent electrical infrastructure, water recharge facilities, and surrounding agricultural uses, and is consistent with the 2035 Kings County General Plan Exclusive Agriculture land use designation and the AG40 zoning designation.

Although further solar and other development could take place in Kings County and in the general area of the proposed project, implementation of the proposed Project would not cause other land use changes that would convert farmland to a non-agricultural use.

Construction of the solar generation facility has the potential to affect the condition of onsite soils and may impact the post Project agricultural use. Implementation of the following mitigation measures would ensure any Project related impacts would remain less than significant.

Mitigation Measures

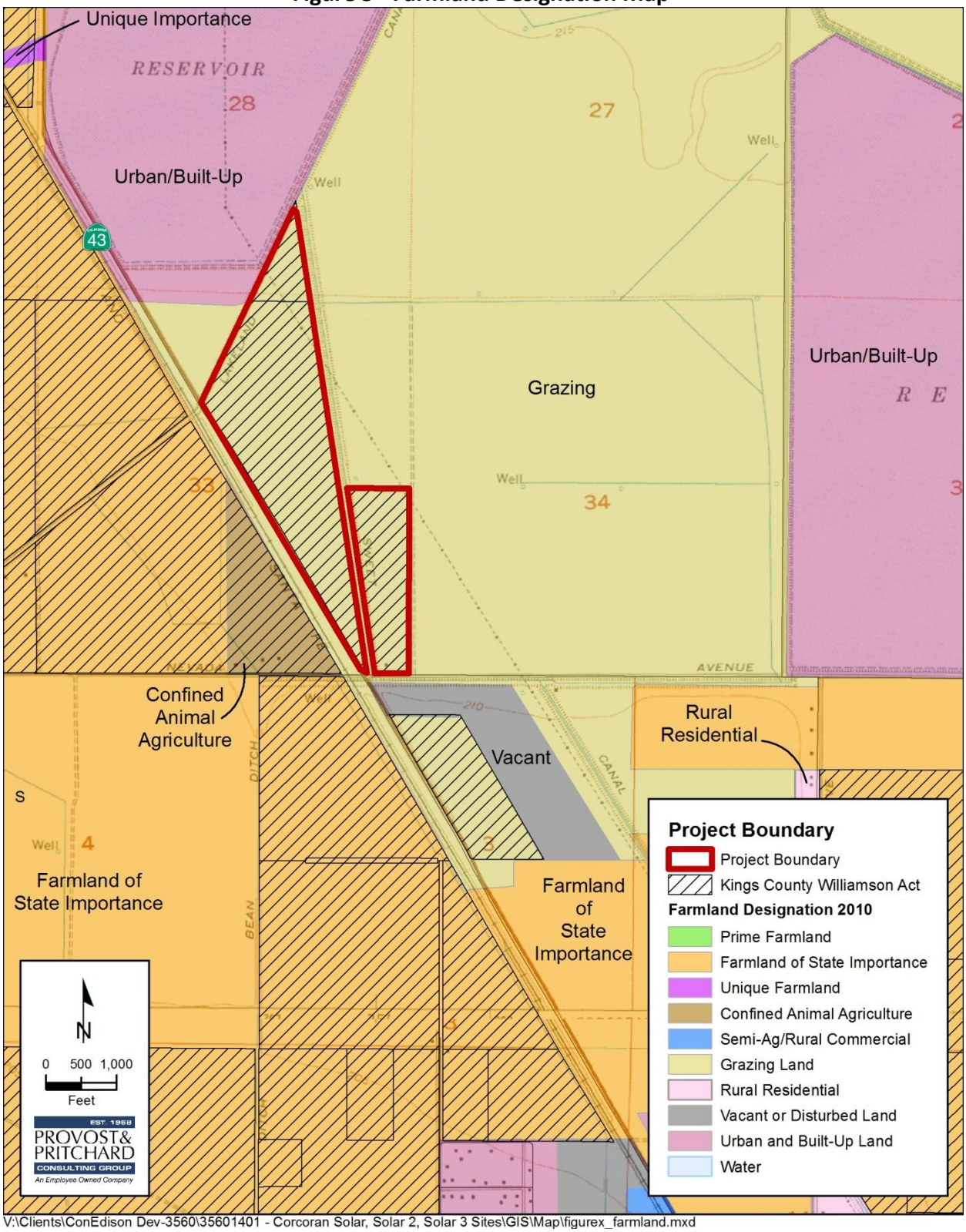
AG-1: Prior to the issuance of a building permit, the applicant shall submit a Soil Reclamation Plan (Plan) for restoration of the Project site to its pre-project condition, for review and approval by the Planning Division of the Kings County Community Development Agency staff. The Plan shall contain an analysis of pre-project baseline soil conditions at the solar generation facility, and shall contain specific measures to restore the soil to its pre-project condition at the end of the Solar Facility's useful life, including removal of all project fixtures, equipment, and non agricultural driveways, as well as restoration of compacted soil. General preconstruction conditions of the project site shall be photographically documented by the applicant prior to the start of construction of the project. All driveways and other areas compacted during original construction or by equipment used in the decommissioning would be tilled to restore the sub-grade material to a density and depth consistent with its pre-project condition. A Kings County-approved grasses and forbs seed mixture designed to maximize revegetation with noninvasive species shall be broadcast or drilled across the project site, and weed-free mulch spread shall be applied, as needed, to stabilize the soil until germination occurs and young plants establish to facilitate moisture retention in the soil. Reclamation would return the site to the conditions equivalent to those prior to construction and operation of the project. Whether the project area has been restored to pre-construction conditions would be assessed by Kings County staff six months after the initial seeding has occurred. Additional seedings and applications of weed free mulch shall be applied to areas of the project site that have been determined to be unsuccessfully reclaimed (e.g., restored to pre-construction conditions) after six months, until the entire project area has been restored to equivalent conditions prior to construction and operation of the project. All waste shall be disposed of in compliance with applicable law. Waste would go to the Kings Waste and Recycling Authority's Materials Recovery Facility in Hanford, where recyclable materials would be removed. All remaining waste would then go to the B-17 Landfill Unit at the Chemical Waste Management Kettleman Hills Facility. The B-17 Landfill unit has an approved capacity of 18.4 million cubic yards. The site capacity used as of March 2012 was 896,171 cubic yards. The site capacity remaining as of March 2012 was 17.5 million cubic yards. Conditional Use Permit No. 04-01, which approved a new non-hazardous-waste landfill designated as Landfill Unit B-17, was approved on May 30, 2006, when the Planning Commission adopted Resolution No. 06-05. The estimated closure date is 2052, depending on actual fill rate. If this facility is not available, another equivalent will be utilized. All waste associated with decommissioning will be disposed of or recycled in accordance with applicable laws. Additionally, the Soil Reclamation Plan shall discuss the retention of any surface water rights. The applicant shall verify the completion of reclamation within 18 months after the solar facility has ceased operating, which would be 12 months after the expiration of the Project use permit, with Planning Division staff. (Please note that Section 2503.05 of the Kings County Zoning Ordinance defines an Abandoned Use as a business or other use which has discontinued operations and/or vacated the site, or abandoned the use, for more than six (6) months.)

AG-2: Prior to the issuance of a building permit, the applicant shall either post a performance or cash bond, submit a Certificate of Deposit, or submit a letter of credit to ensure completion of the activities under the Soil Reclamation Plan. Financial assurances for the Reclamation Plan will be reviewed every 5 years by the Kings County Community Development Agency to determine if

finances are sufficient to perform reclamation of the project. The assurance must be adjusted if, during the five-year review, finances are determined to be insufficient to perform reclamation of the project.

The implementation of these mitigation measures would reduce the environmental impact to a less than significant level.

Figure 5 - Farmland Designation Map



V:\Clients\ConEdison Dev-3560\35601401 - Corcoran Solar, Solar 2, Solar 3 Sites\GIS\Map\figurex_farmland.mxd

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

Climate

The climate of the San Joaquin Valley is characterized by long, hot summers and stagnant, foggy, winters. Precipitation is low and temperature inversions are common. These characteristics are conducive to the formation and retention of air pollutants. These characteristics are in part influenced by the surrounding mountains which intercept precipitation and also act as a barrier to the passage of cold air and air pollutants.

The Project lies within the San Joaquin Valley Air Basin, which is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District). National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS) have been established for the following criteria pollutants: carbon monoxide (CO), ozone (O_3), sulfur dioxide (SO_2), nitrogen dioxide (NO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb). The CAAQS also set standards for sulfates, hydrogen sulfide, and visibility.

Air quality plans or attainment plans are used to bring the applicable air basin into attainment with all state and federal ambient air quality standards designed to protect the health and safety of residents within that air basin. Areas are classified under the Federal Clean Air Act as either “attainment”, “non-attainment”, or “extreme non-attainment” areas for each criteria pollutant based on whether the NAAQS have been achieved or not. Attainment relative to the State standards is determined by the California Air Resources Board (CARB). The San Joaquin Valley is designated as a State and Federal extreme non-attainment area for O_3, a State and Federal non-

attainment area for $PM_{2.5}$, a State non-attainment area for PM10, and Federal and State attainment area for CO, SO_2, NO_2, and Pb[11].

Regulatory Setting

Federal

Clean Air Act: The federal Clean Air Act of 1970 (as amended in 1990) required the U.S. Environmental Protection Agency (EPA) to develop standards for pollutants considered harmful to public health or the environment. Two types of National Ambient Air Quality Standards (NAAQS) were established. Primary standards protect public health, while secondary standards protect public welfare, by including protection against decreased visibility, and damage to animals, crops, landscaping and vegetation, or buildings. NAAQS have been established for six "criteria" pollutants: carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), ozone (O_3), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb).

State

California Air Resources Board: The California Air Resources Board (CARB) is the state agency responsible for implementing the federal and state Clean Air Acts. CARB has established California Ambient Air Quality Standards (CAAQS), which include all criteria pollutants established by the NAAQS, but with additional regulations for Visibility Reducing Particles, sulfates, hydrogen Sulfide (H_2S), and vinyl chloride.

The Project is located within the San Joaquin Valley Air Basin, which includes San Joaquin, Stanislaus, Merced, Madera, Fresno, Kings, Tulare, and parts of Kern counties and is managed by the San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District).

Air basins are classified as attainment, nonattainment, or unclassified. Attainment is achieved when monitored ambient air quality data is in compliance with the standards for a specified pollutant. Non-compliance with an established standard will result in a nonattainment designation and an unclassified designation indicates insufficient data is available to determine compliance for that pollutant.

Standards and attainment status for listed pollutants in the Air District can be found in Table 2. Note that both state and federal standards are presented.

[11] San Joaquin Valley Air Pollution Control District. Ambient Air Quality Standards and Valley Attainment Status. http://www.valleyair.org/aqinfo/attainment.htm. Site accessed August 2013.

Table 1
State and Federal Attainment Status and Standards

San Joaquin Valley Attainment Status for Criteria Pollutants[12] Criteria Pollutants				SJVAB - Air Quality Attainment Status		Primary Sources of Criteria Pollutants
Contaminant and Averaging Period		National Standard	State Standard	National Standards	State Standards	
Ozone (O_3)	1-Hour	------	0.09 ppm	----------	Nonattainment	Ozone is not emitted directly into the atmosphere, but is formed by a complex series of photochemical reactions between VOC and NOx (primarily NO).
	8 Hour	0.08 ppm	0.07 ppm	Nonattainment	Nonattainment	
NO_2	1-Hour	-----	0.25 ppm	Attainment/ Unclassified	Attainment	NO2 is a member of a family of gaseous nitrogen compounds (NOx) and is a precursor to ozone formation. NO2 results primarily from combustion of fossil fuels.
	Annual	.053 ppm	-----	Attainment/ Unclassified	Attainment	
CO	1-Hour	35 ppm	20 ppm	Attainment/ Unclassified	Attainment/ Unclassified	CO is formed by the incomplete combustion of fuels. Under most conditions CO does not persist in the atmosphere. Most CO emissions come from motor vehicles.
	8-Hour	9 ppm	9.0 ppm	Attainment/ Unclassified	Attainment/ Unclassified	
PM 10	24-Hour	150 ug/m^3	50 ug/m^3	----------	Nonattainment	PM10 is comprised of dust, sand, salt spray, metallic, and mineral particles, pollen, smoke, mist, and acid fumes. PM10 may also include sulfate and nitrate aerosols.
	Annual	50 ug/m^3	20 ug/m^3	Attainment	Nonattainment	
PM 2.5	24-Hour	35 ug/m^3	-----	Nonattainment	----------	PM2.5 is typically emitted from combustion sources. PM2.5 also includes aerosols that may be formed in the atmosphere.
	Annual	12 ug/m^3	12 ug/m^3	Nonattainment	Nonattainment	
SO_2	1-Hour	75 ppb	0.25 ppm	Attainment	Attainment	Sulfur dioxide (SO2) is formed primarily by the combustion of sulfur-containing fossil fuels. SO2 concentrations in the SJVAB are only about 4 percent of the standard.
	24-Hour	0.14 ppm	0.04 ppm	Attainment	Attainment	
	Annual	0.03 ppm	------	Attainment	Attainment	
Lead (Pb)	Month	-----	1.5 ug/m^3	Attainment	Attainment	Primary sources of lead are smelters and battery manufacturing and recycling. In the past, combustion of leaded gasoline contributed to ambient concentrations.
	Quarter	1.5 ug/m^3	-----	Attainment	Attainment	

ppb = parts per billion; ppm = parts per million; ug/m^3 = micrograms per cubic meter

[12] California Air Resources Board, SJVAPCD, 2013

Additional State regulations include:

CARB Portable Equipment Registration Program: This program was designed to allow owners and operators of portable engines and other common construction or farming equipment to register their equipment under a statewide program so they may operate it statewide without the need to obtain a permit from the local air district.

U.S. EPA/CARB Off-Road Mobile Sources Emission Reduction Program: The California Clean Air Act (CCAA) requires CARB to achieve a maximum degree of emissions reductions from off-road mobile sources to attain State Ambient Air Quality Standards (SAAQS); off- road mobile sources include most construction equipment. Tier 1 standards for large compression-ignition engines used in off-road mobile sources went into effect in California in 1996. These standards, along with ongoing rulemaking, address emissions of nitrogen oxides (NO_X) and toxic particulate matter from diesel engines. CARB is currently developing a control measure to reduce diesel PM and NO_X emissions from existing off-road diesel equipment throughout the state.

California Global Warming Solutions Act: Established in 2006, Assembly Bill 32 (AB 32) requires that California's GHG emissions be reduced to 1990 levels by the year 2020. This will be implemented through a statewide cap on GHG emissions, which will be phased in beginning in 2012. AB 32 requires CARB to develop regulations and a mandatory reporting system to monitor global warming emissions levels.

In addition, this project is being evaluated pursuant to CEQA.

Regional

San Joaquin Valley Air Pollution Control District: The San Joaquin Valley Air Pollution Control District (SJVAPCD or Air District) is the local agency charged with preparing, adopting, and implementing mobile, stationary, and area air emission control measures and standards. The Air District has several rules and regulations that may apply to the Project:

- Rule 3135 (Dust Control Plan Fees): This rule requires the project applicant to submit a fee in addition to a Dust Control Plan. The purpose of this rule is to recover the Air District's cost for reviewing these plans and conducting compliance inspections.

- Rules 4101 and 4102 (Visible Emissions and Nuisance): This rule applies to any source of air contaminants and prohibits the visible emissions of air contaminants or any activity which creates a public nuisance.

- Rule 4601 (Architectural Coatings): This rule limits volatile organic compounds (VOC) from architectural coatings. This rule specifies architectural coatings storage, clean up, and labeling requirements. It is applicable to any person who supplies, sells, offers for sale, applies, or solicits the application of any architectural coating, or who manufactures any architectural coating for use within the district.

- Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations): This rule applies to use of asphalt for paving new roadways or restoring existing roadways disturbed by project activities.

- Rules 8011 and 8081 (Regulation VIII, Fugitive PM_{10} Prohibitions): This regulation is designed to reduce PM_{10} emissions by reducing fugitive dust. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced. The Regulation VIII control measures are provided in Table 3.

Table 2
San Joaquin Valley Air Pollution Control District
Regulation VIII Control Measures for Construction Emissions of PM_{10}

The following are required to be implemented at all construction sites:
All disturbed areas, including storage piles, which are not actively utilized for construction purposes, shall be effectively stabilized of dust emissions using water, chemical stabilizers/suppressants, covered with a tarp or other similar cover, or vegetative ground cover.
All on-site unpaved roads and off-site unpaved access roads shall be effectively stabilized of dust emissions during construction using water or chemical stabilizer suppressant.
All land clearing, grubbing, scraping, excavation, land leveling, grading cut and fill, and demolition activities during construction shall be effectively controlled of fugitive dust emissions utilizing application of water or pre-soaking.
When materials are transported off-site, all material shall be covered, or effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from top of container shall be maintained.
All operations shall limit, or expeditiously remove the accumulation of mud or dirt from adjacent public streets at the end of each workday. The use of dry rotary brushes is expressly prohibited except where preceded or accompanied by sufficient wetting to limit the visible dust emissions. Use of blower devices is expressly forbidden.
All operations shall limit visible dust emissions (VDE) to not exceed 20 percent opacity during periods when soil or other dust producing materials are being disturbed by vehicles, equipment, or the forces of wind.
Following the addition of materials to, or the removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing sufficient water or chemical stabilizer/suppressant.
Within urban areas, trackout shall be immediately removed when it extends 50 or more feet from the site at the end of each workday.
Any site with 150 or more vehicle trips per day shall prevent carryout and trackout.

Local

2035 Kings County General Plan
The Kings County General Plan Air Quality Element includes the following objectives and policies that address air quality:

AQ OBJECTIVE C1.1: Accurately assess and mitigate potentially significant local and regional air quality and climate change impacts from proposed projects within the County.

AQ Policy C1.1.1: Assess and mitigate project air quality impacts using analysis methods and significance thresholds recommended by the SJVAPCD and require that projects do not exceed established SJVAPCD thresholds.

AQ Policy C1.1.3: Ensure that air quality and climate change impacts identified during CEQA review are minimized and consistently and fairly mitigated at a minimum, to levels as required by CEQA.

AQ OBJECTIVE E1.1: Increase the use of energy conservation features, renewable sources of energy, and low-emissions equipment in new and existing development projects within the County.

IMPACT ASSESSMENT

III-a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The proposed Project will not conflict with or obstruct the implementation of the air quality management standards. Standards set by the Air District, CARB, and Federal agencies relating to the proposed Project will continue to apply. A Fugitive Dust Control Plan will be submitted to the Air District to comply with Regulation VIII (Table 2) prior to the initiation of construction. An Indirect Source Review (ISR) application and Air Impact Analysis (AIA) will be filed with the Air District to address NOx emissions from construction. Therefore, the proposed Project will not conflict with the Air District plans and any impacts will be less than significant.

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

Less Than Significant Impact. The proposed Project includes the construction and operation of a 170 acre solar energy generation facility. Emissions resulting from solar electricity generation are negligible because no fuels are combusted; however temporary emissions will be associated with construction activities. The facility would be operated remotely and only generate additional trips when cleaning, repair or security visits are required.

Proposed Project construction will require the use of graders, trenchers, and a crane. After initial site work, a hydraulic driver will be used to drive metal piers into the ground. Concrete pads will be poured for the electrical equipment stations and trenches will be dug in order to bury conduit for AC and DC wires connecting solar panel arrays with the onsite electrical equipment.

The construction and installation of the proposed Project will take place over a twelve month period. The proposed Project will comply with Air District Rule 8021 for construction and earthmoving activities.

The California Emissions Estimator Model (CalEEMod) Version 2013.2 was used to estimate construction and operation emissions for the proposed Project. The modeling results are provided in Table 3 and the CalEEMod output files can be seen in Appendix B.

Table 3
Proposed Project Construction and Operation Emissions

	VOC (ROG) (tons/year)	NO_x (tons/year)	PM_{10} (tons/year)	CO_2 (tons/year)
Total Project Construction Emissions	0.5292	4.5606	0.9628	356.6853
Total Project Operation and Area Emissions	0.00	0.00	0.00	0.0002
Total Project Emissions	0.5292	4.5606	0.9628	356.6855
Threshold of Significance	10	10	--	--

Regulation VIII measures are Air District mandated requirements for any type of ground moving activity and are listed in Table 2. The proposed Project will implement Regulation VIII measures which will reduce any construction related PM10 emission impacts to less than significant. As demonstrated in Table 3, proposed Project construction and operation emissions will be under the significance threshold, and are therefore considered less than significant.

III-c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Less Than Significant Impact. As discussed in Impact III-b, the Project would result in the generation of criteria pollutants during construction; however, during construction, air quality impacts would be less than SJVAPCD thresholds for non-attainment pollutants and operation of the Project would not exceed the emissions thresholds for criteria pollutants. Accordingly, net increases of non-attainment criteria pollutants would be less than significant.

III-d) Expose sensitive receptors to substantial pollutant concentrations?

and

III-e) Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. The nearest residence is located approximately one quarter of a mile southeast of the site. The operation of the proposed Project would not be a source of odors. Project construction may have the potential to result in diesel fuel combustion odors from construction equipment; however, the construction period would be short-term. Diesel-type construction odors are not typically detectable off-site and therefore are not considered a "nuisance" by the general public. Therefore, objectionable odors are not expected to be a significant concern during Project construction. The impact would be less than significant.

IV. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
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 federally protected wetlands as defined by Section 404 of the Clean Water Act (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?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

The Project site consists of fallowed agricultural land or naturalized lands that appear at one time to have been planted to irrigate row crop fields, such as rice, as evidenced by the various furrows, ditches, and cells present on the Project site. More recently the Project site has been used for cattle grazing.

A survey to determine the presence of sensitive botanical resources was conducted by Heritage Environmental Consultants, LLC on March 25, 2014. A number of special status animals and plants occur

in the vicinity of the Project site. These species and their potential to occur on site are listed in Table 4 and described in more detail in Appendix C.

Regulatory Setting

Federal

Endangered Species Act: The Federal Endangered Species Act (FESA) protects plants and wildlife that are listed as endangered or threatened by the USFWS and National Oceanic and Atmospheric Administration (NOAA) Fisheries. Section 9 of the FESA prohibits the taking of listed wildlife, where taking is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 CFR 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any listed plant on federal land and removing, cutting, digging-up, damaging, or destroying any listed plant on non-federal land in knowing violation of state law (16USC1538). Pursuant to Section 7 of the FESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed plant or wildlife species or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to another authorized activity, provided the action will not jeopardize the continued existence of the species. Section 10 of the FESA provides for issuance of incidental take permits to private parties, provided a Habitat Conservation Plan (HCP) is developed.

Migratory Bird Treaty Act: The MBTA implements international treaties devised to protect migratory birds and any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits are in 50 CFR part 13 General Permit Procedures and 50 CFR part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the CDFG Code.

Bald Eagle and Golden Eagle Protection Act: The Bald and Golden Eagle Protection Act (BGEPA) (16 U.S.C. 668-668c) provides protection for bald and golden eagles. This protection extends to eagle nests and their eggs. It prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles, including their parts, nests, or eggs and also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

Federal Clean Water Act: The federal Clean Water Act's (CWA's) purpose is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Section 404 of the CWA prohibits the discharge of dredged or fill material into waters of the United States without a permit from the U.S. Army Corps of Engineers (ACOE). The definition of waters of the United States includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in

saturated soil conditions (33 CFR 328.3 7b)." The USEPA also has authority over wetlands and may override an ACOE permit. Substantial impacts to wetlands may require an individual permit. Projects that only minimally affect wetlands may meet the conditions of one of the existing Nationwide Permits. A Water Quality Certification or Waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the RWQCB.

State

California Endangered Species Act: The California Endangered Species Act (CESA) generally parallels the main provisions of the FESA, but unlike its federal counterpart, the CESA applies the take prohibitions to species proposed for listing (called candidates by the state). Section 2080 of the CDFG Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the CDFG Code as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." The CESA allows for take incidental to otherwise lawful development projects. State lead agencies are required to consult with the CDFG to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered, threatened, or candidate species or result in destruction or adverse modification of essential habitat. The CDFG administers the act and authorizes take through Section 2081 agreements (except for designated fully protected species).

Fully Protected Species: The State of California first began to designate species as fully protected prior to the creation of the CESA and FESA. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, amphibians, reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered pursuant to the CESA and/or FESA. The regulations that implement the Fully Protected Species Statute (CDFG Code Section 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, the CDFG prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

Native Plant Protection Act: Regarding listed rare and endangered plant species, the CESA defers to the California Native Plant Protection Act (NPPA) of 1977 (CDFG Code Sections 1900 to 1913), which prohibits importing of rare and endangered plants into California, and the taking and selling of rare and endangered plants. The CESA includes an additional listing category for threatened plants that are not protected pursuant to NPPA. In this case, plants listed as rare or endangered pursuant to the NPPA are not protected pursuant to CESA, but can be protected pursuant to the CEQA. In addition, plants that are not state listed, but that meet the standards for listing, are also protected pursuant to CEQA (Guidelines, Section 15380). In practice, this is generally interpreted to mean that all species on lists 1B and 2 of the CNPS Inventory potentially qualify for protection pursuant to CEQA, and some species on lists 3 and 4 of the CNPS Inventory may qualify for protection pursuant to CEQA. List 3 includes plants for which more information is needed on Taxonomy or distribution. Some of these are rare and endangered enough to qualify for protection pursuant to CEQA. List 4 includes plants of limited distribution that may qualify for protection if their abundance and distribution characteristics are found to meet the standards for listing.

California Lake and Streambed Alteration Agreement: Sections 1600 through 1616 of the CDFG Code require that a Lake and Streambed Alteration Program Notification Package be submitted to the CDFG for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake." The CDFG reviews the proposed actions and, if necessary, submits to the applicant a proposal for measures to protect affected fish and wildlife

resources. The final proposal on which the CDFG and the applicant agree is the Lake and Streambed Alteration Agreement. Often, projects that require a Lake and Streambed Alteration Agreement also require a permit from the ACOE pursuant to Section 404 of the CWA. In these instances, the conditions of the Section 404 permit and the Lake and Streambed Alteration Agreement may overlap.

California Fish and Game Code: The California Fish and Game Code requires state agencies to comply with regulations that promote the protection and conservation of threatened and endangered species. Regulations in place include:

- California Species Preservation Act – provides for the protection and enhancement of listed species in California.
- Fully Protected Species – designates certain species as "fully protected" and prohibits take of these species.
- Protection for Birds – makes it unlawful to take, possess, or harm any bird, its nest, or its eggs.
- Native Plant Protection Act – prohibits the take of rare, threatened, or endangered plants.

In addition, this project is being evaluated pursuant to CEQA.

Local

2035 Kings County General Plan: The following policies, located within the Resource Conservation Element, relating to biological resources were considered in this analysis:

RC Policy D1.1.1: Evaluate all discretionary land use applications in accordance with the screening procedures contained in the Biological Resources Survey located in Appendix C. If the results of the project screening indicate the potential for important biological resources to exist on the site, a biological evaluation (consistent with Appendix C) shall be performed by a qualified biologist. If the evaluation indicates that the project could have a significant adverse impact, mitigation shall be required or the project would be redesigned to avoid such impacts. Mitigation shall be provided consistent with CEQA, and applicable state and federal guidelines, as appropriate. Mitigation may include habitat improvement or protection, acquisition of other habitat, or payment to an appropriate agency to purchase, improve, or protect such habitat.

RC Policy D2.1.1: Follow state and federal guidelines for the protection of natural wetlands. Require developers to obtain authorization from the appropriate local, state, or federal agency prior to commencement of any wetland fill activities.

RC Policy D2.1.2: Use the CEQA process to assess wetland resources, and require mitigation measures for development which could adversely impact a designated wetland.

RC Policy D2.1.3: Exempt prior converted wetlands from consideration as wetlands pursuant to the County planning process, except as required by state and federal regulations.

RC Policy E1.1.1: Complete the inquiry process outlined in Appendix C in the initial project review for development permits to determine whether the project is likely to have a significant adverse impact on any threatened or endangered species habitat locations and to assure appropriate consideration of habitat preservation by development. Maintain current copies of CDFG and USFWS maps showing locations of known threatened and endangered species habitat. If shown to be necessary, require the developer to consult with CDFG, USFWS, and the ACOE regarding potential impacts, appropriate mitigation measures, and required permits.

RC Policy E1.1.2: Require as a primary objective in the review of development projects the preservation of healthy native oaks and other healthy native trees.

RC Policy E1.1.3: Maintain to the maximum extent practicable the natural plant communities used as habitat by threatened and endangered species (see Appendix C for a listing and map of these plant communities) (Kings County, 2010).

IMPACT ASSESSMENT

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

Less Than Significant With Mitigation Incorporation. Several special status plant and animal species have the potential to be located in the vicinity of the Project site, as indicated in Table 4. The construction of the solar generation facility will result in the conversion of approximately 170-acres of grazing land to a solar generation facility. When construction of the solar generation facility is complete the permanent structures that will remain on site include concrete slabs and one substation enclosure. Vegetation control would be limited to the minimum necessary for fire protection. All together less than one acre within the 170-acre Project site will be covered by gravel and or concrete base. The effect on regional foraging wildlife habitat will be minor. Since the Project Site will not be regularly disked, tilled or irrigated, as occurs under the present land use practices, the conversion of regularly, cultivated agricultural lands to a solar farm may in fact be improved site conditions for foraging species. In addition, large areas of suitable foraging habitat for these species still exist with the vicinity of the Project Site.

Table 4 - Special Status Species, Corcoran 2 and Corcoran 3 Project

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Birds					
Burrowing owl (*Athene cunicularia)*	SSC	A yearlong resident of open, dry grassland and desert habitats. Uses rodent or other burrows for roosting and nesting cover. Pipes, culverts, and nest boxes used where burrows scarce. Burrowing owl nests have also been observed in buildings.	Throughout California in appropriate habitats and seasons. Yearlong resident of the Central Valley.	Three occurrences in CNDDB: 3 miles northeast, 5 and 9 miles southeast. Previously documented on Corcoran and Corcoran West sites.	Unlikely. Not observed on site. No potentially suitable burrows. Foraging not expected to occur.
Mountain plover (*Charadrius montanus)*	SSC	Population declining and very local; occasionally fairly common. Winter resident from September through March. Uses open grasslands, plowed fields with little vegetation, and open sagebrush areas. Often roosts in depressions such as ungulate hoof prints and plow furrows.	The Central Valley south to the Imperial Valley and other low elevation, suitable habitats	One occurrence in CNDDB: 6 miles southeast	Possible. Not observed on site. Intermittent winter foraging possible.
Swainson's hawk (*Buteo swainsoni)*	ST	Uncommon breeding resident and migrant. Breeds in stands with few trees in juniper-sage flats, riparian areas, and oak savannah. Forages in adjacent grasslands, suitable grain or alfalfa fields, or livestock pastures. Nests above ground on a platform of sticks, bark, and fresh leaves. Home ranges of 1 to 2 square miles)	Summer (breeding season) resident of the Central Valley	15 occurrences in CNDDB (one extirpated, another possibly extirpated) scattered through area, the closest 1 mile northwest, several others 2 to 3 miles east, west, and south	Possible. Not observed on site. Transmission line through project site provides only potential nesting sites. Foraging not expected to occur.
Tricolored blackbird (*Agelaius tricolor)*	SSC	Common locally. Breeds near fresh water, preferably in emergent wetlands with dense cattails, but also in thickets of willow, blackberry, wild rose, tall herbs. Feeds in grassland and cropland. Roosts in large flocks in emergent wetlands or in trees. Highly colonial; nesting area must be large enough to support a minimum colony of about 50 pairs. Breeders may travel as far as 6.4 km (4 mi) from nest to feed. Highly gregarious in all seasons.	Yearlong resident of the Central Valley and coastal areas of California	Two occurrences in CNDDB, one 5 miles southwest (possibly extirpated) and one 8 miles southeast	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Mammals					
Hoary bat (*Lasiurus cinereus)*	n/a[1]	Habitats suitable for bearing young include woodlands and forests with medium to large trees and dense foliage from sea level to 4125 meters (13,200 feet). During migration in southern California, males are found in foothills, deserts and mountains; females in lowlands and coastal valleys. Generally roosts in dense foliage of medium to large trees. Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. This species is a moth specialist.	Throughout California in suitable habitats	One occurrence in CNDDB, 2 miles south	Unlikely. Not observed on site. No suitable habitat. Foraging not expected to occur.
San Joaquin kit fox (*Vulpes macrotis mutica)*	FE, ST	Open, level areas with loose-textured soils supporting scattered, shrubby vegetation with little human disturbance represent suitable habitats for kit foxes. Cover is provided by dens they dig in open, level areas with loose-textured, sandy and loamy soils. Some agricultural areas may support these foxes. Reported home ranges of 2.6 to 5.2 square kilometers (1.0 to 2.0 square miles).	Scattered throughout the San Joaquin Valley, including interior Coast Range and Sierra Nevada foothills	18 occurrences in CNDDB scattered through area, the closest 2 miles west, several others 2 to 3 miles north and south	Unlikely. Not observed on site. No potentially suitable burrows. Transient use possible; foraging not expected to occur.
Tipton kangaroo rat (*Dipodomys nitratoides)*	FE, SE	Limited to arid-land communities occupying the valley floor of the Tulare Basin in level or nearly level terrain. They occupy alluvial fan and floodplain soils ranging from fine sands to clays with high salinity. Sparse to moderate shrub cover is associated with high population densities. Burrows are located on slightly elevated areas such as roadbeds, railroad grades, canal banks, and along fence posts and near shrubs where windblown soil accumulates. Soft sandy soils and fine soils with high salinity are associated with higher population densities. Terrain not subject to flooding is important for permanent occupancy.	Kern, Kings, and Tulare Counties, generally from the Tulare Lake Bed south to the southern end of the San Joaquin Valley	Two occurrences in CNDDB, 4 to 9 miles northwest	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Invertebrates					
San Joaquin tiger beetle (*Cicindela tranquebarica* ssp.[2])	n/a[3]	Distribution is limited to vernal pools, alkali wetlands and scalds, and nearby open areas.	San Joaquin Valley	One occurrence in CNDDB, 8 miles northwest.	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Vernal pool fairy shrimp (*Branchinecta lynchi)*	FT	Lives in ephemeral freshwater habitats, such as vernal pools and swales. This species has a sporadic distribution within vernal pool complexes wherein the majority of pools in a given complex typically are not inhabited by the species. The majority of known populations inhabit vernal pools with clear to tea-colored water, most commonly in grass or mud bottomed swales, or basalt flow depression pools in unplowed grasslands, but one population occurs in sandstone rock outcrops and another population in alkaline vernal pools. The water in pools inhabited by this species has low total dissolved solids (TDS), conductivity, alkalinity, and chloride.	Scattered across most of the Central Valley and along the central coast from Solano County to San Benito County. Disjunct populations exist in San Luis Obispo, Santa Barbara, and Riverside Counties, and near Medford, Oregon.	Three occurrences in CNDDB, the closest 3 miles northeast, the other two 5 to 6 miles southeast	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Amphibian					
Western spadefoot (*Spea hammondii)*	SSC	This species occurs primarily in grasslands, but occasional populations also occur in valley-foothill hardwood woodlands. Some populations persist for a few years in orchard or vineyard habitats. Rarely found on the surface. Most of the year is spent in underground burrows up to 0.9 m (36 in) deep, which they construct themselves. Some individuals also use mammal burrows. Breeding and egg laying occur almost exclusively in shallow, temporary pools formed by heavy winter rains.	Throughout the Central Valley, as well as valleys in the central and southern Coast Ranges.	None in the CNDDB search radius though documented to the northeast in the Goshen quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Reptiles					
Blunt-nosed leopard lizard (*Gambelia sila)*	FE, SE, SFP	Scarce resident of sparsely vegetated alkali and desert scrub habitats, on alkali flats, large washes, arroyos, canyons, and low foothills in areas of low topographic relief. Lizard population densities may be correlated with an abundance of vacated small mammal burrows.	Scattered throughout the San Joaquin Valley from Modesto south, including valleys in the interior Coast Range and Sierra Nevada foothills	Three occurrences in CNDDB, the closest 3 miles east, others 8 miles northwest and 9 miles southeast	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Western pond turtle (*Emys marmorata)*	SSC	Associated with permanent or nearly permanent water in a wide variety of habitats. Pond turtles require basking sites such as partially submerged logs, rocks, mats of floating vegetation, or open mud banks.	Throughout the Central Valley and Coast Ranges in suitable habitats.	One occurrence in CNDDB, 5 miles northwest	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Plants					
Earlimart orache (*Atriplex cordulata* var. *erecticaulis)*	CNPS 1B.2	Life form: Annual herb Flowering period: August to November Habitat: Valley and foothill grassland Elevation: 40 to 100 meters	The southern end of the Great Valley, generally south of Fresno and north of Bakersfield.	One occurrence in CNDDB, 4 miles north	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Heartscale (*Atriplex cordulata* var. *cordulata)*	CNPS 1B.2	Life form: Annual herb Flowering period: April to October Habitat: Saline or alkaline, chenopod scrub, meadows and seeps, valley and foothill grassland (sandy) Elevation: 0 to 560 meters	Scattered throughout the Great Valley from Willows to south of Bakersfield, with limited occurrence on the central coast and coast range, near the Sacramento-San Joaquin Delta and Livermore Valley.	None in the CNDDB search radius though documented to the northeast in the Goshen quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Lesser saltscale (*Atriplex minuscula)*	CNPS 1B.1	Life form: Annual herb Flowering period: May to October Habitat: Alkaline, sandy, chenopod scrub, playas, valley and foothill grassland Elevation: 15 to 200 meters	The southern half of the Great Valley, generally from Stockton south to Bakersfield, with limited occurrence on the central coast and coast ranges, near the Livermore Valley and the south end of San Francisco Bay.	None in the CNDDB search radius though documented to the northeast in the Goshen quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Mud nama (*Nama stenocarpum)*	CNPS 2B.2	Life form: Annual / perennial herb Flowering period: January to July Habitat: Marshes and swamps (lake margins, riverbanks) Elevation: 5 to 500 meters	On the Southern California coast, generally from Los Angeles south to San Diego, but also east towards Riverside and into the Imperial Valley near El Centro. Limited occurrence in the Great Valley.	None in CNDDB search radius though documented to the northwest in the Guernsey quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Recurved larkspur (*Delphinium recurvatum)*	CNPS 1B.2	Life form: Perennial herb Flowering period: March to June Habitat: Alkaline, chenopod scrub, cismontane woodland, valley and foothill grassland Elevation: 3 to 790 meters	Scattered throughout the Great Valley from Chico to south of Bakersfield, on the central coast and coast range, from the Sacramento-San Joaquin Delta south, as far west as the Salinas Valley and south into the Carrizo Plain. Limited occurrence in the western Mojave Desert.	One occurrence in CNDDB, 4 miles northwest	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Subtle orache (*Atriplex subtilis)*	CNPS 1B.2	Life form: Annual herb Flowering period: June to October Habitat: Valley and foothill grassland Elevation: 40 to 100 meters	The southern end of the Great Valley, generally south of Modesto and north of Bakersfield.	One occurrence in CNDDB, 4 miles north	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Vegetation Type					
Valley Sacaton Grassland	n/a			None in CNDDB search radius though documented to the north and northeast in the Goshen and Remnoy quads.	Absent. Not observed on site.

Sources: Information on birds, mammals, amphibians, and reptiles from CDFW 2014b. Information on the San Joaquin tiger beetle from Kings River Conservation District 2007. Information on the vernal pool fairy shrimp from USFWS 2002. Information on special status plants from CNPS 2014.

[1] The hoary bat was formerly considered a SSC, but is not on the current list (CDFW 2011). It is included here because it continues to be tracked by the CNDDB, despite its lack of legal status.

[2] A described subspecies of the widespread *Cicindela tranquebarica* (Knisley and Haines 2007).

[3] The San Joaquin tiger beetle was formerly listed as a "Category 2" candidate species by the USFWS (1994). However, the candidate listing system was revised and this species was not carried forward as a candidate. It is included here because it continues to be tracked by the CNDDB, despite its lack of legal status.

CNPS Codes

1B.1	Rare, Threatened, or Endangered in California and Elsewhere, Seriously Threatened in California
1B.2	Rare, Threatened, or Endangered in California and Elsewhere, Moderately Threatened in California
2B.2	Rare, Threatened, or Endangered in California, but More Common Elsewhere, Moderately Threatened in California

Potential Occurrence Codes

Present	Species observed on the site at time of field surveys or during recent past.
Likely	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible	Species not observed on the site, but it could occur there from time to time.
Unlikely	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient.
Absent	Species not observed on the site, and precluded from occurring there because habitat requirements not met.

Of the 12 special status species of animals indicated in the CNDDB that occur regionally, 5 could potentially forage over the Project Site, and they are discussed below.

Burrowing Owl

The proposed Projects would not affect breeding burrowing owls because no burrows suitable for use by this species exist on the Project Site. The Project is also not expected to affect foraging owls because the minimal vegetation present does not support populations of suitable prey species, such as grasshoppers. Burrowing owls may occasionally pass over the site or stop briefly in the area while foraging nearby. The risk of injury or mortality to these transient individuals from construction or operation of the project is minimal and would not approach the level of significance. Similarly, the loss of unsuitable to poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby (Appendix B).

Mountain Plover

The proposed project would cause the loss of approximately 170 acres of potential wintering habitat for mountain plovers; however, this loss would not approach the level of significance because of the abundance of similar habitat available nearby and in the region. If construction begins in the winter months, any mountain plovers present on the project site would be displaced to nearby habitat because they are a very mobile species. The risk of injury or mortality to these individuals from construction of the project is minimal and would not approach the level of significance (Appendix B).

Swainson's Hawk

The transmission towers located on Corcoran Solar 2 and near Corcoran Solar 3 would not be altered by the proposed Projects and would continue to provide nesting opportunities for the Swainson's hawk. Pre-construction surveys would be implemented to identify active nests. If an active nest is identified, appropriate buffers would be implemented in consultation with the CDFW. Individuals may occasionally pass over the site or stop briefly in the area while foraging nearby. The risk of injury or mortality to these transient individuals from construction or operation of the project is minimal and would not approach the level of significance. Similarly, the loss of unsuitable to poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby (Appendix B).

Hoary Bat

The proposed project would not affect roosting bats because no roost sites suitable for use by this

species exist on the Project Site. The project is also not expected to affect foraging bats because the minimal vegetation represents poor quality habitat for suitable insect prey. Hoary bats may occasionally pass over the site while foraging nearby or migrating through the area. The risk of injury or mortality to these transient individuals from construction or operation of the project is minimal and would not approach the level of significance. Similarly, the loss of poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby (Appendix B).

San Joaquin Kit Fox

The proposed Project would not affect breeding kit foxes because no burrows suitable for use by this species exist on the Project Site. The project is also not expected to affect foraging foxes because the minimal vegetation present does not support populations of suitable prey species, such as rodents. Kit foxes may occasionally pass through the project site in transit between suitable foraging/denning areas. Several mitigation measures based on the *USFWS Standardized Recommendations For Protection Of The Endangered San Joaquin Kit Fox Prior To Or During Ground Disturbance* will be implemented to reduce the risk of adverse effects to kit foxes. Assuming these measures are properly implemented, the risk of injury or mortality to these transient individuals from construction or operation of the project would be minimal and would not approach the level of significance. The loss of unsuitable to poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby (Appendix B).

Mitigation Measures

As reported in the Biological Technical Report, implementation of the measures below would ensure future development of the Project site would have no impact on any sensitive status species, and that the Project would be in compliance with state and federal laws protecting nesting birds.

BIO 1: A qualified biologist shall conduct a pre-construction survey for nesting birds (including raptors) on and closely adjacent to the Project Site no more than 30 days prior to any ground disturbance, if ground disturbance is to occur during the breeding season (February 1 to August 31). These surveys shall be based on the accepted protocols (for example, the current Swainson's hawk protocol) for the target species. If an active nest is detected, an appropriate construction buffer may be needed. The actual size of the buffer would depend on species, topography, and type of construction activity that would occur near the nest, and would be determined in consultation with the CDFW and USFWS.

BIO 2: A qualified biological monitor shall be present while ground-disturbing activities are occurring if it is determined that sensitive resources are present on or closely adjacent to the Project Site and those resources may be affected by project activities. In addition to conducting pre-construction surveys for the project, the biological monitor shall: 1) aid crews in satisfying take avoidance criteria and implementing project mitigation measures, 2) document all pertinent information concerning project effects on sensitive species, and 3) assist in minimizing the adverse effects of project activities on sensitive species. The biological monitor shall be empowered to order cessation of activities if take avoidance or mitigation measures are violated.

BIO 3: Project-related vehicles shall observe a daytime speed limit of 20 miles per hour throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Nighttime construction shall be minimized to the extent possible. However if it does occur, then the speed limit shall be reduced to 10 miles per hour. Off-road traffic outside of designated project areas shall be prohibited.

BIO 4: To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted as noted under measure 16 referenced below.

BIO 5: Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the Service has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

BIO 6: All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the Project Site.

BIO 7: No firearms shall be allowed on the Project Site, excluding law enforcement personnel.

BIO 8: No pets, such as dogs or cats, shall be permitted on the Project Site to prevent harassment, mortality of kit foxes, or destruction of dens.

BIO 9: Use of rodenticides and herbicides in project areas shall be restricted. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.

BIO 10: All spills of hazardous materials shall be cleaned up immediately.

BIO 11: A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.

BIO 12: A qualified biologist shall conduct a sensitive species education program for all project personnel. Topics to be discussed should include: occurrence and distribution of sensitive species in the project area (including the San Joaquin kit fox), take avoidance measures being implemented during the project, reporting requirements if incidental take occurs, and

applicable definitions and prohibitions under the Endangered Species Act. A fact sheet conveying this information shall be prepared for distribution to project personnel.

BIO 13: In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance.

BIO 14: Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The USFWS shall be contacted at Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-1846, (916) 414-6620 or (916) 414-6600.

BIO 15: The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers in BIO 14 above. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.

BIO 16: New sightings of kit fox or any other special status species shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the species was observed shall also be provided to the USFWS at the address in measure 16 above.

IV-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?

Less than Significant Impact. Natural communities of special concern are those that are of limited distribution, distinguished by significant biological diversity, home to special status plant and animal species, of importance in maintaining water quality or sustaining flows, etc. The CNDDB indicated one natural communities of special concern, northern Valley Sacaton Grassland, might exist within the vicinity of the proposed Project Site. As mention above, the entire Project Site is comprised of land that was once cultivated, irrigated, and planted to row crops and is now grazed. No natural communities of special concern occur within the propose Project Site. Therefore, any potential impact would be less than significant.

IV-c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact An investigation was conducted so that any areas meeting the technical criteria of jurisdictional wetlands (i.e. drainages and seasonal pools) would be identified. A review of the United States Fish and Wildlife Service Wetlands Geodatabase

(http://wetlandsfws.er.usgs.gov/wtlnds/launch.html) did not indicate the presence of a wetland within the Project Site. The construction of the solar farm is not expected to result in any impacts to jurisdictional waters.

IV-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?

Less than Significant Impact. It is not anticipated that the construction and operation of the solar facility would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, in the area. The Project site is surrounded and intersected by irrigation canals and basins to the south, east, north, and northwest. These canals and basins flood on a regular basis and would likely limit movement of native wildlife species on or off the Project Site to when these canals and basins are dry or to the roadway ditches that cross the canals. To the southwest of the site are State Route 43 and the Atchinson Topeka and Santa Fe Railroads tracks, which would also likely limit wildlife movement within the vicinity of the Project site. An eight-foot tall fencing would be installed around the perimeter of the entire solar field for public and facility safety. Therefore, any potential impacts would be less than significant.

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

No Impact. The Kings County General Plan's Resource Conservation Element requires "a primary objective in the review of development projects the preservation of healthy native oaks and other healthy native trees." No trees are known to occur on the site. Therefore, the proposed Project would have no impact.

IV-f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The Project site is located within The Kern Water Bank Habitat Conservation Plan/NCCP and PG&E's Operations and Maintenance Habitat Conservation Plan service areas. There are no other approved habitat conservation plans, natural community conservation plans, regional or state habitat conservation plans in effect within the vicinity of the proposed Project Site. The development of the solar farm will not conflict with the operation or goals of the Kern Water Bank HCP/NCCP. The PG&E Operations and Maintenance HCP provides best management practices to ensure its facilities comply with the federal Endangered Species Act and the California Endangered Species Act (CESA). The Project would not conflict with the PG&E Operations and Maintenance HCP nor the Kern Water Bank HCP/NCCP. Therefore, the proposed Project would have no impact.

V. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	☐	☒	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

BASELINE CONDITIONS

Environmental Setting

The San Joaquin Valley is sits between two mountain ranges in central California, Sierra Nevada on the east and California coastal ranges on the west. The Project Site is located on the flat plain of the central portion of the San Joaquin Valley. The San Joaquin Valley had a vastly different landscape at one time. According to Wallace (1978) and Sutton (1997) the area was dominated by a network of interconnecting lakes, rivers, streams, and sloughs and featured large expanses of "tule-choked marshes" and immense plains. The landscape today is much more arid because of the reduction of permanent water sources (Appendix D).

The climate of the San Joaquin Valley is categorized as Mediterranean, which is characterized by warm to hot, dry summers and mild to cool, wet winters, with the greatest precipitation occurring in the winter (Felton 1965). The average yearly precipitation is less than six inches, with approximately 70% falling between the months of December through April (Appendix D).

Regulatory Setting

Federal

Cultural resources are protected by several federal regulations, none of which are relevant to this project because it will not be located on lands administered by a federal agency and the project applicant is not requesting federal funding.

State

CEQA requires the assessment of a proposed project's effects on cultural resources. Pursuant to CEQA, a "historical resource" is a resource listed in, or eligible for listing in, the California Register of Historical Resources (CRHR). Section 5024.1 of the Public Resource Code defines eligibility requirements for the CRHR and states that a resource may be eligible for inclusion in the register if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, resources included in a local register of historic resources or identified as significant in a local survey conducted in accordance with state guidelines are also considered historic resources under CEQA, unless a preponderance of the facts demonstrates otherwise. CEQA applies to archaeological resources when 1) the archaeological resource satisfies the definition of a historic resource, or 2) the archaeological resource satisfies the definition of a "unique archaeological resource." A unique archaeological resource is an archaeological artifact, object, or site that has a high probability of meeting any of the following criteria:

A. The archaeological resource contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.
B. The archaeological resource has a special and particular quality, such as being the oldest of its type or the best available example of its type.
C. The archaeological resource is directly associated with a scientifically recognized important prehistoric or historic event or person.

CEQA recognizes three separate categories of resources: CRHR, California Historical Landmarks, and California Points of Historical Interest. Additional state regulations applicable to cultural resources on private property are:

Native American Heritage Commission. Section 5097.91 of the California Public Resource Code established the NAHC, whose duties include the inventory of places of significance to Native Americans, including known grave sites on private lands. Section 5097.98 defines the protocol to be followed upon notification from a county coroner of a discovery of Native American human remains.

California Public Records Act. Two sections of this act were enacted to protect cultural resources from vandalism and unauthorized excavation. Section 6254(R) authorizes public agencies to withhold information from the public that relates to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 allows the withholding of records held by State agencies that relate to archaeological site information and reports.

Health and Safety Code, Sections 7050 and 7052. Section 7050.5 declares that if human remains are discovered outside of a dedicated cemetery, ground disturbance must cease and the county coroner notified. Section 7052 establishes it as a felony for anyone but relatives to mutilate, disinter, or otherwise disturb human remains.

California Penal Code, Section 622.5. Section 622.5 provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public lands or on private lands, but specifically excluding the landowner.

Local

The 2035 Kings County General Plan Resource Conservation Element includes a goal with supporting objectives and policies related to archaeological, cultural, and historical resources. Those policies that are pertinent to the Project are included below:

RC Policy I1.1.3: Encourage the protection of cultural and archaeological sites with potential for placement on the National Register of Historic Places and/or inclusion in the California Inventory of Historic Resources.

RC Policy I1.2.1: Participate in and support efforts to identify significant cultural and archaeological resources and protect those resources in accordance with PRC 5097.9 and 5097.993.

RC Policy I1.2.2: Continue to solicit input from local Native American communities in cases where development may result in disturbance to sites containing evidence of Native American activity and/or to sites of cultural importance.

RC Policy I1.2.3: Address archaeological and cultural resources in accordance with CEQA for discretionary land use applications[13] .

IMPACT ASSESSMENT

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

Less Than Significant With Mitigation Incorporation. The constraints assessment for the Projects includes records and literature search, Bureau of Land Management General Land Office records search, and a Sacred Lands File Search from the California Native American Heritage Commission (NAHC). The NAHC record search did not reveal any sites in the immediate area; however, this does not preclude the possibility of their existence at the subsurface level. The NAHC provided a list of local Yokut Tribes to contact, which kp environmental (KPE) will initiate with letters (Appendix D).

Based on the records review there is one known archaeological resource; CA-KIN-106H, within the CED Corcoran Solar 2 Project Site. CA-KIN-106H is a historic site, which has not been formally tested and evaluated for the CRHR. Historic maps show that the structure has been on the property since at least 1954, and one surface artifact date to pre-World War I. Orfila (2010a) recorded the site and recommended the site as mitigated with that documentation; however, she did recommend monitoring by a qualified archaeologist during all ground disturbing activities (Appendix D).

All of the Corcoran Solar 3 Project Site has been surveyed within the past five years, and no archaeological resources have been recorded on this parcel (Appendix D).

The rich cultural prehistory of the San Joaquin Valley has increased the likelihood of finding additional archaeological sites subsurface. The correspondence received from the NAHC supports the increased inadvertent Native American discoveries in Kings County as development expands. It is

[13] 2035 Kings County General Plan, p. RC-51

management's recommendation that a qualified archaeologist be present during all ground disturbing activities (Appendix D). On addition to a cultural resources records search, a Sacred Lands Search (per requirements related to California S.B.18 regarding Native American consultation for certain projects) was requested by kp Environmental, Inc. on March 29, 2014. The results of that file search, conducted by the Native American Heritage Commission (April 8, 2014), indicated that no Native American cultural resources were located in the Project Area. The NAHC also made note that the absence of archaeological resources does not preclude the possibility of their existence at the subsurface level (Appendix D).

The Tulare Lakebed Mitigation Area has limited archaeological surveys, and based on the number of inadvertent discoveries of Native American remains in Kings County in the past decade, the NAHC feels that more data is probably present in the area and areas near the Project Site. Therefore, as recommended by the NAHC, KPE will contact the following Tribes and individuals regarding sites in the area. In particular, if there are any Traditional Cultural Properties, Sacred Sites, resource collecting areas, or any other areas of concern. Letters will be sent to the following from the list of contacts forwarded from the NAHC (Appendix D):

- Neil Peyron, Chairperson - Tule River Indian Tribe
- Kenneth Woodrow, Chairperson - Wuksache Indian Tribe/Eshom Valley Band
- Stan Alec - King River Choinumni Farm Tribe
- Lalo Franco, Cultural Coordinator - Santa Rosa Tachi Rancheria
- Bob Pennell, Cultural Resources Director - Table Mountain Rancheria
- Kerri Vera, Environmental Department - Tule River Indian Tribe
- Joey Garfield, Tribal Archaeological - Tule River Indian Tribe

Although no cultural resources have been discovered in the area, there would be a potentially significant impact if historical or cultural resources were uncovered during project construction; however, implementation of the following mitigation measure would reduce potential impacts to historical or archaeological resources to less than significant.

Mitigation Measures

CUL 1: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within one hundred (100) feet of the find shall be ceased and the Kings County Community Development Agency shall be notified immediately. The project proponent shall retain a qualified archaeologist to assess the significance of the find and make mitigation recommendations, if warranted. The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System (CHRIS). The resources shall be photo-documented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and Historical Preservation Department. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.

CUL 2: Prior to initiation of construction, the applicant shall conduct a site visit in concert with the Cultural Department of the Santa Rosa Rancheria in order to provide an opportunity for the

Rancheria to assess the site and discuss their recommendations. During the site visit a cultural sensitivity class will be taught by the Cultural Department of the Santa Rosa Rancheria for the construction crew. Prior to initiation of construction, the applicant shall consult with the Cultural Department of the Santa Rosa Rancheria to determine if they would like to provide one Tribal Cultural Consultant (TCC) during project grading. The Applicant and the Santa Rosa Rancheria shall enter a reburial agreement as well as a curation agreement for any artifacts that may be discovered during construction (per CEQA Guidelines, California Code of Regulations, Title 14, Section 15064.5). If prehistoric artifacts are found, the project archaeologist will work with the TCC to determine their significance and work with the Cultural Department of the Santa Rosa Rancheria and the landowner to identify potential reburial options.

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

Less Than Significant With Mitigation Incorporation. Any impacts to archaeological resources have been discussed in Impact V-a. The mitigation measures in Impact V-a will ensure that any impacts will be less than significant.

V-c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact. No known paleontological resources exist within the Project area, nor are there any known geologic features in the Project area. Project construction would not be expected to disturb any paleontological resources not previously disturbed; however, the mitigation measures in Impact V-a would ensure that any impacts would be less than significant.

V-d) Disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant With Mitigation Incorporation. Although no formal cemeteries or other places of human internment are known to exist at the site, there would be a potentially significant impact if human bone or bone of unknown origin is uncovered during project construction; however, implementation of the following mitigation measure would reduce potential impacts to less than significant. .

CUL 3: Pursuant to State Health and Safety Code §7050.5(c) and State Public Resources Code §5097.98, if human bone or bone of unknown origin is found at any time during on- or off site construction, all work shall stop in the vicinity of the find and the Kings County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The applicant shall work with the likely descendant to develop a program for the re-internment of the human remains and any associated artifacts. Additional work cannot take place within the immediate vicinity of the find until the identified appropriate actions have been implemented.

VI. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the 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 most recently adopted Uniform Building Code creating substantial risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

The Project is located in central Kings County, in the southern section of California's Great Valley Geomorphic Province, or Central Valley. The Central Valley is over 400 miles long and approximately 50 to 60 miles wide in the project area. The Valley is subdivided into the Sacramento Valley (north of the Sacramento-San Joaquin Delta) and the San Joaquin Valley (south of the Delta). The southern part of the Valley (including most of Kings County) is internally draining, with the distributaries of the Kings and Tule rivers and Cross Creek flowing into the Tulare Lake Bed. North of the Kings River, runoff is directed into the San Joaquin River, which flows northward. The southern San Joaquin Valley is bounded by the low mountains of the Coast Ranges to the west, the San Emiggdio and Tehachapi Ranges to the south, and

the foothills of the Sierra Nevada to the east. The valley is filled with up to six vertical miles of sediment (Norris and Webb, 1990). The sediments include marine, alluvial, and lacustrine (lake) deposits[14].

Soils: According to the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Soil Survey of Kings County, California, the Project site contains three soil types: Goldberg loam, drained (57.0% land cover), Lakeside loam, partially drained (42.9% land cover), and Westcamp loam, partially drained (0.2% land cover). All of the Project soil type's natural drainage characteristics are described as somewhat poorly drained. More information on the above described soil types can be found in the Custom Soil Resource Report (Appendix A).

Regulatory Setting

Federal

Federal regulations for geology and soils are not relevant to this Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the applicant is not requesting federal funding or a federal permit).

State

Uniform Building Code: The California Code of Regulations (CCR) Title 24 is assigned to the California Building Standards Commission, which, by law, is responsible for coordinating all building standards. The California Building Code incorporates by reference the Uniform Building Code with necessary California amendments. The Uniform Building Code is a widely adopted model building code in the United States published by the International Conference of Building Officials. About one-third of the text within the California Building Code has been tailored for California earthquake conditions. In addition, this project is being evaluated pursuant to CEQA.

Local

This project is being evaluated pursuant to CEQA; however, there are no local regulations, plans, programs, or guidelines associated with geology and soils that are applicable to the proposed project.

IMPACT ASSESSMENT

VI-a) Would the Project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

VI-a-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.

Less Than Significant Impact. No substantial faults are known to occupy Kings County according to the Alquist-Priolo Earthquake Fault Zoning Maps and the State of California Department of Conservation. The closest known fault likely to affect the Project site is the Owens Valley Fault located about 40 miles to the northeast in the Sierra Nevada Range.

[14] 2035 Kings County General Plan Update EIR. Page 4.6-1.

According to the Five County Seismic Safety Element (FCSSE) and the Kings County Seismic Safety Map (Figure HS-2), the Project site is located in the V-1 zone, defined as an area "of hard rock alluvium on valley floors". The FCSSE further states that, "The distance to either of the faults expected to be a source of shaking is sufficiently great that shaking should be minimal and the requirements of the Uniform Building Code Zone II should be adequate for normal facilities. The risk of the rupture of a known earthquake fault is less than significant.

VI-a-ii) Strong seismic ground shaking?

Less Than Significant Impact. Any impacts regarding strong seismic ground shaking have been discussed in Impact VI-a-i. The impact will be less than significant.

VI-a-iii) Seismic-related ground failure, including liquefaction?

No Impact. The project site is outside subsidence and liquefaction hazard zones identified in the County of Kings General Plan Seismic Safety Map (Figure HS-2 of the 2035 Kings County General Plan Health and Safety Element). No subsidence-prone soils or oil or gas production is involved with the Project. There would be no impact.

VI-a-iv) Landslides?

No Impact. The Project site is outside the landslide hazard areas identified on the Kings County Seismic Safety Map (Figure HS-2). No geologic landforms exist on or near the site that would result in a landslide event. There would be no impact.

VI-b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Soil erosion factors are soil properties and interpretations used in evaluating the soil for potential erosion. Example soil erosions factors can include K factor for the whole soil or on a rock free basis, T factor, wind erodibility group and wind erodibility index.

The T factor is an estimate of the maximum average annual rate of soil erosion by wind and/or water that can occur without affecting crop productivity over a sustained period. The rate is in tons per acre per year[15].

Approximately 100 acres of the Project site has a T factor rating of 2 while the remainder of the site has a T factor rating of 5 proving that the site has an overall low T factor rating therefore the Project site is not susceptible to significant soil erosion (Appendix A).

In addition to the Project site not being susceptible to significant soil erosion a Storm Water Pollution Prevention Plan (SWPPP) would be developed for the Project that would be implemented during both the construction and decommissioning periods. A SWPPP is required for all projects which disturb more than one acre in size.

As part of the SWPPP, the applicant would be required to provide the following Best Management Practices (BMPs) to further protect the topsoil:

[15] Natural Resources Conservation Service (NRCS), http://websoilsurvey.nrcs.usda.gov

Grading and Preservation of Existing Vegetation
Existing vegetation shall be preserved to the maximum extent practicable. Clearing and grubbing shall only be performed in areas where new foundations, utilities, or internal access drives are planned.

Soil Compaction
All soil compaction and subgrade preparation specifications will be per the site-specific recommendations of a California-licensed Geotechnical Engineer, and will be based on his field exploration prior to construction. Typically, trench backfill and subgrade compaction consists of either hand-held vibratory, rolled-drum equipment, or tracked equipment. Compaction would be 90 percent of maximum density as calculated by ASTM D1557 Modified Proctor.

Hydroseeding
Disturbed areas will be seeded upon completion of construction in order to protect exposed soils from erosion by wind and water. Upon completion of an earth disturbance activity, disturbed areas shall be covered with a minimum uniform 70 percent perennial vegetative cover, with a density capable of resisting accelerated erosion and sedimentation. The vegetative cover will also be chosen to be appropriate for the proposed sheep grazing activities in the event the continued farming concept is chosen.

Straw Mulch
Straw mulch will be used to temporarily stabilize disturbed areas until soil can be prepared for revegetation. Straw mulch will be anchored immediately after application to prevent being windblown. Straw or hay will be “crimped” into the soils by running tracked machinery across the surface.

Non-Vegetative Stabilization
A non-combustible surface will surround the project site to function as a fire break as well as provide a stabilized surface for post-construction access. Non-vegetative stabilization methods, such as gravel mulch, will be used to provide a stabilized 12-foot wide access.

Stabilized Construction Entrance/Exit
A stabilized construction entrance/exit will be maintained at each construction site entrance/exit to reduce tracking of sediment as a result of construction traffic. The entrance/exit will be constructed per the detail included with the Erosion and Sediment Control Drawings (ESCDs).

Stabilized Construction Roadway
The construction access route into the site will also be maintained to prevent erosion and to control tracking of mud and soil material onto adjacent roads. The ESCDs will specify the construction access locations. A regular maintenance program will be conducted to replace sediment-clogged stabilization material with new stabilization material as required.

Entrance/Outlet Tire Wash
Tire wash racks will be installed if soil and/or traffic conditions on-site require washing the construction vehicle wheels prior to exiting the site to avoid excessive tracking of mud onto the roadway.

Street Sweeping and Vacuuming
Road sweeping and vacuuming will occur as necessary during construction to keep street surfaces clear of soil and debris. Washing sediment onto streets will not occur.

Dust Control

During windy conditions (forecast or actual wind conditions of approximately 25 mph or greater), dust control will be applied to disturbed areas, including construction access roads, to adequately control wind erosion. Water will be applied to disturbed soil areas of the project site using water trucks as required by weather conditions to control dust. Water application rates will be minimized as necessary to prevent runoff and ponding.

Existing site soil conditions are not susceptible to soil erosion, in addition, the development of the SWPPP for construction and decommissioning activities would further reduce the potential for soil erosion or loss of topsoil from the Project site, therefore the impacts on soil erosion and/or loss of topsoil would be less than significant.

VI-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?

No Impact. Substantial grade change would not occur in the topography to the point where the Project would expose people or structures to potential substantial adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse. There would be no impact.

VI -d) Be located on expansive soil, as defined in Table 18-1-B of the most recently adopted Uniform Building Code creating substantial risks to life or property?

Less Than Significant Impact. The soils at the Project site are described as moderately to poorly drained. Soil types on the site formed in alluvium derived from granite, igneous and sedimentary rock. The Project site is not located within an area with high soil expansion potential, according to the 2035 Kings County General Plan[16]. The impact would be less than significant.

VI-e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The Project site is located in an area with a perched water table and engineering is required for any new septic system that is installed; however, the Project does not include the use of septic tanks or other alternative waste water disposal system. There would be no impact.

[16] 2035 Kings County General Plan. Figure HS-4. Pg. HS-13.

VII. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

BASELINE CONDITIONS

Environmental Setting

Various gases in the earth's atmosphere play an important role in moderating the earth's surface temperature. Solar radiation enters earth's atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases (GHGs) are transparent to solar radiation, but are effective in absorbing infrared radiation. Consequently, radiation that would otherwise escape back into space is retained, resulting in a warming of the earth's atmosphere. This phenomenon is known as the greenhouse effect[17]. Scientific research to date indicates that some of the observed climate change is a result of increased GHG emissions associated with human activity. Among the GHGs contributing to the greenhouse effect are water vapor, carbon dioxide (CO_2), methane (CH_4), ozone, nitrogen oxide (NOx), and chlorofluorocarbons. Human-caused emissions of these GHGs in excess of natural ambient concentrations are considered responsible for enhancing the greenhouse effect. GHG emissions contributing to global climate change are attributable, in large part, to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation[18]. Global climate change is, indeed, a global issue. GHGs are global pollutants, unlike criteria pollutants and toxic air contaminants (TACs) (which are pollutants of regional and/or local concern). Global climate change, if it occurs, could potentially affect water resources in California. Rising temperatures could be anticipated to result in sea-level rise (as polar ice caps melt) and possibly change the timing and amount of precipitation, which could alter water quality. According to some, climate change could result in more extreme weather patterns; both heavier precipitation that could lead to flooding, as well as more extended drought periods. There is uncertainty regarding the timing, magnitude, and nature of the potential changes to water resources as a result of climate change; however, several trends are evident[19].

Snowpack and snowmelt may also be affected by climate change. Much of California's precipitation falls as snow in the Sierra Nevada and southern Cascades, and snowpack represents approximately 35 percent of the state's useable annual water supply. The snowmelt typically occurs from April through

[17] U.S Bureau of Reclamation, Contra Costa Water District, and Western Area Power Administration. 2009. Los Vaqueros Reservoir Expansion Project. Environmental Impact Statement/Environmental Impact Report. State Clearinghouse No. 2006012037. February. Pages cites: 5-1 through 5-4.
[18] Ibid
[19] Ibid

July; it provides natural water flow to streams and reservoirs after the annual rainy season has ended. As air temperatures increase due to climate change, the water stored in California's snowpack could be affected by increasing temperatures resulting in: (1) decreased snowfall, and (2) earlier snowmelt[20].

Regulatory Setting

Federal

The United States Environmental Protection Agency (USEPA) Mandatory Reporting Rule (40 CFR Part 98), which became effective December 29, 2009, requires that all facilities that emit more than 25,000 metric tons CO2-equivalent per year beginning in 2010, report their emissions on an annual basis. On May 13, 2010, the USEPA issued a final rule that established an approach to addressing GHG emissions from stationary sources under the Clean Air Act (CAA) permitting programs. The final rule set thresholds for GHG emissions that define when permits under the New Source Review Prevention of Significant Deterioration and title V Operating Permit programs are required for new and existing industrial facilities.

In addition, the Supreme Court decision in Massachusetts v. EPA (Supreme Court Case 05-1120) found that the USEPA has the authority to list GHGs as pollutants and to regulate emissions of GHGs under the CAA. On April 17, 2009, the USEPA found that CO_2, CH_4, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride may contribute to air pollution and may endanger public health and welfare. This finding may result in the USEPA regulating GHG emissions; however, to date the USEPA has not proposed regulations based on this finding.

State

California is taking action to reduce GHG emissions. In June 2005, Governor Schwarzenegger signed Executive Order S-3-05 to address climate change and GHG emissions in California. This order sets the following goals for statewide GHG emissions:

- Reduce to 2000 levels by 2010
- Reduce to 1990 levels by 2020
- Reduce to 80 percent below 1990 levels by 2050

In 2006, California passed Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006. The Act requires Air Resources Board (ARB) to design and implement emission limits, regulations, and other feasible cost-effective measures to reduce statewide GHG emissions to 1990 levels by 202014. Senate Bill (SB) 97 was signed into law in August 2007. The Senate Bill required the Office of Planning and Research (OPR) to prepare, develop, and transmit to the Resource Agency guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions by July 1, 2009. On April 13, 2009, the OPR submitted to the Secretary for Natural Resources its recommended amendments to the State California Environmental Quality Act (CEQA) Guidelines for addressing GHG emissions. On July 3, 2009, the Natural Resources Agency commenced the Administrative Procedure Act rulemaking process for certifying and adopting the amendments. Following a 55-day public comment period and 2 public hearings, and in response to comments, the Natural Resources Agency proposed revisions to the text of the proposed Guidelines amendments. The Natural Resources Agency transmitted the adopted amendments and the entire rulemaking file to the Office of Administrative Law on December 31, 2009. On February 16, 2010,

[20] Ibid

the Office of Administrative Law approved the amendments, and filed them with the Secretary of State for inclusion in the California Code of Regulations (CCR). The Amendments became effective on March 18, 2010.

The AB 32 Scoping Plan contains the main strategies California will use to reduce GHG emissions that cause climate change. The scoping plan has a range of GHG reduction actions which include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market-based mechanisms such as a cap-and-trade system, and an AB 32 cost of implementation fee regulation to fund the program. The first regulation adopted by the ARB pursuant to AB 32 was the regulation requiring mandatory reporting of GHG emissions. The regulation requires large industrial sources emitting more than 25,000 metric tons of CO_2 per year to report and verify their GHG emissions from combustion of both fossil fuels and biomass-derived fuels. The California Cap and Trade program is being developed and the ARB must adopt regulations by January 1, 2011. Finally, Governor Schwarzenegger directed the ARB, pursuant to Executive Order S-21-09, to adopt a regulation by July 31, 2010, requiring the state's load serving entities to meet a 33 percent renewable energy target by 2020.

In addition, this project is being evaluated pursuant to CEQA.

Local

The 2035 Kings County General Plan adopted by the Kings County Board of Supervisors on January 26, 2010 recognizes the problem of air pollution and climate change within the San Joaquin Valley. The Air Quality Element of the General Plan fulfills a number of objectives that are very important to Kings County, including ensuring that growth occurs in ways that protect and enhance county residents' health, and complying with air quality regulations. General Plan Air Quality goals and objectives, with respect to GHGs, that are pertinent to the project include:

AQ Goal G1: Reduce Kings County's proportionate contribution of GHG emissions and the potential impact that may result on climate change from internal governmental operations and land use activities within its authority.

AQ Objective G1.1: Identify and achieve GHG emission reduction targets consistent with the County's proportionate fair share as may be allocated by ARB and the Kings County Association of Governments[21].

To assist Lead Agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project-specific GHGs on global climate change, the San Joaquin Valley Air Pollution Control District (SJVAPCD) has adopted the following: *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA,* and the policy: *District Policy – Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency*. The guidance and policy rely on the use of Best Performance Standards (BPS) to assess significance of project-specific GHG emissions on global climate change during the environmental review process, as required by CEQA. Projects implementing BPS would be determined to have a less than cumulatively significant impact on global climate change. Otherwise, demonstration of a 29 percent reduction in GHG emissions, from business-as-usual, is required to determine that a project would have a less than cumulatively significant impact.

[21] 2035 Kings County General Plan. Air Quality Element. Page AQ-30.

VII-a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? and;

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

Less Than Significant Impact. The proposed Project includes the construction and operation of a solar energy generation facility. Emissions resulting from solar electricity generation are negligible because no fuels are combusted[22]; however temporary emissions will be associated with construction-related activities. Temporary and short-term proposed Project construction emissions will be minimal, as demonstrated in Table 3, and Project operations will not exceed SJVAPCD thresholds of significance. Subsequently, Project operations will reduce greenhouse gas emissions. The gases believed to be most responsible for global warming are water vapor, carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). Facility operational-related emissions will be minimal. There will be no permanent on-site personnel. Except for the bi-annual cleaning of the solar panels, emergency repair events and occasional security checks. Facility operation will not generate NO_x, CO, VOC, $PM_{10,}$ or SO_x emissions. The Air District's Rule 9510 (Indirect Source Review) also requires operational emission reductions of 25 percent NO_x and 50 percent PM_{10} for 10 years if thresholds are exceeded. Air quality analysis (Appendix B) indicates this Project will not exceed the Air District's CEQA threshold for operational criteria pollutant emissions; therefore, operational impacts are not expected to trigger the Air District's Rule 9510 (Indirect Source Review) (See Table 3 and Appendix B).

The District has adopted a set of PM_{10} Fugitive Dust Rules collectively called Regulation VIII. Several components of Regulation VIII specifically address fugitive dust generated by construction-related activities. Therefore, the District has determined that any determination of significance with respect to construction emissions should be based on a consideration of the control measures to be implemented. Compliance with Regulation VIII for all sites and implementation of all other control measures summarized in Table 2 (as appropriate, depending on the size and location of the project site) will result in adequate sufficient mitigation to reduce PM_{10} impacts to a level considered less than significant.

The proposed Project will not significantly contribute to the emission of GHGs. Temporary Project construction emissions would be minimal, as demonstrated in Table 3, and Project operations would not exceed SJVAPCD thresholds of significance. In addition, Regulation VIII measures, as seen in Table 2, would be implemented, further decreasing potential emissions. The Project would not significantly contribute to the emission of GHGs and through the production of clean, emissions-free energy, may help to reduce GHGs if fossil fuel sources of energy production are displaced by the energy produced by this facility. The impact would be less than significant.

[22] U.S. Environmental Protection Agency, Clean Energy. Air Emissions. http://www.epa.gov/cleanenergy/energy-and-you/affect/air-emissions.html.

VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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 reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☒	☐
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☒	☐

BASELINE CONDITIONS

Environmental Setting

The site has historically been, and is currently used for grazing purposes. The application of agricultural chemicals, including but not limited to herbicides and pesticides, is anticipated to have occurred at

portions of the site. The routine and appropriate application of agricultural chemicals is not considered a recognized environmental condition.

Regulatory Setting

Federal

United States Environmental Protection Agency (USEPA)

The USEPA provides leadership in the nation's environmental science, research, education, and assessment efforts with the mission of protecting human health and the environment. The USEPA works to develop and enforce regulations that implement environmental laws enacted by Congress. It is also responsible for researching and setting national standards for a variety of environmental programs and delegates to states the responsibility for issuing permits and for monitoring and enforcing compliance. The agency also performs environmental research, sponsors voluntary partnerships and programs, provides direct support through grants to state environmental programs, and advances educational efforts regarding environmental issues. The USEPA develops and enforces regulations per Title 40 of the U.S. Code of Federal Regulations (CFR) that span many environmental categories, including hazardous materials. Specific regulations include those regarding asbestos, brownfields, toxic substances, underground storage tanks, and Superfund sites, as discussed below.

Resource Conservation and Recovery Act (RCRA)

The RCRA (codified 42 United States Code 6901 et seq.) gives the USEPA the authority to control hazardous waste from — including the generation, transportation, treatment, storage, and disposal of hazardous waste. The RCRA also sets forth a framework for the management of nonhazardous solid wastes. The 1986 amendments to the RCRA enabled the Environmental Protection Agency to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to the RCRA that focused on waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the USEPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program (USEPA 2012).

Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)

The CERCLA (codified 42 United States Code 9601-9675) provides a federal superfund to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the United States Environmental Protection Agency was given power to seek out those parties responsible for any release and assure their participation in the cleanup. The USEPA is authorized to implement CERCLA in all 50 states and in U.S. territories. Superfund site identification, monitoring, and response activities in states are coordinated through the state environmental protection or waste management agencies. The Superfund Amendments and Reauthorization Act (SARA) of 1986 reauthorized CERCLA to continue cleanup activities around the country. Several site-specific amendments, definition clarifications, and technical requirements were added to the legislation, including additional enforcement authorities (USEPA 2012).

This law created a tax on the chemical and petroleum industries and provided broad Federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger

public health or the environment. CERCLA has established prohibitions and requirements concerning closed and abandoned hazardous waste sites; provided for liability of persons responsible for releases of hazardous waste at these sites; and, established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions: Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response. Long-term remedial response actions, that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life threatening. These actions can be conducted only at sites listed on EPA's National Priorities List (NPL).

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the NPL.

Occupational and Safety Health Act (OSHA)

Congress passed the OSHA in 1970 (codified 29 United States Code Section 651 – 678) to ensure worker and workplace safety. The goal was to ensure that employers provide their workers a place of employment free from recognized hazards to safety and health, such as exposure to toxic chemicals, excessive noise levels, mechanical dangers, heat or cold stress, or unsanitary conditions. OSHA is a division of the U.S. Department of Labor that oversees the administration of the act and enforces standards in all 50 states.

U.S. Department of Transportation (US DOT)

Federal Hazardous Materials Transportation Law and Hazardous Materials Regulations The federal hazardous materials transportation law (federal hazmat law), 49 U.S.C. Section 5101 et seq., is the basic statute regulating hazardous materials transportation in the United States. Section 5101 of the federal hazmat law states that the purpose of the law 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.

The Hazardous Materials Regulations (HMR), which implements the federal hazmat law, governs the transportation of hazardous materials by highway, rail, vessel, and air. The HMR address hazardous materials classification, packaging, hazard communication, emergency response information, and training. The Pipeline and Hazardous Material Safety Administration (PHMSA) also issues procedural regulations, including provisions on registration and public sector training and planning grants (49 CFR Parts 105, 106, 107, and 110). The Pipeline and Hazardous Material Safety Administration issues the HMR (PHMSA 2009).

The Federal Motor Carrier Safety Administration

The Federal Motor Carrier Safety Administration issues regulations concerning highway routing of hazardous materials, the hazardous materials endorsement for a commercial driver’s license, highway hazardous material safety permits, and financial responsibility requirements for motor carriers of hazardous materials (PHMSA 2009).

State

California Environmental Protection Agency (CalEPA)

The California Environmental Protection Agency (CalEPA) was created in 1991 by Governor's Executive Order. The six boards, departments, and office were placed under the CalEPA umbrella to create a cabinet-level voice for the protection of human health and the environment and to assure the coordinated deployment of State resources. The mission of CalEPA is to restore, protect, and enhance the environment to ensure public health, environmental quality, and economic vitality under Title 22 of the California Code of Regulations (CCR) (CalEPA 2012).

Unified Program

The Unified Program (codified CCR Title 27, Division 1, Subdivision 4, Chapter 1, Sections 15100- 15620) consolidates, coordinates, and makes consistent the administrative requirements, permits, inspections, and enforcement activities of the following six environmental and emergency response programs (CalEPA 2010):

- Hazardous Waste Generator (HWG) program and Hazardous Waste On-site Treatment activities;
- Aboveground Storage Tank (AST) program Spill Prevention Control and Countermeasure Plan requirements;
- Underground Storage Tank (UST) program;
- Hazardous Materials Release Response Plans and Inventory (HMRRP) program;
- California Accidental Release Prevention (CalARP) program;
- Hazardous Materials Management Plans and Hazardous Materials Inventory Statement (HMMP/HMIS) requirements.

The Secretary of CalEPA is directly responsible for coordinating the administration of the Unified Program. The Unified Program requires all counties to apply to the CalEPA Secretary for the certification of a local unified program agency. Qualified cities are also permitted to apply for certification. The local Certified Unified Program Agency (CUPA) is required to consolidate, coordinate, and make consistent the administrative requirements, permits, fee structures, and inspection and enforcement activities for these six program elements in the county. Most CUPAs have been established as a function of a local environmental health or fire department.

Hazardous Waste Management Program

The Hazardous Waste Management Program (HWMP) regulates hazardous waste through its permitting, enforcement, and Unified Program activities in accordance with California Health and Safety Code Section 25135 et seq. The main focus of HWMP is to ensure the safe storage, treatment, transportation, and disposal of hazardous wastes.

State Water Resources Control Board (SWRCB)

The State Water Resources Control Board (SWRCB) was created by the California legislature in 1967. The mission of SWRCB is to ensure the highest reasonable quality for waters of the State, while allocating those waters to achieve the optimum balance of beneficial uses. The joint authority of water allocation and water quality protection enables SWRCB to provide comprehensive protection for California's waters.

California Department of Industrial Relations – Division of Occupational Safety and Health (Cal OSHA)

In California, every employer has a legal obligation to provide and maintain a safe and healthful workplace for employees, according to the California Occupational Safety and Health Act of 1973 (per Title 8 of the CCR). The Division of Occupational Safety and Health (Cal/OSHA) program is responsible for

enforcing California laws and regulations pertaining to workplace safety and health and for providing assistance to employers and workers about workplace safety and health issues. Cal/OSHA regulations are administered through Title 8 of the CCR. The regulations require all manufacturers or importers to assess the hazards of substances that they produce or import and all employers to provide information to their employees about the hazardous substances to which they may be exposed.

Local

The 2035 Kings County General Plan Health and Safety Element includes an objective and policy related to environmental hazards and hazardous materials. The policy that is pertinent to the Project is included below:

HS Objective B1.5 Ensure adequate protection of County residents form new generations of toxic or hazardous waste substances.

HS Policy B1.5.1: Evaluated development applications to determine the potential for hazardous waste generation and be required to provide sufficient financial assurance that is available to the County to cover waste cleanup and/or site restoration in instances where the site has been abandoned or the business operator is unable to remove hazardous materials form the site.

IMPACT ASSESSMENT

VIII-a Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

and;

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

Less Than Significant With Mitigation Incorporation. Project construction will require the transport and use of small quantities of hazardous materials in the form of gasoline, diesel and oil. The Project would not require long-term storage, treatment, disposal or transport of significant quantities of hazardous materials. The relatively small quantities that will be used for construction would be below the reporting requirement s for a hazardous materials business plan and would not be considered to pose public health and safety hazards through release of emissions or risk of upset.

The hazardous materials anticipated to be used are small volumes of petroleum hydrocarbons and their derivatives (e.g., gasoline, oils, lubricants and solvents) required to operate the construction equipment. These materials would generally be used in excavation equipment, generators, and other construction equipment and would be contained within vessels engineered for safe storage. Due to the rate of installation, storage of significant quantities of these materials at the construction site is not anticipated. Fuel is anticipated to be provided to the construction equipment on a daily basis and would be mobilized from an off-site location.

There is the potential for small leaks or spills due to refueling of the construction equipment, however the development of a SWPPP and standard construction Best Management Practices (BMPs) as

described in Impact VI-b include methods to protect water quality in response to emergency spills to further reduce the potential for the release of construction-related fuels and other hazardous materials to storm water contamination.

Project construction and operation will also require the use of heavy equipment. The use of heavy equipment will have the ability to generate dust. Soil on the Project site may contain fungal spores. When the soil is disturbed by digging, vehicles, or by the wind, the fungal spores may become airborne, and may be inhaled by people on or near the site. Some fungal spores are known to cause Valley Fever. In order to minimize the risk of Valley Fever, the generation of fugitive dust should be reduced to the greatest extent feasible. Such reduction can best be achieved by utilizing soil stabilizers before and during ground disturbing activities as described in Table 2 and Impact VII-b. Prior to the initiation of construction a Fugitive Dust Control Plan outlining the methods to reduce dust is required by the SJVAPCD to demonstrate compliance with its Regulation VIII as described in Table 2.

It is not known at this time if the Project site soils contain the fungus that may cause Valley Fever. Nonetheless, a potentially significant health risk impact associated with contraction of Valley Fever could result if said fungal spores were in the soil, released as a result of construction and operation activities, and inhaled by workers, employees or nearby sensitive receptors.

Implementation of the following mitigation measures will reduce potential impacts pertaining to the release into the environment of hazardous materials and dust to less than significant.

HAZ-1: The constructor and operator of the Project shall develop an Injury and Illness Prevention Program and project-specific health and safety plans. These plans should include but not be limited to the following:

- Train workers on the applicable evacuation activities to protect workers from potential hazards posed by hazardous wastes;
- Compliance with the SJVAPCD's Regulation VIII and SJVAPCD-approved Dust Control Plan;
- Train workers and supervisors on how to recognize symptoms of illness related to Valley Fever;
- Provide pre-construction training and instruction regarding requirements for on-site construction pursuant to the approved Dusts Control Plan;
- Limit workers' exposure to outdoor dust in disease-endemic areas;
- When soil will be disturbed by heavy equipment or vehicles, wet the soil with water or other permitted soil stabilizer before disturbing it and continuously wet it while digging to keep dust levels down;
- Heavy equipment, trucks, and other vehicles generating heavy dust should have enclosed cabs equipped with air filters; and
- When exposure to dust is unavoidable, provide NIOSH-approved respiratory protection to all employees.

VIII-c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The nearest school, John C. Fremont Elementary School, is 2.44 miles south of the Project site. The Project involves construction of a solar electricity generation facility and would not emit hazardous emissions, involve hazardous materials, or create a hazard to the school in any way. There would be no impact.

VIII-d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

No Impact. The Project does not involve land that is listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. A site immediately south across Nevada Avenue is listed as a State Response Site for possible contamination by arsenic, nitrates, and organic pesticides. There would be no impact.

VIII-e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Less Than Significant Impact. The nearest airport, the Corcoran Airport, is approximately 2.77 miles southwest of the Project site. The nearest private air strip (the Salyer air strip) is located 3.42 miles southeast of the project site at the southwest corner of Whitley Avenue and State Route 43. The proposed Project would not result in a safety hazard for people working in the Project area. The impact would be less than significant.

VIII-f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. Any impacts regarding private airstrips have been discussed in Impact VIII-e. There would be no impact.

VIII-g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The Project does not cross any publicly accessed routes, and would not interfere with implementation of an emergency response plan or evacuation. There would be no impact.

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

Less than Significant Impact. The Project site and the surrounding lands are in agricultural, recreational, or industrial uses and are not considered wildlands. The area is routinely maintained for weed control, and the Project will include a pest management plan and weed abatement plan to avoid fire hazard and protect adjacent farmland from nuisances and disruption. The impact would be less than significant.

IX. HYDROLOGY AND WATER QUALITY

Would the project:

		Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a)	Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐
b)	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐
c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐
d)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☒	☐
e)	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?	☐	☐	☒	☐
f)	Otherwise substantially degrade water quality?	☐	☐	☒	☐
g)	Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h)	Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☒	☐
i)	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j)	Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

Environmental Setting

Hydrology in the Project vicinity is associated with the Tulare Lake Basin, one of three (3) main subareas in the county. The Tulare Lake Basin is in the northern alluvial fan and basin subarea characterized by southwest to south flowing rivers, creeks, and irrigation canal systems that convey water from the Sierra Nevada to the west toward the Tulare Lake Bed. The southern portion of the basin is internally drained by the Kings, Kaweah, Tule, and Kern Rivers[23]. The Tulare Lake Basin comprises the drainage area of the San Joaquin Valley south of the San Joaquin River, and is essentially a closed basin because surface water drains north into the San Joaquin River only in years of extreme rainfall.

The Sweet Canal is located on the eastern edge of the Project site.

Regulatory Framework

Federal

Clean Water Act: The Clean Water Act (CWA) is intended to restore and maintain the chemical, physical, and biological integrity of the nation's waters (33 CFR 1251). The regulations implementing the CWA protect waters of the U.S. including streams and wetlands (33 CFR 328.3). The CWA requires states to set standards to protect, maintain, and restore water quality by regulating point source and some non-point source discharges. Under Section 402 of the CWA, the National Pollutant Discharge Elimination System (NPDES) permit process was established to regulate these discharges.

The National Flood Insurance Act (1968) makes available federally subsidized flood insurance to owners of flood-prone properties. To facilitate identifying areas with flood potential, Federal Emergency Management Agency (FEMA) has developed Flood Insurance Rate Maps (FIRM) that can be used for planning purposes.

State

State Water Resources Control Board: The State Water Resources Control Board (SWRCB), located in Sacramento, is the agency with jurisdiction over water quality issues in the State of California. The SWRCB is governed by the Porter-Cologne Water Quality Act (Division 7 of the California Water Code), which establishes the legal framework for water quality control activities by the SWRCB. The intent of the Porter-Cologne Act is to regulate factors which may affect the quality of waters of the State to attain the highest quality which is reasonable, considering a full range of demands and values. Much of the implementation of the SWRCB's responsibilities is delegated to its nine Regional Boards. The Project site is located within the Central Valley Region.

Regional Water Quality Board: The Regional Water Quality Control Board (RWQCB) administers the NPDES storm water-permitting program in the Central Valley region. Construction activities on one acre or more are subject to the permitting requirements of the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Storm Water Pollution

[23] California Department of Water Resources. California's Groundwater Bulletin 118. 2004. Tulare Lake Hydrologic Region, San Joaquin Valley Groundwater Basin. http://www.water.ca.gov/pubs/groundwater/bulletin_118/basindescriptions/5-22.11.pdf Site accessed August 2013.

Prevention Plan (SWPPP). The plan will include specifications for Best Management Practices (BMPs) that will be implemented during project construction to control degradation of surface water by preventing the potential erosion of sediments or discharge of pollutants from the construction area as described in Impact VI-b. The General Construction Permit program was established by the RWQCB for the specific purpose of reducing impacts to surface waters that may occur due to construction activities. BMPs have been established by the RWQCB in the California Storm Water Best Management Practice Handbook (2003), and are recognized as effectively reducing degradation of surface waters to an acceptable level. Additionally, the SWPPP will describe measures to prevent or control runoff degradation after construction is complete, and identify a plan to inspect and maintain these facilities or project elements.

In addition, this proposed Project is being evaluated pursuant to CEQA.

Local

The 2035 Kings County General Plan Health and Safety Element has the following goal and policies related to flood hazards:

HS GOAL A4: Prevent unnecessary exposure of people and property to flood damage.

HS Policy A4.1.1: Review new development proposals against current Federal Emergency Management Agency (FEMA) digital flood insurance rate maps and California Department of Water Resource special flood hazard maps to determine project site susceptibility to flood hazard.

HS Policy A4.1.5: Regulate development, water diversion, vegetation removal, and grading to minimize any increase in flood damage to people and property.

HS Policy A4.1.7: Consider and identify all areas subject to flooding in the review of all land divisions and development projects.

IMPACT ASSESSMENT

IX-a Violate any water quality standards or waste discharge requirements?

Less Than Significant Impact. The Project is located across a canal from a water recharge and regulation basin. Because of raised levee walls on the basin, runoff from the project would not be able to flow into the neighboring water recharge and regulation basin. The Project would not violate any water quality standards and would not impact waste discharge requirements. The impact would be less than significant.

IX-b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less Than Significant Impact. The Project site is located in the Tulare Lake Basin, an area affected by overdraft. The Project site is located within the Tulare Lake Sub-basin portion of the regional area; however, no water would be drawn from the local groundwater for construction or operation of the facility. A review of cropping records indicates the subject property has not been farmed or irrigated the past several years. However the property has been primarily leased and used for cattle grazing for a number of years. The existing water demands are estimated to approximate 3.3 AF/year. Water for construction, estimated to be approximately 20,000 gallons per day of construction would be obtained from a third-party. Small volumes of water (approximately 1.1 acre feet per year) would be procured offsite to wash the panels approximately twice per year. Therefore, the Project would not impact any groundwater resources. Pursuant to California Water Code Section 10912(a)(5)(B) the Project is not required to complete a Water Supply Assessment as the Project does not exceed the threshold of 75 ac/ft of water per year. Water drainage patterns would not be modified other than being slightly delayed by dripping down solar panel surfaces. At a small scale rainfall patterns will be slightly modified by being displaced by a maximum of 9 feet horizontally. In the spaces (about 8'6" wide) between panel rows, rain would contact the surface normally. No chemicals would be used in the operation or cleaning of solar panels so there will be no discharges to impact water quality standards. Any potential impacts would be less than significant.

IX-c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Less Than Significant Impact. Drainage patterns would minimally change as a result of Project build-out. As less than one acre of the 170-acre area would be covered in impermeable surfaces, runoff patterns would not significantly change. Any impacts would be less than significant.

IX-d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

Less Than Significant Impact. Any impacts regarding the alteration of drainage patterns to increase runoff water that would potentially induce flooding have been discussed in the impact analysis for Impact IX-c. Any impacts would be less than significant.

IX-e) 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?

Less Than Significant Impact. Any impacts regarding the creation or contribution to runoff water that would potentially exceed the capacity of existing stormwater drainage systems have been discussed in the impact analysis for Impact IX-c. Any impacts would be less than significant.

IX-f) Otherwise substantially degrade water quality?

Less Than Significant Impact. Any impacts to water quality have been discussed in the impact analysis for Impact IX-a. Any impacts would be less than significant.

IX-g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. According to the Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Flood Insurance Rate Map (FIRM) for Community Number 06031C0375C dated June 16, 2009, approximately 90% of the Project site is located within Zone A, Special Flood Hazard Areas subject to inundation by 1% annual chance flood (see Figure X). However, the construction of housing is not a part of the proposed Project. There would be no impact with regard to placing housing in flood hazard areas that are prone to flood related events.

IX-h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact. As discussed in the analysis of Impact IX-g, a significant portion of the site is located within Zone A. However, as indicated in the Project Description, a minimal area of the site (less than one acre) is hardscaped or contains structures that may impede storm flow. Any development of structures within Zone A will be subject to standard requirements and the requirements of Chapter 5A of the Kings County Code of Ordinances. Any development will require that the elevation be determined and the Project designed according to the criteria of the Flood Damage Prevention Ordinance (Chapter 5A of the Kings County Code of Ordinances) for any structure constructed on the portion of the site within the flood zone. The impact would be less than significant.

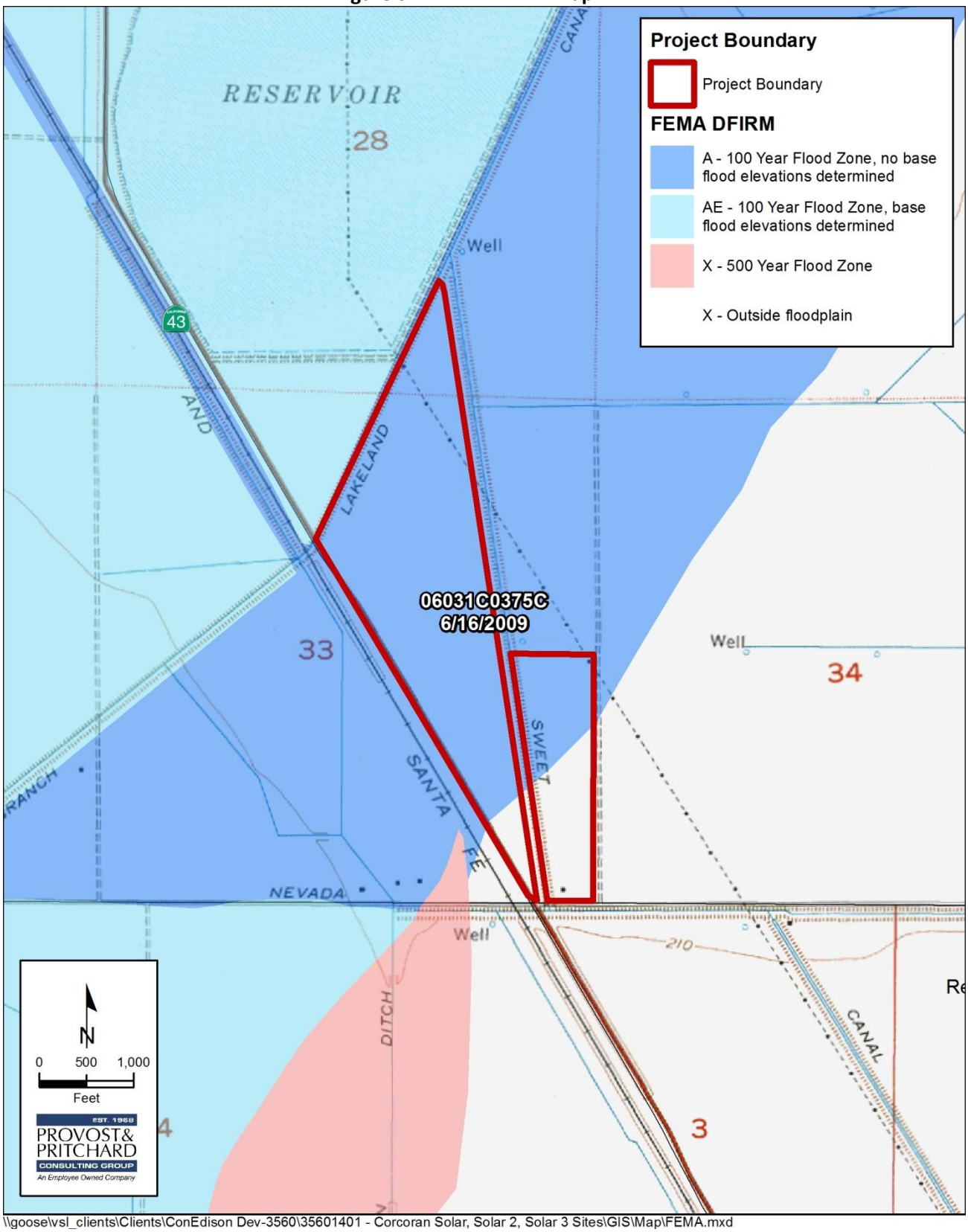
IX-i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Less Than Significant Impact. The two dams potentially affecting the Project, Success Dam and Terminus Dam, are each approximately 37 miles to the east of the Project site. Lake Isabella is located about 60 miles to the southeast of the Project site and Pine Flat Lake is approximately 50 miles to the north of the site. Figure HS-7 (Dam Inundation Areas) of the Health and Safety Element of the 2035 Kings County General Plan shows that the project site is not located in the Dam Inundation Areas for Pine Flat Dam or Terminus Dam. Due to the lengthy distance between the lakes and the Project site, and the site not being inside the inundation areas for Pine Flat or Terminus Dam, the impact would be less than significant.

IX-j) Inundation by seiche, tsunami, or mudflow?

No Impact. The nearest large body of water is Lake Success, which is located approximately 37 miles to the east of the Project site. Due to the lengthy distance between the lake and the Project site, there would be no potential for seiche or tsunami to occur. There would be no impact.

Figure 6 – FEMA DFIRM Map



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X. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

The Project site is located in southern unincorporated Kings County, approximately 2.5 miles north of the City of Corcoran, and approximately 13 miles southeast of the City of Hanford. Kings County is located in the San Joaquin Valley portion of the Great Central Valley of California that lies south of the Sacramento-San Joaquin Delta, and is comprised of 1,391 square miles. Kings County is bordered by Fresno County to the north and west; Kern County to the south; Tulare County to the east; and Monterey County and San Luis Obispo County to the southwest. There four incorporated cities within Kings County: Avenal, Corcoran, Hanford, and Lemoore. Several unincorporated communities are also located within the County, as well as the Naval Air Station Lemoore.

The General Plan land use designation of the Project site is General Agriculture. The 170- acre Project site is currently used as grazing land. Land adjacent to the site is developed into agricultural uses. The Kings County Zoning Ordinance indicates that the zoning of the Project site is General Agriculture – minimum 40 Acres (AG-40)

Regulatory Setting

Federal

Federal regulations for land use are not relevant to this Project because it is not a federal undertaking (the Project site is not located on lands administered by a federal agency, and the project applicant is not requesting federal funding or a federal permit).

State

This proposed Project is being evaluated pursuant to CEQA; however, there are no state regulations, plans, programs, or guidelines associated with land use and planning that are applicable to the proposed Project.

Local

2035 Kings County General Plan: The 2035 Kings County General Plan Land Use Element has the following objective and policy related to land uses in agricultural areas:

LU Policy B7.1.3: Power generation facilities for commercial markets shall be allowed and regulated through the Conditional Use Permit approval process, and include thermal, wind, and solar photovoltaic electrical generating facilities that produce power. Hydroelectric and cogeneration facilities shall also be regulated as conditional uses except as follows:

1. The installation of hydroelectric generating facilities, with a capacity of 5 megawatts or less, in connection with existing dams, canals, and pipelines shall be regulated as permitted uses, subject to issuance of a site plan review that is categorically exempt pursuant to Section 15328 of the CEQA Guidelines.
2. The installation of cogeneration equipment with a capacity of 50 megawatts or less at existing facilities shall be regulated as permitted uses, subject to issuance of a site plan review, which is categorically exempt pursuant to Section 15329 of the CEQA Guidelines.

The Section II.G on page RC-33 of the Resource Conservation Element of the 2035 Kings County General Plan states "The construction of commercial solar farms in agriculturally zoned land is a conditional use in Kings County, and should be directed to lower priority farmland." Figure RC-13 on page RC-20 of the Resource Conservation Element displays a generalized map of priority agricultural lands within the County and outlined urban areas. The Project site is not designated as priority agricultural land by the 2035 Kings County General Plan Figure RC-13.

Kings County Zoning Ordinance: The Kings County Zoning Ordinance establishes the basic regulations under which land within the county unincorporated areas is developed. This includes allowable uses, building setback requirements, and development standards. Pursuant to State law, the zoning ordinance must be consistent with the Kings County General Plan. The basic intent of the Kings County Zoning Ordinance is to preserve, promote and protect the public health, safety, comfort, convenience, prosperity and general welfare via the orderly regulation of land uses throughout the unincorporated area of the County.

Zoning Districts

General Agricultural-40 District (AG-40): The purpose of the AG-40 zone is to designate areas suitable for extensive or intensive agricultural uses. Permitted land uses include agriculture, residential uses, agricultural service establishments, utility and communication facilities, resource extraction, institutional uses, and miscellaneous accessory structures related to permitted uses. Solar photovoltaic electrical generating facilities are allowable with the approval of a Conditional Use Permit (CUP). Article 4, Section 405.D.20 of the Kings County Zoning Ordinance lists solar photovoltaic electrical generating facilities that commercially produce power for sale as a conditional use in the General Agricultural (AG-40) zone district. Section 405.D.20 requires solar photovoltaic electrical generating facilities that commercially produce power for sale to comply with all local, regional, State, and Federal regulations.

X-a) Would the project physically divide an established community?

No Impact. The Project is located in an agricultural area in eastern Kings County. The Project would not physically divide any established community. There would be no impact.

X-b) Would the project Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the General Plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The Project site is located within an unincorporated area of Kings County. The 2035 Kings County General Plan designates the Project for General Agriculture use and the Zoning for the Project site is General Agricultural – minimum 40 Acres (AG-40). The proposed solar generation facilities are consistent with the underlying zoning with the approval of a conditional use permit. Article 4, Section 405.D.20 of the Kings County Zoning Ordinance lists solar photovoltaic electrical generating facilities that commercially produce power for sale as a conditional use in the General Agricultural (AG-40) zone district. Section 405.D.20 requires solar photovoltaic electrical generating facilities that commercially produce power for sale to comply with all local, regional, State, and Federal regulations. Article 4, Section 402.B.11 of the Kings County Zoning Ordinance lists public utility and public service structures including electric transmission as a permitted use in the General Agricultural (AG-40) zone district that does not require any type of zoning permit. There is no impact.

X-c) Would the project Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The proposed Project will not conflict with any adopted habitat conservation plans or natural community conservation plans. Therefore, there will be no impact.

XI. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

According to the Resource Conservation Element of the 2035 Kings County General Plan, there are currently no mineral extraction activities occurring within the County. The California Division of Mines and Geology has not identified any significant mineral resources within the County[24]. Few commercial mining and mineral extraction activities occur in Kings County, and are mostly located in the southwestern portions of the County. Only limited excavation of soil, sand and some gravel is excavated in the County for commercial use. In 2009, the County had only one surface mining permit for a non-active gravel operation, and two agricultural reclamation sites that were fully reclaimed. Historical local mines that are now closed include an open pit gypsum mine and a mercury mine in southwestern Kings County[25].

The California Department of Conservation, Office of Mine Reclamation (OMR) provides mine information to the public through the Mines Online (MOL) website. The website is an interactive web map designed to provide information such as mine name, operation status, commodities sold, and mine locations. According to the MOL geographic information system (GIS), a closed mine was formally located at 12451 12TH Avenue approximately three miles southwest of the Project site in the unincorporated areas of Kings County (Mine Id: 91-16-0002). According to the Office of Mine Reclamation GIS, the former mine operator provided sand and gravel commodities[26]. The mine reclamation status certification has been complete for the former site and certified by Kings County. The open pit mine has since been closed with no intent to resume operations.

Regulatory Setting

Federal

There are no federal or local regulations pertaining to mineral resources relevant to the proposed Project.

[24] 2035 General Plan Update EIR (SCH#2008121020), p. 4.6-11
[25] Ibid.
[26] State of California, Department of Conservation, http://maps.conservation.ca.gov/mol/mol-app.html

State

California Surface Mining and Reclamation Act of 1975: Enacted by the State Legislature in 1975, the Surface Mining and Reclamation Act (SMARA), Public Resources Code Section 2710 et seq., insures a continuing supply of mineral resources for the State. The act also creates surface mining and reclamation policy to assure that:

- Production and conservation of minerals is encouraged;
- Environmental effects are prevented or minimized;
- Consideration is given to recreational activities, watersheds, wildlife, range and forage, and aesthetic enjoyment;
- Mined lands are reclaimed to a useable condition once mining is completed; and
- Hazards to public safety both now and in the future are eliminated.

Areas in the State (city or county) that do not have their own regulations for mining and reclamation activities rely on the Department of Conservation, Division of Mines and Geology, Office of Mine Reclamation to enforce this law. SMARA contains provisions for the inventory of mineral lands in the State of California. The State Geologist, in accordance with the State Board's Guidelines for Classification and Designation of Mineral Lands, must classify Mineral Resource Zones (MRZ) as designated below:

- **MRZ-1.** Areas where available geologic information indicates that there is minimal likelihood of significant resources.
- **MRZ-2.** Areas underlain by mineral deposits where geologic data indicate that significant mineral deposits are located or likely to be located.
- **MRZ-3.** Areas where mineral deposits are found but the significance of the deposits cannot be evaluated without further exploration.
- **MRZ-4.** Areas where there is not enough information to assess the zone. These are areas that have unknown mineral resource significance.

SMARA only covers mining activities that impact or disturb the surface of the land. Deep mining (tunnel) or petroleum and gas production is not covered by SMARA. No MRZ designations have been identified within the proposed Project site[27]. The only historical local mineral mining operations were an open pit gypsum mine and a mercury mine in southwestern Kings County, but they have ceased operation[28].

In addition, this proposed Project is being evaluated pursuant to CEQA.

Local

Kings County General Plan: The Resource Conservation Element of the 2035 Kings County General Plan includes a goal with a supporting objective and policies related to mineral resources; however, they only address requirements for mining (mineral extraction)[29], which is not relevant to the project.

IMPACT ASSESSMENT

XI-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?

[27] California Department of Conservation, Division of Oil, Gas and Geothermal Resources. Online Mapping System. http://maps.conservation.ca.gov/doggr/index.html.
[28] 2035 Kings County General Plan. Page RC-34.
[29] 2035 Kings County General Plan. Page RC-35.

No Impact. According to the California Geological Survey Division of Mines and Geology, Kings County has no land classified under the Surface Mining and Reclamation Act. The Section II.H on page RC-33 of the Resource Conservation Element of the County's 2035 General Plan states that "In 2009, the County had only one surface mining permit for a non-active gravel operation, and two agricultural reclamation sites that were fully reclaimed." California's Division of Oil, Gas and Geothermal Resources has no records of closed or active oil or gas wells on the Project site. Therefore, the Project would not result in the loss of an available known mineral resource. There would be no impact.

XI-b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The Project site is not delineated on a local land use plan as a locally important mineral resource recovery site; therefore, the existence of the Project would not result in the loss of availability of any mineral resources. There would be no impact.

XII. NOISE

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

Because the land use at the Project site is agricultural, noise levels at the site are periodic and are associated with farm equipment and activities. Maximum noise levels generated by farm-related tractors typically range from 77 to 85 decibels (Db) at a distance of 50 feet from the tractor, depending on the horsepower of the tractor and the operating conditions[30]. Due to the seasonal nature of the agricultural industry, there are often extended periods of time when no noise is generated at the proposed Project site, followed by short-term periods of intensive mechanical equipment usage and corresponding noise generation[31]. Typical rural residents in Kings County near Agricultural zones experience outdoor daytime noise levels of 55 to 75 dB while nighttime outdoor noise range a lower levels between 50 to 70 dB[32].

[30] Kings County General Plan, Noise Element, p. N-22
[31] Ibid.
[32] Ibid. p.N-39

Regulatory Setting

Federal

Federal Vibration Policies

The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration levels of 0.5 peak particle velocity (PPV) without experiencing structural damage[33]. The FTA has identified the human annoyance response to vibration levels as 80 root mean squared (RMS)[34].

State

The California Noise Control Act was enacted in 1973 (Health and Safety Code § 46010 *et seq.*), and states that the Office of Noise Control (ONC) should provide assistance to local communities in developing local noise control programs. It also indicates that ONC staff would work with the OPR to provide guidance for the preparation of the required noise elements in city and county General Plans, pursuant to Government Code § 65302(f). California Government Code § 65302(f) requires city and county general plans to include a noise element. The purpose of a noise element is to guide future development to enhance future land use compatibility.

Local

In addition to General Plan requirements, some jurisdictions have established noise ordinances in their municipal codes. Noise ordinances establish limits for which penalties or enforcement action may be taken. Therefore, a noise ordinance generally must not be exceeded; whereas, General Plan limits are to be taken into consideration during the development of a project and may or may not be strictly applied, depending on the particular circumstances of the proposed project. In preparing the noise element, a city or county must identify local noise sources and analyze and quantify, to the extent practicable, current and projected noise levels for various sources, including highways and freeways; passenger and freight railroad operations; ground rapid transit systems; commercial, general, and military aviation and airport operations; and other ground stationary noise sources.

Kings County General Plan

The Kings County General Plan Noise Element has the following objectives and policies related to noise:

N OBJECTIVE B1.1: Reduce the potential for exposure of County residents and noise-sensitive land uses to excessive noise generated from non-transportation noise sources.

N Policy B1.1.1: Appropriate noise mitigation measures shall be included in a proposed project design when the proposed new use(s) would be affected by or include nontransportation noise sources and exceed the County's "Non-Transportation Noise Standards". Mitigation measures shall reduce projected noise levels to a state of compliance with this standard within sensitive areas. These standards are applied at the sensitive areas of the receiving use.

[33] Federal Railway Administration, High-Speed Ground Transportation Noise and Vibration Impact Assessment, December 1998.
[34] Federal Transit Administration, Transit Noise and Vibration Impact Assessment, April 1995.

N Policy B1.1.3: Noise associated with construction activities shall be considered temporary, but would still be required to adhere to applicable County Noise Element standards.[35]

The purpose of the 2035 Kings County General Plan Noise Element is to identify the existing and projected future noise environment in Kings County, and provide policy direction and implementation efforts to protect County residents from exposure to excessive noise levels. It provides the basis for comprehensive local policies to control and abate environmental noise from stationary and mobile noise sources, and reduce conflicts between noise and noise-sensitive land uses. The County has not established a noise ordinance. The non-transportation noise standard for outdoor areas for all residential land uses is 55/75 dB (average/maximum Leq) for the daytime and 50/70 dB (average/maximum Leq) for the nighttime. The non-transportation noise standard for interior areas for the day and night is 35/55 dB Leq. The non-transportation standards shall be reduced by 5 dB for sounds consisting primarily of speech or music, and for recurring impulsive sounds. If the existing ambient noise level exceeds those standards, then the noise level standards shall be increased at 5 dB increments to encompass the ambient[36].

IMPACT ASSESSMENT

XII-a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less than Significant Impact. Project operation would not generate noise; however Project construction would involve temporary noise sources and is anticipated to last twelve months. Typical construction equipment would include small backhoes, small tractors and miscellaneous equipment. During the construction phases of the Project, noise from construction activities would contribute to the noise environment in the immediate Project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in Table 5, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control.

The 2035 Kings County General Plan Table N-7 sets the standard noise threshold of 65 dBA at the exterior of nearby residences; however, it does not identify a short-term, construction-noise-level threshold. The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both California Environmental Quality Act (CEQA) documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level.

[35] 2035 Kings County General Plan, p. N.35
[36] 2035 Kings County General Plan, p. N-39

Table 5
Typical Construction Noise Levels

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	With Feasible Noise Control[1]
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

Source: US Environmental Protection Agency 1971
[1] Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications.

Most residents of urban and agricultural areas recognize this reality and expect to hear construction activities on occasion. The noise levels of construction equipment in Table 5 above are at a distance of 50 feet from the listed equipment. The nearest residence is approximately 0.25 miles to the Southeast. As these activities would be restricted to daytime hours and would be short-term in nature, the impact would be less than significant, for example the truck at 91 decibels would be heard at approximately 4 decibels at the nearest residence 0.25 miles from the Project site.

Construction of the proposed Project is anticipated to last twelve months. All related construction activities and Project operations will comply with the standards set forth by the Noise Standards in the Noise Element of the 2035 Kings County General Plan. Construction activities would take place between 6 a.m. and 7 p.m. on weekdays and 7 a.m. and 5 p.m. on weekends, except as necessary for safety reasons or to perform specific construction activities when electrical clearances are available. Construction activities will comply with Noise Standards in the Noise Element of the 2035 Kings County General Plan and be conducted during day light hours, Monday through Friday, excluding holidays.

Post construction activities will include site system testing, commissioning and site clean-up. The Project would adhere to the following Noise Element Policy:

N Policy B1.1.3: Noise associated with construction activities shall be considered temporary, but will still be required to adhere to applicable County Noise Element standards.

Adherence to the General Plan policy would ensure that any potential impacts related to noise levels would remain less than significant.

XII-b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Vibration is the periodic oscillation of a medium or object. Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground borne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV) or root mean squared (RMS), as in RMS vibration velocity. The PPV and RMS vibration velocity (VbA) are normally described in inches per second (in/sec). PPV is defined as the maximum instantaneous positive or negative peak of a vibration

signal and is often used in monitoring of blasting vibration because it is related to the stresses that are experienced by buildings[37].

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response. As it takes some time for the human body to respond to vibration signals, it is more prudent to use vibration velocity when measuring human response. The typical background vibration-velocity level in residential areas is approximately 50 vibration decibels (VdB). Ground borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels[38].

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. The approximate threshold of vibration perception is 65 VdB, while 85 VdB is the vibration acceptable only if there are an infrequent number of events per day[39]. Table 6 below describes the typical construction equipment vibration levels.

Table 6
Typical Construction Vibration Levels[40]

Equipment	VdB at 25 ft[2]
Small Bulldozer	58
Jackhammer	79

Vibration from construction activities would be temporary and not exceed the FTA threshold. The impact would be less than significant.

XII-c)A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Less than Significant Impact. Upon completion of construction activities, the majority of Project operational activity would be passive. Potential noise sources resulting from Project implementation include noise associated with vehicular trips for maintenance/repair activities of the solar electricity generation facility. Maintenance would involve activities such as weed abatement, clearing debris, trash removal and fence repairs. Maintenance activities would occur infrequently and are not expected to substantially increase ambient noise levels in the area above existing levels without the Project. The impact would be less than significant.

XII-d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Less Than Significant Impact. Any impacts regarding the temporary increase in ambient noise levels have been discussed in the analysis of Impact XII-a. The impact would be less than significant.

[37] Federal Transit Administration, Transit Noise and Vibration Impact Assessment 2006
[38] Ibid.
[39] Ibid.
[40] Ibid.

XII-e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? and,

No Impact. The nearest public use airport is the Corcoran airport, which is located about 2.77 miles south of the Project site. The Project site is completely outside any zone identified in the Corcoran Airport vicinity and would not permanently staff onsite employees. Temporary employees will be contracted for bi-annual or annual property maintenance and solar panel cleaning. As such, the proposed Project would not expose people or Project operation employees associated with the Project to excessive noise levels. Therefore, it is anticipated that there will be no impact as a result of Project implementation.

XII-f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The nearest private air strips is the Salyer airstrip, which is located about 3.42 miles southeast of the Project site at the southwest corner of Whitley Avenue and State Route 43. The Project site would not permanently staff onsite employees. Temporary employees will be contracted for bi-annual or annual property maintenance and solar panel cleaning. As such, the proposed Project would not expose people or Project operation employees associated with the Project to excessive noise levels. Therefore, it is anticipated that there will be no impact as a result of Project implementation.

XIII. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

The site is located within the Census Designated Place (CDP) of Waukena and approximately 1.10 miles north of the City of Corcoran. Kings County has been experiencing population decreases as evidenced by the 2010 population of 152,982[41] and the 2013 County population estimate of 150,960[42]. The County population is projected to increase in the future. The County's population projection for 2050 is 260,500[43].

Regulatory Setting

This proposed Project is being evaluated pursuant to CEQA; however, there are no federal, state or local regulations, plans, programs, and guidelines associated with population or housing that are applicable to the proposed project.

IMPACT ASSESSMENT

XIII-a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

No Impact. The proposed Project would construct a new solar electricity generation facility. No employees will be stationed onsite. The Project would not induce population growth. There would be no impact.

XIII-b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

[41] US Census Bureau. http://quickfacts.census.gov/qfd/states/06/06031.html. Accessed May 2014.
[42] Ibid.
[43] California Department of Finance. http://www.dof.ca.gov/research/demographic/reports/projections/P-3/. Accessed May 2014.

No Impact. No housing or people will be displaced by the proposed Project. There will be no impact.

XIII-c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. Any impacts regarding the displacement of people have been discussed in Impact XIII-b. There will be no impact.

XIV. PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☒	☐
Police protection?	☐	☐	☒	☐
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

The Kings County Sheriff Station is the closest to the Project site, located approximately two miles south of the site, while the Tulare Police Station is located 12 miles to the northeast of the Project site.

The Kings County Fire Department is approximately 3 miles to the south of the Project site while the Tulare Fire Department and Tulare Fire Station are located about 12 or 13 miles to the northeast of the site.

There are a number of schools located in the City of Corcoran, all within two to three miles southwest of the Project site. These include the Bret Harte Elementary, John C Fremont Elementary, and Mark Twain Elementary schools, the Mission Community Day School, the Corcoran Academy, the Jubilee Christian Academy, John Muir Middle School and the Corcoran High School.

The closest recreational parks include the Corcoran Community Park, John Maroot Park, Burnham Smith, Christmas Tree and Father Wyatt park are all located approximately between two and two and a half miles to the southwest of the Project site. Cesar Chavez Park is about three miles to the southwest of the site.

The City of Corcoran's wastewater treatment plant is located approximately three miles southwest of the Project site, with the wastewater treatment ponds located approximately 3.8 miles to the south of

the site. The City of Hanford's wastewater treatment plant is approximately 12 miles to the northwest of the Project site.

Regulatory Setting

Federal

National Fire Protection Association: The National Fire Protection Association (NFPA) is an international nonprofit organization that provides consensus codes and standards, research, training, and education on fire prevention and public safety. The NFPA develops, publishes, and disseminates more than 300 such codes and standards intended to minimize the possibility and effects of fire and other risks. The NFPA publishes the NFPA 1, Uniform Fire Code, which provides requirements to establish a reasonable level of fire safety and property protection in new and existing buildings.

State

California Fire Code and Building Code: The 2007 California Fire Code (Title 24, Part 9 of the California Code of Regulations) establishes regulations to safeguard against hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety and assistance to fire fighters and emergency responders during emergency operations. The provision of the Fire Code includes regulations regarding fire-resistance rated construction, fire protection systems such as alarm and sprinkler systems, fire service features such as fire apparatus access roads, fire safety during construction and demolition, and wildland urban interface areas.

The California Integrated Waste Management Board, under the umbrella of the California Environmental Protection Agency, is the state agency designated to oversee, manage, and track California's solid waste generated each year. The Board develops laws and regulations to control and manage waste, working jointly with local governments to implement regulations and fund programs.

Wastewater is regulated by several state/regional agencies, including the State Water Resources Control Board, the California Department of Health Services, the California Department of Pesticide Regulation, the California Department of Toxic Substances, the California Department of Water Resources, and the Central Valley Regional Water Quality Control Board.

In addition, this proposed Project is being evaluated pursuant to CEQA.

Local

Kings County General Plan:
The Health and Safety Element of the 2035 Kings County General Plan includes the following policies related to fire protection and police protection:

HS Policy B1.4.1: Transport to hospitals and emergency medical care is supported by timely response from ambulance or emergency helicopter transport.

HS Policy B1.4.3: Ensure that County Fire Department personnel remain trained and equipped to provide emergency medical services to those in need of such services within the unincorporated areas of the County.

HS Policy C2.1.2: Promote community safety by ensuring communities have sufficient sheriff coverage to provide 20 minute or faster response times to priority emergency calls.

HS Policy C2.2.1: Community planning efforts should evaluate the projected need for Fire Department personnel and equipment and necessary funding support to maintain current levels of services as community growth occurs.

HS Policy C2.2.2: Development proposals and code revisions shall be referred to the County Fire Department for review and comment.

HS Policy C2.2.3: Use the 1997 Uniform Code for the abatement of Dangerous Buildings. All new structures to be occupied shall be built to current Fire Code standards (Kings County, 2010).

IMPACT ASSESSMENT

XIV-a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Less Than Significant Impact. The Project would not rely on the addition or alteration of any public services. The subject site is within the central portion of the County along the eastern edge and would utilize existing services provided by Kings County. Any impacts related to this checklist item would be less than significant.

Fire Protection – Kings County would continue to provide fire protection services to the Project site upon development. No residential or office construction is identified with this Project. Vegetation that presents any fire hazard would initially be removed from the facility. Additionally, gravel would be placed around high voltage equipment to prevent the spread of fire in the unlikely case that an explosion was to occur. Any impacts would be less than significant.

Police Protection – The Kings County Sheriff's Department would continue provide police protection services to the Project site upon development. Emergency response is adequate to the Project site. As discussed in Impact XIV-a, no residential or office construction is proposed for this Project. Eight foot tall fencing, lighting on motion sensors, and remotely viewed security cameras would be present across the facility to lessen any potential impacts from theft and vandalism. Due to these measures, any impact to police services would be less than significant.

Schools – The Project site is located 2.5 miles from John C. Freemont Elementary School; however, as discussed in Impact XIV-a, the Project would not include construction of any residential structures. The Project would not result in an increase of population that would require additional school facilities, because no employees will be stationed on site. There would be no impact.

Parks – Corcoran Community Park (including Burnham Smith Park and James Boswell Park), is the closest park at 2.6 miles south of the Project site. No employees would be stationed at the Project site. As the Project would not induce population growth, the project would not create a need for additional park or recreational services. There is no impact.

Other public facilities – An electric substation is located about 2 miles from the Project site. Other public services such as wastewater treatment plants are more than two miles from the Project site. In addition the site would generate its own electricity and have no sewer needs. There would be no impact.

XV. RECREATION

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Baseline Conditions

Environmental Setting

While numerous outdoor recreational spaces and parks abound in Kings County, local parks within the City of Corcoran are the closest to the Project site. The Corcoran Community Park, John Maroot Park, Burnham Smith, Christmas Tree and Father Wyatt park are all located approximately between two and two and a half miles to the southwest of the Project site. Cesar Chavez Park is approximately three miles to the southwest of the site.

Regulatory Setting

Kings County General Plan

The 2035 Kings County General Plan Open Space Element has the following goals, objectives and policies related to recreation:

OS GOAL D1L: Provide for parks, recreation and open space that will serve the current and future needs of County residents and visitors.

OS OBJECTIVE D1.1: Maintain and enhance the existing County park system within available funding constraints.

OS Policy D1.1.1: Apply the "Public/Quasi-Public" land use designation to County parks.

OS Policy D1.1.2: Community Plans should facilitate the development and maintenance of community park(s) within Community District areas to expand recreational resources available to residents.

OS Policy D1.1.3: Support community involvement that builds capacity for the long term maintenance and upkeep of open space and community park space within Community Districts.

OS OBJECTIVE D1.2: Encourage the development of private recreational facilities compatible with the rural character of Kings County.

OS Policy D1.2.1: Support the establishment of new commercial recreational development, provided it is compatible with surrounding land uses and the intensity of such development does not exceed the ability of the natural environment of the site and the surrounding area to accommodate it. Such facilities may include, but are not limited to campgrounds, recreational camps, hotels and destination resorts, ball courts and ball fields, skeet clubs and facilities, hunting and fishing clubs, and equestrian facilities

IMPACT ASSESSMENT

XV-a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. As discussed in Impact XIII-a, the proposed Project will not increase the demand for recreational facilities nor put a strain on the existing recreational facilities. The proposed Project will not induce population growth or employ on-site permanent staff. Maintenance, repair, and cleaning crews will service the site on an as-needed basis. As such, the proposed Project would not induce population growth which would increase the use of existing recreational facilities or cause physical deterioration to be accelerated as a result of the proposed Project implementation. Therefore, there will be no impact.

XV-b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The proposed Project does not include recreational facilities. As there is no population growth associated with the proposed Project, construction or expansion of nearby recreational facilities will not be necessary. There will be no impact.

XVI. TRANSPORTATION/TRAFFIC **Would the project:**	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

State and Local Routes: The Project site is located in an unincorporated area of Kings County. Regional access to the site is provided by SR 43, which runs along the western portion of the Project site.

Railroads: In addition to passenger rail that is provided by Amtrak in Kings County, there are two freight rail companies that operate in Kings County. The Burlington Northern & Santa Fe (BN&SF) Mainline is the north-south rail line service, and the San Joaquin Valley Railroad is the east-west rail line[44].

[44] 2035 Kings County General Plan. Circulation Element. Page C-40.

Regulatory Setting

Federal

Several federal regulations govern transportation issues. They include:

- Title 49, CFR, Sections 171-177 (49 CFR 171-177), governs the transportation of hazardous materials, the types of materials defined as hazardous, and the marking of the transportation vehicles.
- 49 CFR 350-399, and Appendices A-G, Federal Motor Carrier Safety Regulations, address safety considerations for the transport of goods, materials, and substances over public highways.
- 49 CFR 397.9, the Hazardous Materials Transportation Act of 1974, directs the U.S. Department of Transportation to establish criteria and regulations for the safe transportation of hazardous materials.
- 14 CFR 77.13(2)(i) and 14 CFR 77.17 require an applicant to notify the Federal Aviation Administration (FAA) of the construction of structures within 20,000 feet of the nearest point of the nearest runway of an airport with at least one runway longer than 3,200 feet. Federal Aviation Regulation Part 77 – Objects Affecting Navigable Airspace requires that notice be given to the FAA if any kind of proposed construction or alteration is: (1) more than 200 feet in height above the ground level at its site, or (2) of a greater height than an imaginary surface extending outward and upward at a slope of 100 to 1 for a horizontal distance of 20,000 feet from all edges of the runway surface if the runway is more than 3,200 feet in length.
- 14 CFR 77.21, 77.23, and 77.25 outlines the criteria used by the FAA to determine whether an obstruction would create an air navigation conflict.

State

<u>State of California Transportation Department Transportation Concept Reports</u>
Each District of the State of California Transportation Department (Caltrans) prepares a Transportation Concept Report (TCP) for every state highway or portion thereof in its jurisdiction. The TCR usually represents the first step in Caltrans' long-range corridor planning process. The purpose of the TCR is to determine how a highway will be developed and managed so that it delivers the targeted level of service (LOS) and quality of operations that are feasible to attain over a 20-year period, otherwise known as the "route concept" or beyond 20 years, for what is known as the "ultimate concept".

State Route 43 (SR 43) is designated as Segment 18 in the vicinity of the Project site, and has a route concept rationale of LOS D assigned to all of the rural portions of Route 43. A LOS D route concept rationale is due to the interregional importance of this route and the anticipated traffic volumes[45]. It is anticipated to be improved for operational and safety purposes only under the route concept. Under the ultimate viable concept within 25 years, Segment 18 of SR 43 could be expanded to a four-lane expressway, only if it exceeds its concept level LOS D.

Local

<u>2035 Kings County General Plan</u>

[45] Caltrans Traffic Concept Report, http://www.dot.ca.gov/dist6/planning/tcrs/sr43tcr/sr43tcr.pdf

The 2035 Kings County General Plan has the following goals and objectives for traffic and circulation:

C GOAL A1: Provide a coordinated countywide circulation system with a variety of safe and efficient transportation alternatives and modes that interconnect cities, community districts, adult education facilities, and adjoining cities in neighboring counties, and meets the growing needs of residents, visitors, and businesses.

C OBJECTIVE A1.3: Maintain an adequate LOS for County roadways and ensure proper maintenance occurs along critical routes for emergency response vehicles.

C GOAL C1: Integrate through the County's regional transportation system, an efficient and coordinated goods and people moving network of highways, railroads, public transit, and non-motorized options that reduce overall fuel consumption and associated air emissions.

C Objective C1.3: Promote public transit and vanpooling within the County urbanized areas to increase ridership and decrease traffic demand on County roadways.

C Goal D1: Continue to meet the needs of the County and of our nation's defense, with coordinated land use, environmental and safety hazard considerations taken into account to ensure long-term operational effectives of airports and military aircraft installations.

C Objective D1.1: Ensure compatible land uses surround existing airports and the naval airbase military installation (Kings County, 2010).

IMPACT ASSESSMENT

XVI-a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Less Than Significant Impact. The Project would consist of construction and maintenance of a solar energy generation facility and would not require any changes to existing highways, intersections, pedestrian or bike facilities. Project construction would be temporary and has the potential to generate 80 employee trips per day over a twelve month period of Project construction.

Project operations and maintenance would require approximately 130 trips per year. This includes two trips per day during the 40 total days of panel washing per year and two trips per day on the approximate 25 days per year when repair or security visits are necessary. During operations and maintenance, the number of trips averages out to 0.36 visits per day over a typical year. Typical construction traffic would be temporary in nature.

Further, according to the Kings County General Plan, Circulation Element, Nevada Avenue is designated as an arterial street. Currently Nevada Avenue would be the main entrance to the site and is operating at a Level of Service (LOS) B and is projected to operate at a LOS B into the year 2035. Arterial streets are designed to carry large volumes of traffic for relatively long distances. Arterials also serve considerable local traffic traveling short distances. It is anticipated that the construction-related trips would utilize the adjacent State Route (SR) 43 and Nevada Avenue to access the site. The particular SR

segments to be used are presumed to be SR 43 between: the Corcoran Bypass and Kansas Avenue; 10th Avenue and Excelsior Avenue; and Excelsior Avenue and the Fresno County line. At present, each of the three segments comprises a two-lane highway. The minimum LOS standard within rural areas of Kings County is LOS "D," as indicated on Page C-13 of the Circulation Element. Table C-3 of the Circulation Element and Table 4.14-1 of the 2035 Kings County General Plan Environmental Impact Report (EIR) indicate the threshold of significance to maintain LOS "D" on a two-lane facility is 16,400 average daily trips (ADT) or less. The three segments of SR 43 currently (as of 2006) support 6,300, 10,300, and 10,800 average daily trips, respectively.

Table C-4 of the Circulation Element indicates that these segments of SR 43 currently operate at Level of Service (LOS) "C" but are anticipated to decline to LOS "F" by 2035. This deficiency is noted in Impact TC-1 of the EIR. It should be noted that LOS "F" would be reached under the assumption that the affected segments remain as two-lane facilities. However, also as discussed under Impact TC-1 of the EIR, these roadway segments are identified in the Kings County Association of Governments' (KCAG) 2007 Regional Transportation Plan (RTP) for widening to either four-lane freeway or four-lane expressway standards, increasing the LOS "D" threshold to 67,100 ADT. Mitigation Measure TC-1(a) of the EIR requires Kings County to coordinate with its cities, KCAG, and Caltrans to secure funding for these widening projects. The Project would have a negligible effect on the service for the roadways surrounding the Project site; therefore, the permanent impact to local roadways would be less than significant.

XVI-b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Less Than Significant Impact. As discussed in Impact XVI-a, the Project does not require construction of any roadways, and would generate only about 0.36 visits per day on average for operation and maintenance of the solar facility. Construction trip traffic would be temporary and limited to a twelve month period. As the Project would not generate significant new traffic, or significantly impact existing levels of service, the impact to the level of service on surrounding roadways due to Project implementation would be less than significant.

XVI-c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?

No Impact. The Project is located approximately 2.77 miles north of the Corcoran Airport. The construction of solar electricity generation facility would not cause an increase in air traffic levels or cause a change in air traffic location. There would be no impact.

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

No Impact. No roadway design features are associated with this Project and the change in the existing land use would not result in an incompatible use or a hazardous feature. There would be no impact.

XVI-e) Result in inadequate emergency access?

No Impact. No roads would be modified as a result of this Project; therefore, there would be no impact to any emergency access.

XVI-f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. There are no adopted alternative transportation policies, plans, or programs in the proposed Project area. There will be no impact.

XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) 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?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

BASELINE CONDITIONS

Environmental Setting

Wastewater: Wastewater collection and treatment service is not provided in the rural area of Kings County where the Project site is located. Instead, development outside of incorporated cities and community service districts relies on individual septic systems for wastewater disposal and treatment.

Water and Storm Water: The Kings County Public Works Department regulates storm drainage facilities for development projects through the requirements of the Kings County Improvement Standards. For the Project, Section 404.C of the Kings County Improvement Standards would require disposal of drainage waters by containment on site.

Solid Waste: The Kings Waste and Recycling Authority (KWRA) was formed in September 1989 by agreement between the cities of Lemoore, Hanford, Corcoran, and the County of Kings to provide a

regional approach to all waste management activities in Kings County[46]. Solid waste generated in these areas are first directed to the KWRA facility and then transferred to the Chemical Waste Management, Inc. Kettleman Hills Facility which operates both municipal waste and hazardous waste landfills at their site located west of Interstate 5 along State Route 41[47].

Hazardous Wastes: Hazardous wastes generated in the area that includes the project site are transported directly to the Chemical Waste Management Landfill site located in Kettleman Hills.

Regulatory Setting

Federal

The federal CWA, Section 402 effectively prohibits discharges of storm water from construction sites unless the discharge is in compliance with an NPDES permit. The State Water Resources Control Board (SWRCB) is the permitting authority in California that implements and regulates Clean Water Act (CWA) Section 402.

State

The SWRCB regulates storm water discharge from construction sites through each Regional Water Quality Control Board (RWQCB) pursuant to the federal CWA and the state Porter-Cologne Water Quality Control Act. California has adopted the California General Permit for *Storm Water Discharges Associated with Construction and Land Disturbance Activities* (General Permit), (SWRCB Order No. 2009-0009-DWQ; SWRCB 2009) that applies to projects resulting in one acre or more of soil disturbance. The proposed project would result in disturbance of more than one acre of soil. Therefore, the Project would require the preparation of a construction and reclamation storm water pollution prevention plan (SWPPP) that would specify site management activities to be implemented during site development and site reclamation. These management activities would include construction storm water best management practices (BMPs), dewatering runoff controls, and construction equipment decontamination. The RWQCB requires an application packet including a notice of intent (NOI) and A SWPPP to be filed and approved by the RWQCB prior to any storm water discharge from construction activities, and that the SWPPP be implemented and maintained on-site. The Water Boards also regulate discharges from irrigated agriculture; dredge and fill activities; the alteration of any federal water body pursuant to the Section 401 certification program; and several other activities with practices that could degrade water quality (SWRCB, 2010).

To implement the federal National Pollutant Discharge Elimination System (NPDES) permit program, the SWRCB has adopted a statewide General Permit for Storm Water Discharges Associated with Construction Activity (SWRCB Water Quality Order No. 2009-0009-DWQ; SWRCB, 2009) that applies to projects resulting in one or more acres of soil disturbance (effective July 1, 2010).

The SWRCB requires that new industrial facilities develop a SWPPP to prevent the off-site migration of sediment and other pollutants, and to reduce the effects of runoff from construction sites to off-site areas. In addition, the Project site would be graded and a site perimeter berm would be constructed to enable the site to become a retention/percolation basin, thus preventing off-site migration of sediment and pollutants.

[46] Kings County Solid Waste Authority. http://kwrarecycles.net/aboutus.html. Accessed May 2014.
[47] 2035 Kings County General Plan EIR. Page. 4.15-5.

The California Integrated Waste Management Act of 1989 (also known as AB 939) requires each city and county in California to prepare plans for solid waste management that demonstrate a reduction in the amount of solid waste sent to landfill, as well as a long-term plan to ensure implementation of diversion programs and adequate disposal capacity.

In addition, this proposed Project is being evaluated pursuant to CEQA.

Local

Kings County General Plan: The Kings County Countywide Integrated Waste Management Plan includes the mandatory elements of a Source Reduction and Recycling Element as required by AB 939 and a Household Hazardous Waste Element[48].

IMPACT ASSESSMENT

XVII-a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

No Impact. The Project involves the leasing of property for the construction of a solar electricity generation facility. The facility would not include permanent restroom facilities or require a sewer hookup. The Project would not result in a change to facilities or operations at existing wastewater facilities. There would be no impact.

XVII-b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

No Impact. As discussed in Impact IX-b and Impact XVII-a, Project operation would not generate any wastewater, nor would it require significant amounts of water. All water used onsite will be brought in from offsite. The biannual application of water to solar panels to clean off dust will be very diffuse across the 170 acre Project site. The small amount of water running off of panels will not generate enough flow to require wastewater treatment facilities or connection to local services. The runoff that does not evaporate will be allowed to percolate into the ground surface. No new facilities would be needed. There would be no impact.

XVII-c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. The biannual application of water to solar panels to clean off dust would be very diffuse across the 170-acre Project site. The small amount of water running off the panels would not generate enough flow to require drainage facilities or connection to local services. The runoff that does not evaporate would be allowed to percolate into the ground surface. Drainage patterns on the site would not be significantly altered during development. To prevent water and wind erosion during the construction period, a Storm Water Pollution Prevention Plan (SWPPP) would be developed for the Project as required for all projects which disturb more than one acre in size. As part of the SWPPP, the applicant would be required to provide erosion control measures to protect the topsoil. Any stockpiles

[48] 2035 Kings County General Plan Update EIR. Page 4-15-5.

soils would be watered and/or covered to prevent loss due to wind erosion as part of the SWPPP during construction. As a result of these efforts, loss of topsoil and substantial soil erosion during the construction period are not anticipated. No new facilities would be needed. The impact would be less than significant.

XVII-d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

No Impact. Water used on site for cleaning or other uses will be brought in from offsite. The new facility will not require potable or irrigation water facilities. No new or expanded water entitlements would be required for the proposed Project. There would be no impact.

XVII -e) 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. As discussed in Impact XVII-a, the Project would not generate wastewater. There would be no impact.

XVII -f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less Than Significant. Operation of the Project would generate minimal amounts of solid waste from any litter that comes in over the 8 foot fence. Solid waste from the site would be received at the Kings Waste and Recycling Authority. Any impacts would be less than significant.

XVII -g) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. The proposed Project will continue to comply with any federal, state, and local regulations. There is no impact.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

IMPACT ASSESSMENT

XVIII-a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant Impact With Mitigation Incorporation. The analysis conducted in this Initial Study/Mitigated Negative Declaration results in a determination that the Project would have a less than significant effect with mitigation incorporation on the local environment (refer to Impact Sections II-e, IV-a, IV-c, V-a, and V-b). The Project includes approximately 170 acres of property for the purpose of developing a solar generation facility.

The potential for impacts to agricultural resources, biological resources, and cultural resources from the construction and operation of the proposed Project would be less than significant with the incorporation of the mitigation measures stated in the previous impact sections. Accordingly, the Project would involve no potential for significant impacts through the degradation of the quality of the environment, the reduction in the habitat or population of fish or wildlife, including endangered plants or animals, the elimination of a plant or animal community or example of a major period of California history or prehistory. The impact would be less than significant.

XVIII-b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact With Mitigation Incorporation. The projects considered in the cumulative analysis include those that would be constructed concurrently with the Project and those that would be in operation at the same time as the Project. The cumulative projects considered in this analysis are limited to projects that would result in similar impacts to the Project due to their potential to collectively contribute to significant cumulative impacts, as well as other development projects that would be located in the vicinity of the Project. There are six solar projects located with a 10-mile radius of the Project site:

- CAL Solarpack, Tulare County
- ImMODO Tulare 12, Tulare County
- EDF Renewable Energy (formerly enXco), Kings County
- Solar Project Solutions Corcoran West, Kings County
- Solar Project Solutions Corcoran, Kings County
- EDF Renewable Energy (formerly enXco) Corcoran City, City of Corcoran

Kings and Tulare County staff have determined that this list of projects would have the potential to contribute to cumulative impacts. The Project was determined to have no impacts to Mineral Resources, Population and Housing and Recreation and therefore the Project would not result in considerable impacts in combination with the other above referenced solar projects. The following environmental impacts were determined to be less than significant and did not require mitigation: Aesthetics, Air Quality, Geology and Soils, Greenhouse Gas, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Noise, Public Services, Transportation/Traffic and Utilities and Service Systems. As discussed above, the Project would result in less than significant impacts to agricultural resources, biological resources, and cultural resources with mitigation incorporation.

The majority of the potential impacts resulting from the Project would be short term, occurring during Project construction, with negligible impacts resulting from Project operation as discussed in the above environmental analysis. Because construction impacts are of a short duration and localized, they would have to occur concurrently and in proximity of other projects in order to have a cumulative impact. Construction impacts, which are primarily related to air quality, biological resources, noise, and traffic, are not likely to act cumulatively with the six identified projects in a manner that would result in significant impacts.

This Project as described in Impacts III and VII, above would have short-term impacts with regard to air quality and greenhouse gases during construction activities. However, the emissions associated with this Project are minor as compared to baseline emissions levels as quantified in Impacts III and VII, and are not considered cumulatively considerable pursuant to guidelines from the Air District. (See Impact III(c) for a complete discussion of the Project's cumulative air quality impacts.) The proposed Project would implement the applicable San Joaquin Valley Air Pollution Control District (SJVAPCD) Best Performance Standards; therefore, reducing the Project specific and cumulative impacts to a less than significant level.

As discussed in Impact IV, the Project site consists of disturbed agricultural land. Operation of the Project would not result in the loss of sensitive biological habitats or sensitive cultural resources as seen in Appendix C and D. As such, when combined cumulatively with other projects, the Project would not result in impacts to biological or cultural resources that are cumulatively considerable.

Impacts to aesthetics from the proposed Project would be considered minimal. Each of the six identified solar projects within a 10-mile radius would be designed in accordance with the respective County's General Plan and Zoning code. In areas where the related cumulative projects are located, the regional view shed already includes electrical substations and related infrastructure. Areas of the related projects are not identified as having sensitive or significant visual resources. However, most of the projects would not be visible in the same viewshed. Further, while the solar projects may change the visual character of the area, in general they do not obstruct scenic vistas. While the Project will both be visible from limited viewpoints along State Route 43 and Nevada Avenue, these public streets do not contain scenic vistas. Although the Project may contribute to visual impacts on the area due to the addition of more solar facility uses in an agricultural area, the contribution of the Project would not be cumulatively considerable because the visual quality of the overall area is low. Thus the proposed Project plus the related solar projects identified within a 10-mile radius would result in a less than significant cumulative impact to Aesthetics.

Each of the cumulative projects considered in this section would be required to comply with project-specific mitigation measures and/or conditions of approval, as well as applicable General Plans, zoning ordinances, laws and policies. The implementation of the identified Project-specific mitigation measures and compliance with applicable codes, compliance with the 2035 Kings County General Plan, identified Best Management Practices, ordinances, laws and other required regulations would reduce the magnitude of any contribution to cumulative impacts to a less than significant level.

On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, requiring that California utilities reach the 33 percent renewable goal by 2020; subsequently, in 2011 the Legislature enacted SB X1-2, codifying this goal. In the last several years, a series of similarly sized solar generation projects have been approved or are being considered in Kings County as well as neighboring counties. The cumulative benefit to the environment of reduced reliance on fossil fuels is in line with the goals of the State Executive Order.

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

Less Than Significant Impact With Mitigation Incorporation. The Project would not result in substantial adverse effects on human beings, either directly or indirectly. Mitigation measures are provided to reduce the Project's potential effects on agricultural resources, biological resources, and cultural resources below the level of significance. No additional mitigation measures would be required. Adverse effects on human beings resulting from implementation of the Project would be less than significant.

CHAPTER 4

MITIGATION MONITORING AND REPORTING PROGRAM

4 MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Modification of CUP No. 10-3 for the CED Corcoran Solar 2 and CUP NO. 12-08 for the CED Corcoran Solar 3 Generation Project (proposed Project) in Kings County (County). The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements.

Table 7 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of Table 7 identifies the mitigation measure. The second column, entitled "When Monitoring is to Occur," identifies the time the mitigation measure should be initiated. The third column, "Frequency of Monitoring," identifies the frequency of the monitoring of the mitigation measure. The fourth column, "Agency Responsible for Monitoring," names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the County to ensure that individual mitigation measures have been complied with and monitored.

Table 7
Mitigation Monitoring Plan

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
AG-1: Prior to the issuance of a building permit, the applicant shall submit a Soil Reclamation Plan (Plan) for restoration of the Project site to its pre-project condition, for review and approval by the Planning Division of the Kings County Community Development Agency staff. The Plan shall contain an analysis of pre-project baseline soil conditions at the solar generation facility, and shall contain specific measures to restore the soil to its pre-project condition at the end of the Solar Facility's useful life, including removal of all project fixtures, equipment, and non agricultural driveways, as well as restoration of compacted soil. General preconstruction conditions of the project site shall be photographically documented by the applicant prior to the start of construction of the project. All driveways and other areas compacted during original construction or by equipment used in the decommissioning would be tilled to restore the sub-grade material to a density and depth consistent with its pre-project condition. A Kings County-approved grasses and forbs seed mixture designed to maximize revegetation with noninvasive species shall be broadcast or drilled across the project site, and weed-free mulch spread shall be applied, as needed, to stabilize the soil until germination occurs and young plants establish to facilitate moisture retention in the soil. Reclamation would return the site to the conditions equivalent to those prior to construction and operation of the project. Whether the project area has been restored to pre-construction conditions would be assessed by Kings County staff six months after the initial seeding has occurred. Additional seedings and applications of weed free mulch shall be applied to areas of the project site that have been determined to be unsuccessfully reclaimed (e.g., restored to pre-construction conditions) after six months, until the	Prior to construction And after the solar facility is no longer in service	Prior to construction And after the solar facility is no longer in service	Kings County	Review of Soil Reclamation Plan and			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
entire project area has been restored to equivalent conditions prior to construction and operation of the project. All waste shall be disposed of in compliance with applicable law. Waste would go to the Kings Waste and Recycling Authority's Materials Recovery Facility in Hanford, where recyclable materials would be removed. All remaining waste would then go to the B-17 Landfill Unit at the Chemical Waste Management Kettleman Hills Facility. The B-17 Landfill unit has an approved capacity of 18.4 million cubic yards. The site capacity used as of March 2012 was 896,171 cubic yards. The site capacity remaining as of March 2012 was 17.5 million cubic yards. Conditional Use Permit No. 04-01, which approved a new non-hazardous-waste landfill designated as Landfill Unit B-17, was approved on May 30, 2006, when the Planning Commission adopted Resolution No. 06-05. The estimated closure date is 2052, depending on actual fill rate. If this facility is not available, another equivalent will be utilized. All waste associated with decommissioning will be disposed of or recycled in accordance with applicable laws. Additionally, the Soil Reclamation Plan shall discuss the retention of any surface water rights. The applicant shall verify the completion of reclamation within 18 months after the solar facility has ceased operating, which would be 12 months after the expiration of the Project use permit, with Planning Division staff. (Please note that Section 2503.05 of the Kings County Zoning Ordinance defines an Abandoned Use as a business or other use which has discontinued operations and/or vacated the site, or abandoned the use, for more than six (6) months.)							
AG-2: Prior to the issuance of a building permit, the applicant shall either post a performance or cash bond, submit a Certificate of Deposit, or submit a letter of credit to ensure completion of the activities under the Soil Reclamation Plan. Financial assurances for the Reclamation Plan will be reviewed every 5 years by the Kings County	Prior to construction and every 5 years thereafter.	Prior to construction and every 5 years thereafter.	Kings County	Financial Review			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
Community Development Agency to determine if finances are sufficient to perform reclamation of the project. The assurance must be adjusted if, during the five-year review, finances are determined to be insufficient to perform reclamation of the project.							
Biological Resources:							
BIO-1: A qualified biologist shall conduct a pre-construction survey for nesting birds (including raptors) on and closely adjacent to the Project Site no more than 30 days prior to any ground disturbance, if ground disturbance is to occur during the breeding season (February 1 to August 31). These surveys shall be based on the accepted protocols (for example, the current Swainson's hawk protocol) for the target species. If an active nest is detected, an appropriate construction buffer may be needed. The actual size of the buffer would depend on species, topography, and type of construction activity that would occur near the nest, and would be determined in consultation with the CDFW and USFWS.	Prior to construction	During construction and closure	Kings County	Field inspection			
BIO-2: A qualified biological monitor shall be present while ground-disturbing activities are occurring if it is determined that sensitive resources are present on or closely adjacent to the Project Site and those resources may be affected by project activities. In addition to conducting pre-construction surveys for the project, the biological monitor shall: 1) aid crews in satisfying take avoidance criteria and implementing project mitigation measures, 2) document all pertinent information concerning project effects on sensitive species, and 3) assist in minimizing the adverse effects of project activities on sensitive species. The biological monitor shall be empowered to order cessation of activities if take avoidance or mitigation measures are violated.	During construction	During construction	Kings County	Field Inspection			
BIO-3: Project-related vehicles shall observe a daytime speed limit of 20 miles per hour throughout the site in all project areas, except on county roads and State and Federal	On-Going	On-Going	Kings County	Field Inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
highways; this is particularly important at night when kit foxes are most active. Nighttime construction shall be minimized to the extent possible. However if it does occur, then the speed limit shall be reduced to 10 miles per hour. Off-road traffic outside of designated project areas shall be prohibited.							
BIO-4: To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted as noted under measure 16 referenced below.	On-Going	On-Going	Kings County	Field Inspection			
BIO-5: Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the Service has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.	On-Going	On-Going	Kings County	Field Inspection			
BIO-6: All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the Project Site.	On-Going	On-Going	Kings County	Field Inspection			
BIO-7: No firearms shall be allowed on the Project Site, excluding law enforcement personnel.	On-Going	On-Going	Kings County	Field Inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
BIO-8: No pets, such as dogs or cats, shall be permitted on the Project Site to prevent harassment, mortality of kit foxes, or destruction of dens.	On-Going	On-Going	Kings County	Field Inspection			
BIO-9: Use of rodenticides and herbicides in project areas shall be restricted. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.	On-Going	On-Going	Kings County	Field Inspection			
BIO-10: All spills of hazardous materials shall be cleaned up immediately.	On-Going	On-Going	Kings County	Field Inspection			
BIO-11: A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.	Prior to Construction	During Construction and closure	Kings County	Field Inspection			
BIO-12: A qualified biologist shall conduct a sensitive species education program for all project personnel. Topics to be discussed shall include: occurrence and distribution of sensitive species in the project area (including the San Joaquin kit fox), take avoidance measures being implemented during the project, reporting requirements if incidental take occurs, and applicable definitions and prohibitions under the Endangered Species Act. A fact sheet conveying this information shall be prepared for distribution to project personnel.	Prior to Construction	During Construction and closure	Kings County	Field Inspection			
BIO-13: In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance.	On-Going	On-Going	Kings County	Field Inspection			
BIO-14: Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for	On-Going	On-Going	Kings County	Field Inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The USFWS shall be contacted at Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-1846, (916) 414-6620 or (916) 414-6600.							
BIO-15: The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers in measure 14 above. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.	On-Going	On-Going	Kings County	Field Inspection			
BIO-16: New sightings of kit fox or any other special status species shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the species was observed shall also be provided to the USFWS at the address in measure 16 above.	During Construction	On-Going	Kings County	Field Inspection			
Cultural Resources:							
CUL-1: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within one hundred (100) feet of the find shall be ceased and the Kings County Community Development Agency shall be notified immediately. The project proponent shall retain a qualified archaeologist to assess the significance of the find and make mitigation recommendations, if warranted. The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System (CHRIS). The resources shall be photo-documented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and	During construction	During construction	Kings County	Field inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
Historical Preservation Department. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.							
CUL-2: Prior to initiation of construction, the applicant shall conduct a site visit in concert with the Cultural Department of the Santa Rosa Rancheria in order to provide an opportunity for the Rancheria to assess the site and discuss their recommendations. During the site visit a cultural sensitivity class will be taught by the Cultural Department of the Santa Rosa Rancheria for the construction crew. Prior to initiation of construction, the applicant shall consult with the Cultural Department of the Santa Rosa Rancheria to determine if they would like to provide one Tribal Cultural Consultant (TCC) during project grading. The Applicant and the Santa Rosa Rancheria shall enter a reburial agreement as well as a curation agreement for any artifacts that may be discovered during construction (per CEQA Guidelines, California Code of Regulations, Title 14, Section 15064.5). If prehistoric artifacts are found, the project archaeologist will work with the TCC to determine their significance and work with the Cultural Department of the Santa Rosa Rancheria and the landowner to identify potential reburial options.	Ongoing	During construction	Kings County	Field inspection			
CUL-3: Pursuant to State Health and Safety Code §7050.5(c) and State Public Resources Code §5097.98, if human bone or bone of unknown origin is found at any time during on- or off site construction, all work shall stop in the vicinity of the find and the Kings County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The applicant shall work with the likely descendant to develop a program for the re-internment of the human remains and any associated	Ongoing	During construction	Kings County	Field inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
artifacts. Additional work cannot take place within the immediate vicinity of the find until the identified appropriate actions have been implemented.							
Hazards and Hazardous Materials:							
HZA-1 The constructor and operator of the Project shall develop an Injury and Illness Prevention Program and project-specific health and safety plans. These plans should include but not be limited to the following: • Compliance with the SJVAPCD's Regulation VIII and SJVAPCD-approved Dust Control Plan; • Train workers and supervisors on how to recognize symptoms of illness related to Valley Fever; • Provide pre-construction training and instruction regarding requirements for on-site construction pursuant to the approved Dusts Control Plan; • Limit workers' exposure to outdoor dust in disease-endemic areas; • When soil will be disturbed by heavy equipment or vehicles, wet the soil with water or other permitted soil stabilizer before disturbing it and continuously wet it while digging to keep dust levels down; • Heavy equipment, trucks, and other vehicles generating heavy dust should have enclosed cabs equipped with air filters; and • When exposure to dust is unavoidable, provide NIOSH-approved respiratory protection to all employees.	Prior to construction	During construction and closure	Kings County	Field inspection			

CHAPTER 5

LIST OF PREPARERS

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APPENDICE A

SOILS REPORT

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for

Kings County, California

Corcoran Solar 2 and Corcoran Solar 3

July 14, 2014

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (http://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil scientists classified and named the soils in the survey area, they compared the

individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map

Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kings County, California
Survey Area Data: Version 9, Nov 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Kings County, California (CA031)			
Map Unit Symbol	**Map Unit Name**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	107.1	56.7%
134	Lakeside loam, partially drained	80.7	42.8%
175	Westcamp loam, partially drained	0.9	0.5%
Totals for Area of Interest		**188.7**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If

intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Kings County, California

117—Goldberg loam, drained

Map Unit Setting

Elevation: 200 to 240 feet
Mean annual precipitation: 7 inches
Mean annual air temperature: 64 degrees F
Frost-free period: 250 to 275 days

Map Unit Composition

Goldberg and similar soils: 85 percent
Minor components: 15 percent

Description of Goldberg

Setting

Landform: Alluvial flats
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from igneous and sedimentary rock

Typical profile

A - 0 to 3 inches: loam
Bt - 3 to 15 inches: clay loam
Btk - 15 to 81 inches: clay
Btg - 81 to 97 inches: clay loam
Cg - 97 to 152 inches: stratified loamy sand to clay loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: 6 to 24 inches to natric
Natural drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Salinity, maximum in profile: Very slightly saline to moderately saline (4.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 42.0
Available water storage in profile: Very low (about 1.0 inches)

Interpretive groups

Farmland classification: Farmland of statewide importance
Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 7w
Hydrologic Soil Group: D

Minor Components

Cajon

Percent of map unit: 3 percent

Lakeside
Percent of map unit: 2 percent
Landform: Basin floors

Garces
Percent of map unit: 2 percent

Kimberlina
Percent of map unit: 2 percent

Whitewolf
Percent of map unit: 2 percent

Nord
Percent of map unit: 2 percent

Goldberg
Percent of map unit: 2 percent
Landform: Alluvial flats

134—Lakeside loam, partially drained

Map Unit Setting
Elevation: 170 to 260 feet
Mean annual precipitation: 8 inches
Mean annual air temperature: 64 degrees F
Frost-free period: 190 to 240 days

Map Unit Composition
Lakeside and similar soils: 85 percent
Minor components: 14 percent

Description of Lakeside

Setting
Landform: Rims on basin floors
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from igneous and sedimentary rock

Typical profile
Ap - 0 to 43 inches: loam
Czg - 43 to 152 inches: stratified sandy loam to clay

Properties and qualities
Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)

Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum in profile: 5 percent
Salinity, maximum in profile: Very slightly saline to moderately saline (4.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 35.0
Available water storage in profile: Moderate (about 7.0 inches)

Interpretive groups
Farmland classification: Farmland of statewide importance
Land capability classification (irrigated): 2w
Land capability classification (nonirrigated): 6w
Hydrologic Soil Group: C/D

Minor Components

Armona
Percent of map unit: 3 percent
Landform: Basin floors

Grangeville
Percent of map unit: 2 percent
Landform: Alluvial fans

Goldberg
Percent of map unit: 2 percent
Landform: Alluvial flats

Homeland
Percent of map unit: 2 percent
Landform: Basin floors

Lakeside
Percent of map unit: 2 percent
Landform: Basin floors

Westcamp
Percent of map unit: 2 percent
Landform: Basin floors

Unnamed, rare flooding
Percent of map unit: 1 percent

175—Westcamp loam, partially drained

Map Unit Setting
Elevation: 190 to 220 feet
Mean annual precipitation: 6 to 7 inches
Mean annual air temperature: 63 to 64 degrees F
Frost-free period: 260 to 275 days

Map Unit Composition

Westcamp and similar soils: 85 percent
Minor components: 15 percent

Description of Westcamp

Setting

Landform: Rims on basin floors
Landform position (two-dimensional): Toeslope
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium derived from igneous and sedimentary rock

Typical profile

Ap - 0 to 25 inches: loam
2C1 - 25 to 94 inches: stratified fine sandy loam to silty clay loam
2C2 - 94 to 183 inches: stratified silty clay loam to clay

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: Rare
Frequency of ponding: None
Calcium carbonate, maximum in profile: 3 percent
Gypsum, maximum in profile: 3 percent
Salinity, maximum in profile: Very slightly saline to moderately saline (4.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum in profile: 13.0
Available water storage in profile: Moderate (about 6.9 inches)

Interpretive groups

Farmland classification: Farmland of statewide importance
Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 7w
Hydrologic Soil Group: D

Minor Components

Houser

Percent of map unit: 4 percent
Landform: Basin floors

Boggs

Percent of map unit: 3 percent
Landform: Alluvial flats

Armona

Percent of map unit: 3 percent
Landform: Basin floors

Grangeville

Percent of map unit: 2 percent

Landform: Alluvial fans

Lakeside

Percent of map unit: 2 percent
Landform: Basin floors

Rambla

Percent of map unit: 1 percent

Soil Information for All Uses

Suitabilities and Limitations for Use

The Suitabilities and Limitations for Use section includes various soil interpretations displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each interpretation.

Construction Materials

Construction materials interpretations are tools designed to provide guidance to users in selecting a site for potential source of various materials. Individual soils or groups of soils may be selected as a potential source because they are close at hand, are the only source available, or they meets some or all of the physical or chemical properties required for the intended application. Example interpretations include roadfill, sand and gravel, topsoil and reclamation material.

Topsoil Source

Topsoil is used to cover an area so that vegetation can be established and maintained. The surface layer of most soils is generally preferred for topsoil because of its content of organic matter. Organic matter greatly increases the absorption and retention of moisture and nutrients for plant growth.

The upper 40 inches of a soil is evaluated for use as topsoil. Also evaluated is the reclamation potential of the borrow area. Normal compaction, minor processing, and other standard construction practices are assumed.

The soils are rated "good," "fair," or "poor" as potential sources of topsoil. The ratings are based on the soil properties that affect plant growth; the ease of excavating, loading, and spreading the material; and reclamation of the borrow area. Toxic substances, soil reaction, and the properties that are inferred from soil texture, such as available water capacity and fertility, affect plant growth. The ease of excavating, loading, and spreading is affected by rock fragments, slope, depth to a water table, soil texture, and thickness of suitable material. Reclamation of the borrow area is affected by slope, depth to a water table, rock fragments, depth to bedrock or a cemented pan, and toxic material.

Numerical ratings between 0.00 and 0.99 are given after the specified features. These numbers indicate the degree to which the features limit the soils as sources of topsoil. The lower the number, the greater the limitation.

The map unit components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as listed for the map unit. The percent composition of each component in a particular map unit is presented to help the user better understand the percentage of each map unit that has the rating presented.

Other components with different ratings may be present in each map unit. The ratings for all components, regardless of the map unit aggregated rating, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Map—Topsoil Source

Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

Poor

Fair

Good

Not rated or not available

Soil Rating Lines

Poor

Fair

Good

Not rated or not available

Soil Rating Points

Poor

Fair

Good

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kings County, California
Survey Area Data: Version 9, Nov 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Tables—Topsoil Source

Topsoil Source— Summary by Map Unit — Kings County, California (CA031)						
Map unit symbol	**Map unit name**	**Rating**	**Component name (percent)**	**Rating reasons (numeric values)**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	Poor	Goldberg (85%)	Sodium content (0.00)	107.1	56.7%
				Salinity (0.00)		
				Too clayey (0.01)		
				Exchange capacity (0.58)		
134	Lakeside loam, partially drained	Poor	Lakeside (85%)	Wetness (0.00)	80.7	42.8%
				Sodium content (0.00)		
				Salinity (0.00)		
175	Westcamp loam, partially drained	Poor	Westcamp (85%)	Wetness (0.00)	0.9	0.5%
				Salinity (0.00)		
Totals for Area of Interest					**188.7**	**100.0%**

Topsoil Source— Summary by Rating Value		
Rating	**Acres in AOI**	**Percent of AOI**
Poor	188.7	100.0%
Totals for Area of Interest	**188.7**	**100.0%**

Rating Options—Topsoil Source

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Land Classifications

Land Classifications are specified land use and management groupings that are assigned to soil areas because combinations of soil have similar behavior for specified practices. Most are based on soil properties and other factors that directly influence the specific use of the soil. Example classifications include ecological site classification, farmland classification, irrigated and nonirrigated land capability classification, and hydric rating.

Irrigated Capability Class

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability classes, the broadest groups, are designated by the numbers 1 through 8. The numbers indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Class 1 soils have few limitations that restrict their use.

Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class 3 soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class 4 soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class 5 soils are subject to little or no erosion but have other limitations, impractical to remove, that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 6 soils have severe limitations that make them generally unsuitable for cultivation and that restrict their use mainly to pasture, rangeland, forestland, or wildlife habitat.

Class 7 soils have very severe limitations that make them unsuitable for cultivation and that restrict their use mainly to grazing, forestland, or wildlife habitat.

Class 8 soils and miscellaneous areas have limitations that preclude commercial plant production and that restrict their use to recreational purposes, wildlife habitat, watershed, or esthetic purposes.

Map—Irrigated Capability Class

Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

Capability Class - I

Capability Class - II

Capability Class - III

Capability Class - IV

Capability Class - V

Capability Class - VI

Capability Class - VII

Capability Class - VIII

Not rated or not available

Soil Rating Lines

Capability Class - I

Capability Class - II

Capability Class - III

Capability Class - IV

Capability Class - V

Capability Class - VI

Capability Class - VII

Capability Class - VIII

Not rated or not available

Soil Rating Points

Capability Class - I

Capability Class - II

Capability Class - III

Capability Class - IV

Capability Class - V

Capability Class - VI

Capability Class - VII

Capability Class - VIII

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kings County, California
Survey Area Data: Version 9, Nov 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Irrigated Capability Class

Irrigated Capability Class— Summary by Map Unit — Kings County, California (CA031)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	3	107.1	56.7%
134	Lakeside loam, partially drained	2	80.7	42.8%
175	Westcamp loam, partially drained	3	0.9	0.5%
Totals for Area of Interest			**188.7**	**100.0%**

Rating Options—Irrigated Capability Class

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Higher

Irrigated Capability Subclass

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, or for engineering purposes.

In the capability system, soils are generally grouped at three levels-capability class, subclass, and unit. Only class and subclass are included in this data set.

Capability subclasses are soil groups within one capability class. They are designated by adding a small letter, "e," "w," "s," or "c," to the class numeral, for example, 2e. The letter "e" shows that the main hazard is the risk of erosion unless close-growing plant cover is maintained; "w" shows that water in or on the soil interferes with plant growth or cultivation (in some soils the wetness can be partly corrected by artificial drainage); "s" shows that the soil is limited mainly because it is shallow, droughty, or stony; and "c," used in only some parts of the United States, shows that the chief limitation is climate that is very cold or very dry.

In class 1 there are no subclasses because the soils of this class have few limitations. Class 5 contains only the subclasses indicated by "w," "s," or "c" because the soils in class 5 are subject to little or no erosion. They have other limitations that restrict their use to pasture, rangeland, forestland, or wildlife habitat.

Custom Soil Resource Report
Map—Irrigated Capability Subclass

Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

Soil Rating Polygons

- Erosion
- Soil limitation within the rooting zone
- Excess water
- Climate condition
- Not rated or not available

Soil Rating Lines

- Erosion
- Soil limitation within the rooting zone
- Excess water
- Climate condition
- Not rated or not available

Soil Rating Points

- Erosion
- Soil limitation within the rooting zone
- Excess water
- Climate condition
- Not rated or not available

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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Soil Survey Area: Kings County, California
Survey Area Data: Version 9, Nov 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—Irrigated Capability Subclass

Irrigated Capability Subclass— Summary by Map Unit — Kings County, California (CA031)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	w	107.1	56.7%
134	Lakeside loam, partially drained	w	80.7	42.8%
175	Westcamp loam, partially drained	w	0.9	0.5%
Totals for Area of Interest			**188.7**	**100.0%**

Rating Options—Irrigated Capability Subclass

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

California Revised Storie Index (CA)

The Storie Index is a soil rating based on soil properties that govern a soil's potential for cultivated agriculture in California.

The Storie Index assesses the productivity of a soil from the following four characteristics: Factor A, degree of soil profile development; factor B, texture of the surface layer; factor C, slope; and factor X, manageable features, including drainage, microrelief, fertility, acidity, erosion, and salt content. A score ranging from 0 to 100 percent is determined for each factor, and the scores are then multiplied together to derive an index rating.

For simplification, Storie Index ratings have been combined into six grade classes as follows: Grade 1 (excellent), 100 to 80; grade 2 (good), 79 to 60; grade 3 (fair), 59 to 40; grade 4 (poor), 39 to 20; grade 5 (very poor), 19 to 10; and grade 6 (nonagricultural), less than 10.

The components listed for each map unit in the accompanying Summary by Map Unit table in Web Soil Survey or the Aggregation Report in Soil Data Viewer are determined by the aggregation method chosen. An aggregated rating class is shown for each map unit. The components listed for each map unit are only those that have the same rating class as the one shown for the map unit. The percent composition of each component in a particular map unit is given to help the user better understand the extent to which the rating applies to the map unit.

Other components with different ratings may occur in each map unit. The ratings for all components, regardless the aggregated rating of the map unit, can be viewed by generating the equivalent report from the Soil Reports tab in Web Soil Survey or from

the Soil Data Mart site. Onsite investigation may be needed to validate these interpretations and to confirm the identity of the soil on a given site.

Map—California Revised Storie Index (CA)

Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

Grade One - Excellent

Grade Two - Good

Grade Three - Fair

Grade Four - Poor

Grade Five - Very Poor

Grade Six - Nonagricultural

Not rated

Not rated or not available

Soil Rating Lines

Grade One - Excellent

Grade Two - Good

Grade Three - Fair

Grade Four - Poor

Grade Five - Very Poor

Grade Six - Nonagricultural

Not rated

Not rated or not available

Soil Rating Points

Grade One - Excellent

Grade Two - Good

Grade Three - Fair

Grade Four - Poor

Grade Five - Very Poor

Grade Six - Nonagricultural

Not rated

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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Survey Area Data: Version 9, Nov 26, 2013

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Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—California Revised Storie Index (CA)

California Revised Storie Index (CA)— Summary by Map Unit — Kings County, California (CA031)					
Map unit symbol	**Map unit name**	**Rating**	**Component name (percent)**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	Grade Four - Poor	Goldberg (85%)	107.1	56.7%
134	Lakeside loam, partially drained	Grade Five - Very Poor	Lakeside (85%)	80.7	42.8%
175	Westcamp loam, partially drained	Grade Five - Very Poor	Westcamp (85%)	0.9	0.5%
Totals for Area of Interest				**188.7**	**100.0%**

Rating Options—California Revised Storie Index (CA)

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Soil Properties and Qualities

The Soil Properties and Qualities section includes various soil properties and qualities displayed as thematic maps with a summary table for the soil map units in the selected area of interest. A single value or rating for each map unit is generated by aggregating the interpretive ratings of individual map unit components. This aggregation process is defined for each property or quality.

Soil Erosion Factors

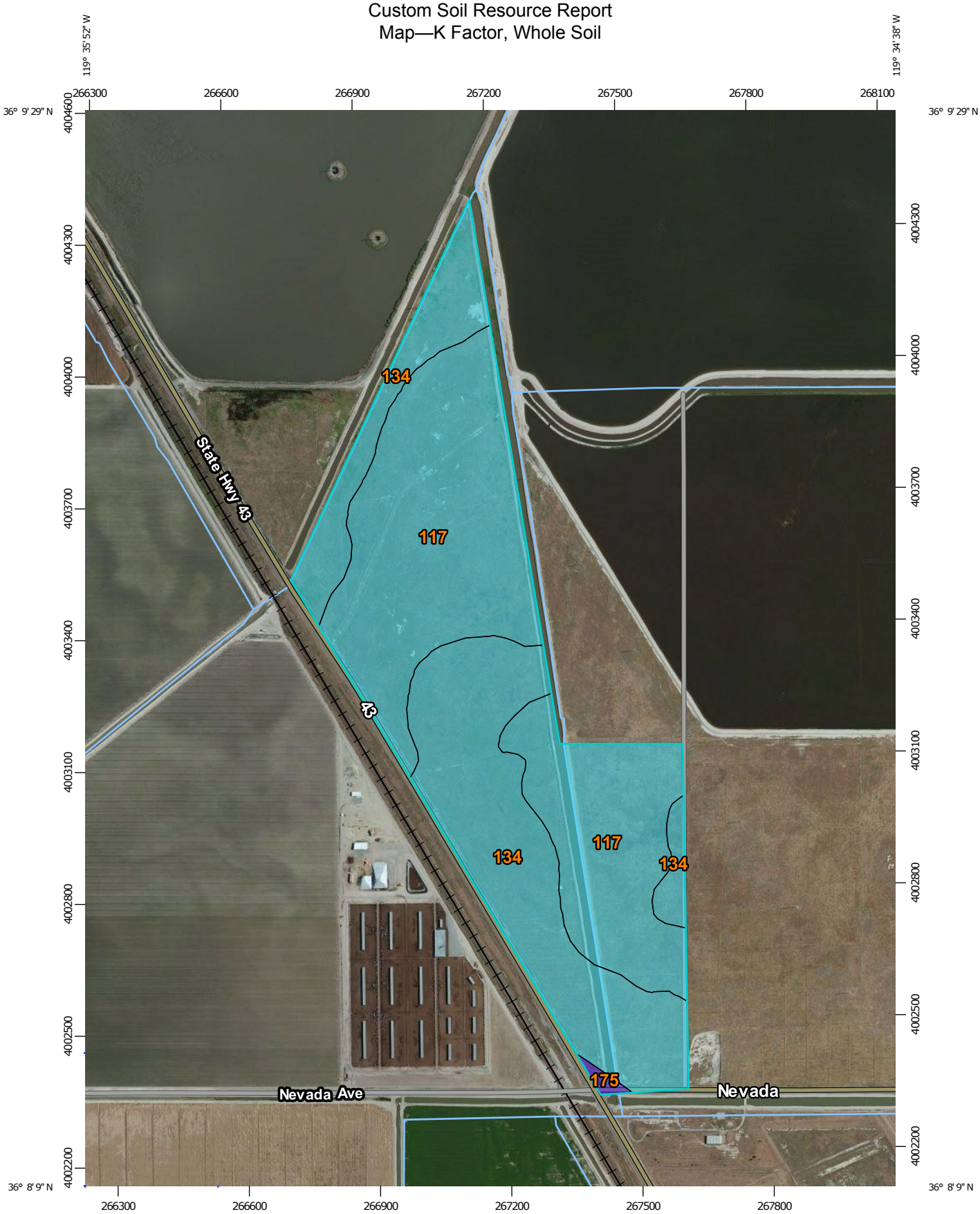
Soil Erosion Factors are soil properties and interpretations used in evaluating the soil for potential erosion. Example soil erosion factors can include K factor for the whole soil or on a rock free basis, T factor, wind erodibility group and wind erodibility index.

K Factor, Whole Soil

Erosion factor K indicates the susceptibility of a soil to sheet and rill erosion by water. Factor K is one of six factors used in the Universal Soil Loss Equation (USLE) and the Revised Universal Soil Loss Equation (RUSLE) to predict the average annual rate of soil loss by sheet and rill erosion in tons per acre per year. The estimates are based primarily on percentage of silt, sand, and organic matter and on soil structure and saturated hydraulic conductivity (Ksat). Values of K range from 0.02 to 0.69. Other factors being equal, the higher the value, the more susceptible the soil is to sheet and rill erosion by water.

"Erosion factor Kw (whole soil)" indicates the erodibility of the whole soil. The estimates are modified by the presence of rock fragments.

Map—K Factor, Whole Soil



Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

.02
.05
.10
.15
.17
.20
.24
.28
.32
.37
.43
.49
.55
.64
Not rated or not available

Soil Rating Lines

.02
.05
.10
.15
.17
.20
.24
.28
.32
.37
.43
.49
.55
.64
Not rated or not available

Soil Rating Points

.02
.05
.10
.15
.17
.20
.24
.28
.32
.37
.43
.49
.55
.64
Not rated or not available

Water Features

Streams and Canals

Transportation

Rails
Interstate Highways
US Routes
Major Roads
Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

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This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Kings County, California
Survey Area Data: Version 9, Nov 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

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Table—K Factor, Whole Soil

K Factor, Whole Soil— Summary by Map Unit — Kings County, California (CA031)				
Map unit symbol	**Map unit name**	**Rating**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	.37	107.1	56.7%
134	Lakeside loam, partially drained	.37	80.7	42.8%
175	Westcamp loam, partially drained	.55	0.9	0.5%
Totals for Area of Interest			**188.7**	**100.0%**

Rating Options—K Factor, Whole Soil

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

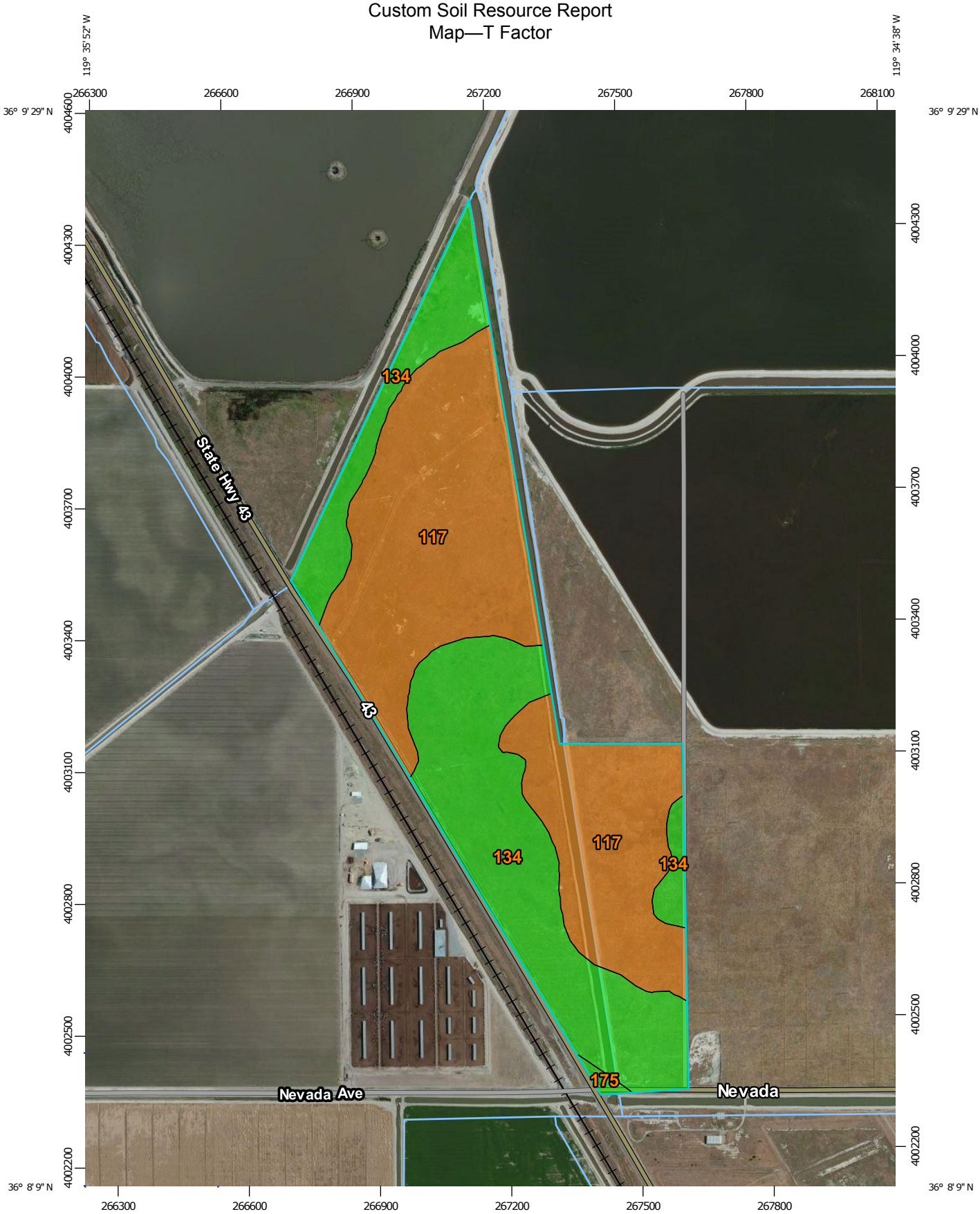
Tie-break Rule: Higher

Layer Options (Horizon Aggregation Method): Surface Layer (Not applicable)

T Factor

The T factor is an estimate of the maximum average annual rate of soil erosion by wind and/or water that can occur without affecting crop productivity over a sustained period. The rate is in tons per acre per year.

Map—T Factor



Map Scale: 1:11,900 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 150 300 600 900

Feet: 0 500 1000 2000 3000

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 11N WGS84

MAP LEGEND

Area of Interest (AOI)

Area of Interest (AOI)

Soils

Soil Rating Polygons

1

2

3

4

5

Not rated or not available

Soil Rating Lines

1

2

3

4

5

Not rated or not available

Soil Rating Points

1

2

3

4

5

Not rated or not available

Water Features

Streams and Canals

Transportation

Rails

Interstate Highways

US Routes

Major Roads

Local Roads

Background

Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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Soil Survey Area: Kings County, California
Survey Area Data: Version 9, Nov 26, 2013

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2010—Jul 3, 2011

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Table—T Factor

T Factor— Summary by Map Unit — Kings County, California (CA031)				
Map unit symbol	**Map unit name**	**Rating (tons per acre per year)**	**Acres in AOI**	**Percent of AOI**
117	Goldberg loam, drained	2	107.1	56.7%
134	Lakeside loam, partially drained	5	80.7	42.8%
175	Westcamp loam, partially drained	5	0.9	0.5%
Totals for Area of Interest			**188.7**	**100.0%**

Rating Options—T Factor

Units of Measure: tons per acre per year

Aggregation Method: Dominant Condition

Component Percent Cutoff: None Specified

Tie-break Rule: Lower

Interpret Nulls as Zero: No

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

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APPENDICE B

CALEEMOD OUTPUT FILES

Corcoran Solar 2 and Corcoran Solar 3 Generation Facilities Project

Kings County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Other Non-Asphalt Surfaces	1.00		170.00		0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	37
Climate Zone	3			**Operational Year**	2015
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	**CH4 Intensity (lb/MWhr)**	0.029	**N2O Intensity (lb/MWhr)**	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - This Project is a 170 acre solar facility.

Construction Phase - Project Construction is intermittent for 12 months.

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	3,100.00	227.00
tblConstructionPhase	NumDays	310.00	10.00
tblConstructionPhase	NumDays	120.00	24.00
tblGrading	AcresOfGrading	25.00	775.00
tblProjectCharacteristics	OperationalYear	2014	2015

2.0 Emissions Summary

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					
2014	0.2938	2.6290	1.7245	2.1200e-003	0.6604	0.1662	0.8266	0.1808	0.1553	0.3360	0.0000	197.7898	197.7898	0.0530	0.0000	198.9017
2015	0.2360	1.9369	1.2090	1.7300e-003	0.0000	0.1365	0.1365	0.0000	0.1284	0.1284	0.0000	157.3763	157.3763	0.0395	0.0000	158.2056
Total	**0.5298**	**4.5660**	**2.9335**	**3.8500e-003**	**0.6604**	**0.3028**	**0.9632**	**0.1808**	**0.2837**	**0.4644**	**0.0000**	**355.1661**	**355.1661**	**0.0924**	**0.0000**	**357.1073**

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					
2014	0.2935	2.6259	1.7225	2.1200e-003	0.6604	0.1660	0.8264	0.1808	0.1551	0.3359	0.0000	197.5573	197.5573	0.0529	0.0000	198.6680
2015	0.2357	1.9346	1.2076	1.7300e-003	0.0000	0.1364	0.1364	0.0000	0.1282	0.1282	0.0000	157.1891	157.1891	0.0394	0.0000	158.0174
Total	**0.5292**	**4.5606**	**2.9301**	**3.8500e-003**	**0.6604**	**0.3024**	**0.9628**	**0.1808**	**0.2833**	**0.4641**	**0.0000**	**354.7464**	**354.7464**	**0.0923**	**0.0000**	**356.6853**

	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	**0.1170**	**0.1187**	**0.1179**	**0.0000**	**0.0000**	**0.1189**	**0.0374**	**0.0000**	**0.1163**	**0.0711**	**0.0000**	**0.1182**	**0.1182**	**0.1190**	**0.0000**	**0.1182**

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	0.0000	0.0000	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
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	0.0000
Total	**0.0000**	**0.0000**	**1.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**2.0000e-005**	**2.0000e-005**	**0.0000**	**0.0000**	**2.0000e-005**

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	0.0000	0.0000	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
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	0.0000
Total	**0.0000**	**0.0000**	**1.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**2.0000e-005**	**2.0000e-005**	**0.0000**	**0.0000**	**2.0000e-005**

	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	**0.0000**	**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**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Site Preparation	Site Preparation	7/1/2014	8/1/2014	5	24	
2	Grading	Grading	8/2/2014	8/15/2014	5	10	
3	Building Construction	Building Construction	8/16/2014	6/30/2015	5	227	

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Building Construction	Cranes	1	7.00	226	0.29
Grading	Excavators	2	8.00	162	0.38
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	174	0.41
Grading	Rubber Tired Dozers	1	8.00	255	0.40
Site Preparation	Rubber Tired Dozers	3	8.00	255	0.40
Grading	Scrapers	2	8.00	361	0.48
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Building Construction	Welders	1	8.00	46	0.45

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
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	0.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Site Preparation - 2014

Unmitigated Construction On-Site

Acres of Grading: 0

	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					0.2168	0.0000	0.2168	0.1192	0.0000	0.1192	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0635	0.6914	0.5155	4.7000e-004		0.0377	0.0377		0.0346	0.0346	0.0000	45.2419	45.2419	0.0134	0.0000	45.5227
Total	**0.0635**	**0.6914**	**0.5155**	**4.7000e-004**	**0.2168**	**0.0377**	**0.2545**	**0.1192**	**0.0346**	**0.1538**	**0.0000**	**45.2419**	**45.2419**	**0.0134**	**0.0000**	**45.5227**

3.2 Site Preparation - 2014

Unmitigated Construction Off-Site

Acres of Grading: 0

	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	0.0000	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
Worker	4.4800e-003	1.7600e-003	0.0161	2.0000e-005	1.7400e-003	2.0000e-005	1.7500e-003	4.6000e-004	1.0000e-005	4.8000e-004	0.0000	1.6311	1.6311	1.2000e-004	0.0000	1.6336
Total	**4.4800e-003**	**1.7600e-003**	**0.0161**	**2.0000e-005**	**1.7400e-003**	**2.0000e-005**	**1.7500e-003**	**4.6000e-004**	**1.0000e-005**	**4.8000e-004**	**0.0000**	**1.6311**	**1.6311**	**1.2000e-004**	**0.0000**	**1.6336**

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					0.2168	0.0000	0.2168	0.1192	0.0000	0.1192	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0634	0.6906	0.5149	4.7000e-004		0.0376	0.0376		0.0346	0.0346	0.0000	45.1881	45.1881	0.0134	0.0000	45.4685
Total	**0.0634**	**0.6906**	**0.5149**	**4.7000e-004**	**0.2168**	**0.0376**	**0.2544**	**0.1192**	**0.0346**	**0.1538**	**0.0000**	**45.1881**	**45.1881**	**0.0134**	**0.0000**	**45.4685**

3.2 Site Preparation - 2014

Mitigated Construction Off-Site

Acres of Grading: 0

	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	0.0000	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
Worker	4.4800e-003	1.7600e-003	0.0161	2.0000e-005	1.7400e-003	2.0000e-005	1.7500e-003	4.6000e-004	1.0000e-005	4.8000e-004	0.0000	1.6311	1.6311	1.2000e-004	0.0000	1.6336
Total	**4.4800e-003**	**1.7600e-003**	**0.0161**	**2.0000e-005**	**1.7400e-003**	**2.0000e-005**	**1.7500e-003**	**4.6000e-004**	**1.0000e-005**	**4.8000e-004**	**0.0000**	**1.6311**	**1.6311**	**1.2000e-004**	**0.0000**	**1.6336**

3.3 Grading - 2014

Unmitigated Construction On-Site

Acres of Grading: 775

	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					0.4411	0.0000	0.4411	0.0609	0.0000	0.0609	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0342	0.4036	0.2579	3.1000e-004		0.0194	0.0194		0.0178	0.0178	0.0000	29.7322	29.7322	8.7900e-003	0.0000	29.9167
Total	**0.0342**	**0.4036**	**0.2579**	**3.1000e-004**	**0.4411**	**0.0194**	**0.4605**	**0.0609**	**0.0178**	**0.0788**	**0.0000**	**29.7322**	**29.7322**	**8.7900e-003**	**0.0000**	**29.9167**

3.3 Grading - 2014

Unmitigated Construction Off-Site

Acres of Grading: 775

	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	0.0000	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
Worker	2.0800e-003	8.1000e-004	7.4300e-003	1.0000e-005	8.0000e-004	1.0000e-005	8.1000e-004	2.1000e-004	1.0000e-005	2.2000e-004	0.0000	0.7551	0.7551	5.0000e-005	0.0000	0.7563
Total	**2.0800e-003**	**8.1000e-004**	**7.4300e-003**	**1.0000e-005**	**8.0000e-004**	**1.0000e-005**	**8.1000e-004**	**2.1000e-004**	**1.0000e-005**	**2.2000e-004**	**0.0000**	**0.7551**	**0.7551**	**5.0000e-005**	**0.0000**	**0.7563**

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					0.4411	0.0000	0.4411	0.0609	0.0000	0.0609	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	0.0342	0.4031	0.2576	3.1000e-004		0.0194	0.0194		0.0178	0.0178	0.0000	29.6969	29.6969	8.7800e-003	0.0000	29.8812
Total	**0.0342**	**0.4031**	**0.2576**	**3.1000e-004**	**0.4411**	**0.0194**	**0.4604**	**0.0609**	**0.0178**	**0.0787**	**0.0000**	**29.6969**	**29.6969**	**8.7800e-003**	**0.0000**	**29.8812**

3.3 Grading - 2014

Mitigated Construction Off-Site

Acres of Grading: 775

	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	0.0000	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
Worker	2.0800e-003	8.1000e-004	7.4300e-003	1.0000e-005	8.0000e-004	1.0000e-005	8.1000e-004	2.1000e-004	1.0000e-005	2.2000e-004	0.0000	0.7551	0.7551	5.0000e-005	0.0000	0.7563
Total	**2.0800e-003**	**8.1000e-004**	**7.4300e-003**	**1.0000e-005**	**8.0000e-004**	**1.0000e-005**	**8.1000e-004**	**2.1000e-004**	**1.0000e-005**	**2.2000e-004**	**0.0000**	**0.7551**	**0.7551**	**5.0000e-005**	**0.0000**	**0.7563**

3.4 Building Construction - 2014

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	0.1895	1.5314	0.9276	1.3100e-003		0.1092	0.1092		0.1028	0.1028	0.0000	120.4294	120.4294	0.0306	0.0000	121.0724
Total	**0.1895**	**1.5314**	**0.9276**	**1.3100e-003**		**0.1092**	**0.1092**		**0.1028**	**0.1028**	**0.0000**	**120.4294**	**120.4294**	**0.0306**	**0.0000**	**121.0724**

3.4 Building Construction - 2014

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	0.0000	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
Worker	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
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**	**0.0000**	**0.0000**

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	0.1893	1.5296	0.9265	1.3100e-003		0.1090	0.1090		0.1027	0.1027	0.0000	120.2861	120.2861	0.0306	0.0000	120.9284
Total	**0.1893**	**1.5296**	**0.9265**	**1.3100e-003**		**0.1090**	**0.1090**		**0.1027**	**0.1027**	**0.0000**	**120.2861**	**120.2861**	**0.0306**	**0.0000**	**120.9284**

3.4 Building Construction - 2014

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	0.0000	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
Worker	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
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**	**0.0000**	**0.0000**

3.4 Building Construction - 2015

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	0.2360	1.9369	1.2090	1.7300e-003		0.1365	0.1365		0.1284	0.1284	0.0000	157.3763	157.3763	0.0395	0.0000	158.2056
Total	**0.2360**	**1.9369**	**1.2090**	**1.7300e-003**		**0.1365**	**0.1365**		**0.1284**	**0.1284**	**0.0000**	**157.3763**	**157.3763**	**0.0395**	**0.0000**	**158.2056**

3.4 Building Construction - 2015

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	0.0000	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
Worker	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
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**	**0.0000**	**0.0000**

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	0.2357	1.9346	1.2076	1.7300e-003		0.1364	0.1364		0.1282	0.1282	0.0000	157.1891	157.1891	0.0394	0.0000	158.0174
Total	**0.2357**	**1.9346**	**1.2076**	**1.7300e-003**		**0.1364**	**0.1364**		**0.1282**	**0.1282**	**0.0000**	**157.1891**	**157.1891**	**0.0394**	**0.0000**	**158.0174**

3.4 Building Construction - 2015

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	0.0000	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
Worker	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
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**	**0.0000**	**0.0000**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Total					

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

4.4 Fleet Mix

LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
0.385104	0.051986	0.133062	0.174832	0.051556	0.006108	0.013415	0.169280	0.002018	0.002309	0.007111	0.001149	0.002070

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	0.0000	0.0000	0.0000	0.0000	0.0000
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
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

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					
Other Non-Asphalt Surfaces	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					
Other Non-Asphalt Surfaces	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**

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Other Non-Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Total		**0.0000**	**0.0000**	**0.0000**	**0.0000**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Other Non-Asphalt Surfaces	0	0.0000	0.0000	0.0000	0.0000
Total		**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	tons/yr										MT/yr					
Mitigated	0.0000	0.0000	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
Unmitigated	0.0000	0.0000	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-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	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					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	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
Total	**0.0000**	**0.0000**	**1.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**2.0000e-005**	**2.0000e-005**	**0.0000**	**0.0000**	**2.0000e-005**

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	0.0000					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0000					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	1.0000e-005	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	2.0000e-005	2.0000e-005	0.0000	0.0000	2.0000e-005
Total	**0.0000**	**0.0000**	**1.0000e-005**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**2.0000e-005**	**2.0000e-005**	**0.0000**	**0.0000**	**2.0000e-005**

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

10.0 Vegetation

APPENDICE C

BIOLOGICAL EVALUATION

FINAL

Biological Technical Report

CED Corcoran Solar 2, LLC

And

CED Corcoran Solar 3, LLC

Prepared For:

Con Edison Development

Prepared By:

Heritage Environmental Consultants

May 2014

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1.0 Introduction

This report describes the biological resources on the CED Corcoran Solar 2 and CED Corcoran Solar 3 project sites ("Project Site") and the potential effects of the proposed projects on those resources, along with any recommended mitigation.

1.1 Project Location

The Project Site is located in the San Joaquin Valley, approximately two miles northwest of the city of Corcoran, in eastern Kings County, California (**Figure 1**), at an elevation of approximately 210 to 215 feet above mean sea level. The project site consists of two separate areas, labeled **A** and **B** in **Figure 1**. Area A is approximately 135 acres in size and Area B is 40 acres. Area A is bounded on the east by the Sweet irrigation canal, on the southwest by State Highway 43, and on the northeast by the west branch of the Lakeland irrigation canal. Area B is bounded on the south by Nevada Avenue, on the west by the Sweet irrigation canal, on the east by the Corcoran West project. The north edge of Area B is based on parcel lines, not specific geographic features. Collectively, these areas are located in Sections 28 and 33, Township 20 South, Range 22 East, M.D.B.M., on the Waukena, CA United States Geological Survey (USGS) 7.5-minute quadrangle (quad) map.

1.2 Project Description

The proposed CED Corcoran Solar 2 and CED Corcoran Solar 3 solar generation facilities (the "Projects") are to be located on contiguous lots totaling 170 acres in eastern Kings County, California, 219 miles southeast of the City of Sacramento and 66 miles north of the City of Bakersfield (the "Project Site").

The proposed Projects involve the construction of two solar energy-generating facilities and associated infrastructure to provide a total generating capacity of 39.75 MWac. The Projects are intended to operate year round and would generate electricity during daylight hours.

Each Project would consist of the following components: (1) PV modules; (2) mounting structures; (3) inverters and transformers; (4) electrical collection and distribution system; (5) generation step-up transformer; (6) on-site switchgear, and (7) an on-site substation. Power generated from each of the Projects would be delivered from the via separate new gen-tie lines to existing 115kV power lines.
The CED Corcoran Solar 2 facility would connect with the previously approved Corcoran West facility (CUP 10-3) and have a total installed generating capacity of 19.75MW. The CED Corcoran Solar 3 facility would have a total installed capacity of 20MWac.

1.3 Regulatory Environment

The following federal and state environmental laws, regulations, and policies apply to the proposed Project.

1.3.1 Federal

Endangered Species Act. The Endangered Species Act of 1973 (16 United States Code [U.S.C.] 1531–1544) as amended (ESA) protects federally listed threatened and endangered species from unlawful take. "Take" under the ESA includes activities such as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." The U. S. Fish and Wildlife Service (USFWS) regulations define harm to include some types of "significant habitat modification or degradation."

Migratory Bird Treaty Act. The Migratory Bird Treaty Act of 1918 (MBTA; 16 U.S.C. 703 et seq.) is a federal statute that implements treaties with several countries on the conservation and protection of migratory birds. The species covered by the MBTA are listed at 50 Code of Federal Regulations (CFR) 10.13, but generally includes the majority of bird species native to North America. The regulatory definition of "migratory bird" is broad, and includes any mutation or hybrid of a listed species and any part, egg, or nest of such birds (50 CFR 10.12). The MBTA, which is administered by USFWS, makes it unlawful "by any means or in any manner, to pursue, hunt, take, capture, [or] kill" any migratory bird, or attempt such actions, except as permitted by regulation. The applicable regulations prohibit the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations (50 CFR 21.11).

Figure 1– Topo Base

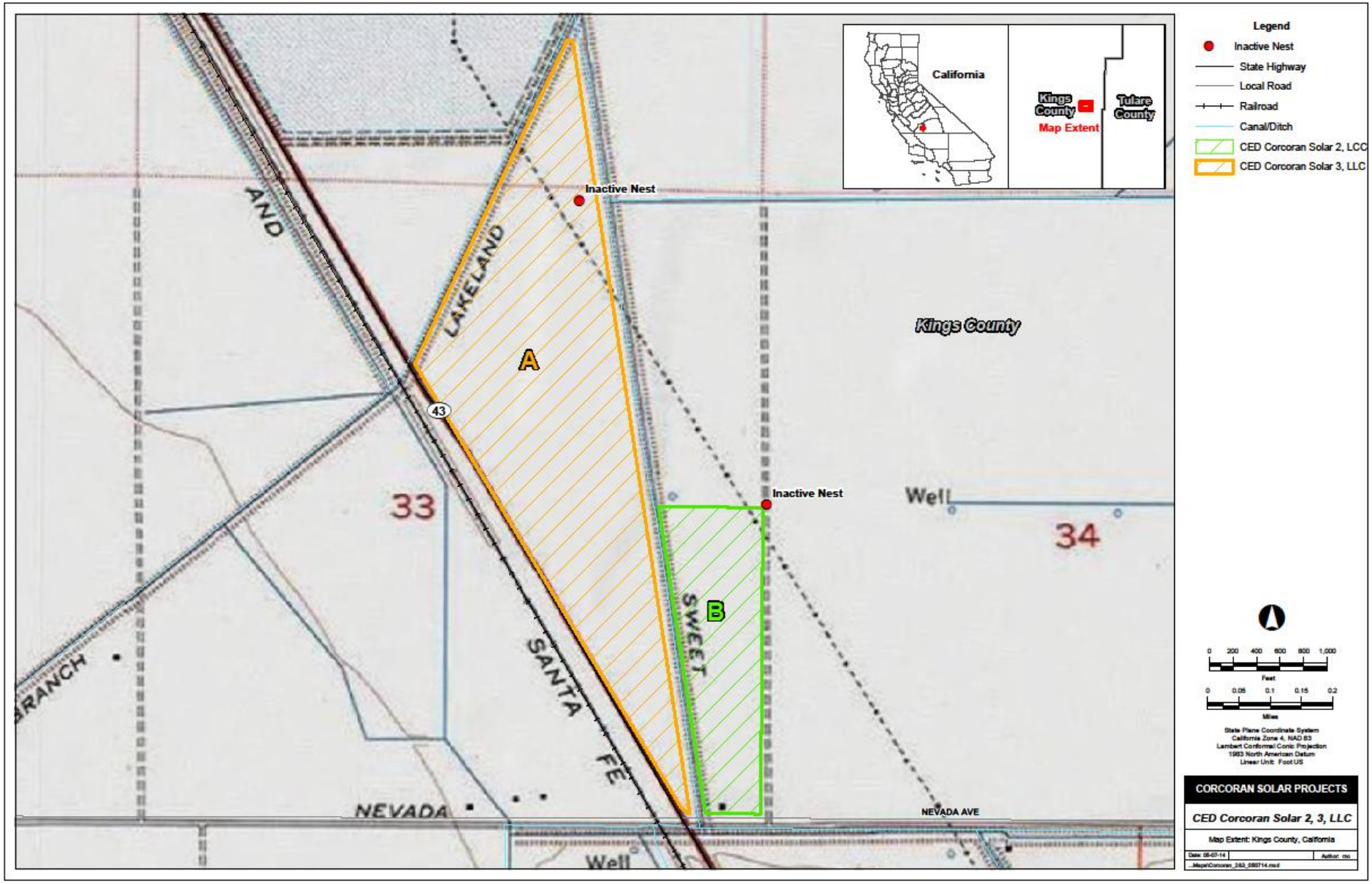
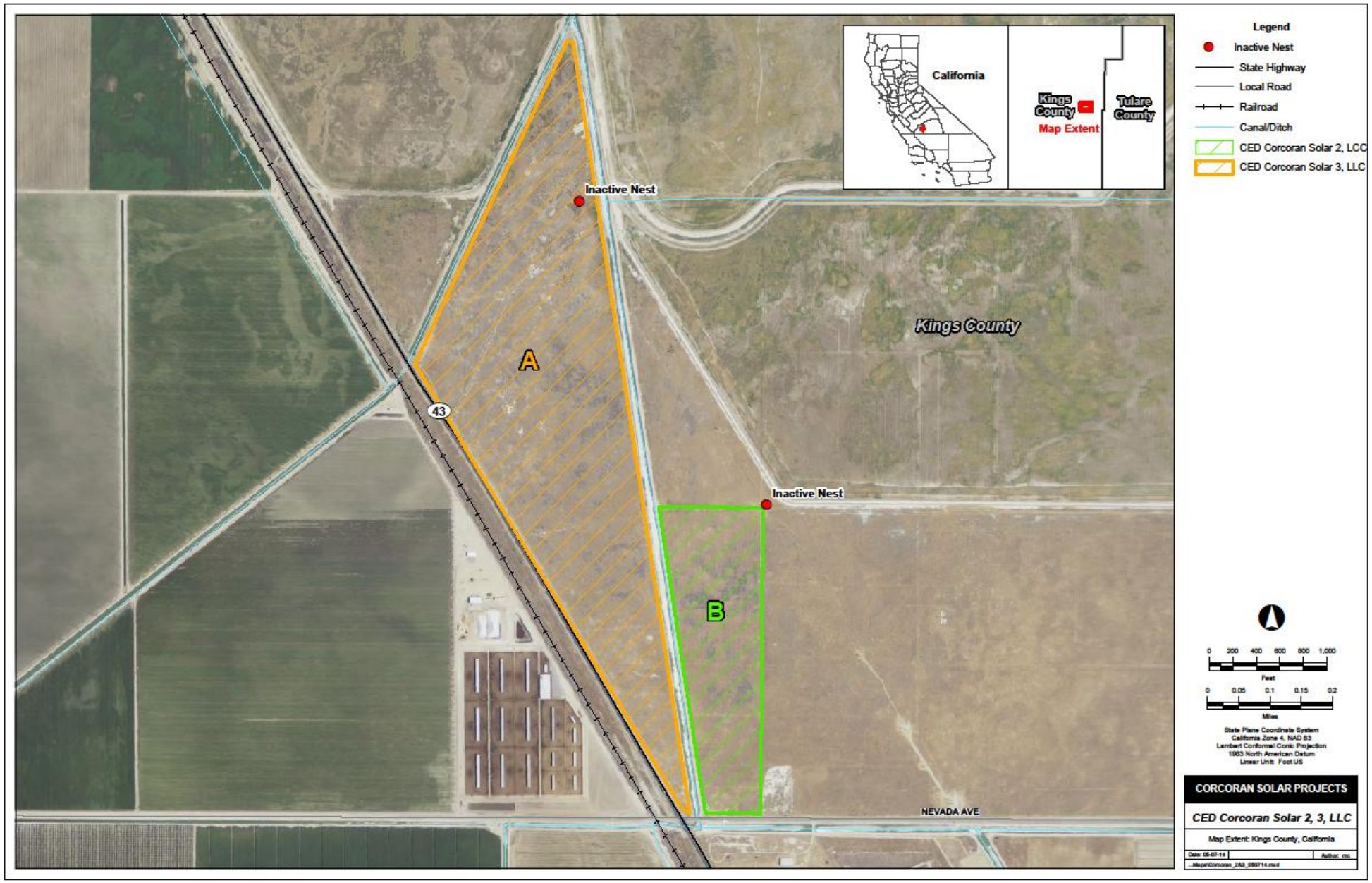


Figure 2– Aerial Base



Bald and Golden Eagle Protection Act. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c), enacted in 1940 and as amended, prohibits anyone without a permit issued by the USFWS from "taking" bald and golden eagles, including their parts, nests, or eggs. The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." For purposes of these guidelines, "disturb" means: "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

Federal Water Pollution Control Act (Clean Water Act). The Clean Water Act (CWA; 33 USC 1251 et seq.), as amended, provides a structure for regulating the discharge of pollutants into the waters of the U.S. Through this Act, the Environmental Protection Agency is given the authority to implement pollution control programs. These include setting wastewater standards for industry and water quality standards for contaminants in surface waters. The discharge of any pollutant from a point source into navigable waters is illegal unless a permit under its provisions is acquired. In California, the State Water Resources Control Board (SWRCB) and the nine Regional Water Quality Control Boards (RWQCBs) are responsible for implementing the CWA. Section 404 of the CWA regulates the discharge of dredged, excavated, or fill material in wetlands, streams, rivers, and other waters of the U.S. The U.S. Army Corps of Engineers (ACOE) is the federal agency authorized to issue Section 404 Permits for certain activities conducted in wetlands or other waters of the U.S. Section 401 of the CWA grants each state the right to ensure that the State's interests are protected on any federally permitted activity resulting in any discharge into navigable waters within the State. In California, the RWQCBs are the agencies mandated to ensure protection of the State's waters. For a proposed project that requires an ACOE CWA Section 404 permit, the RWQCB must certify that such discharge complies with state water quality standards through a Water Quality Certification determination (Section 401).

1.3.2 State

California Endangered Species Act. The California Endangered Species Act of 1984 (CESA) provides a framework for the listing and protection of wildlife species determined to be threatened or endangered in California. "Take" is defined by the state of California as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" (California Fish and Game Code, Section 86).

California Fish and Game Code 3503.5. Raptors (birds of prey) and active raptor nests are protected by the California Fish and Game Code 3503.5, which states that it is "unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird" unless authorized (California Department of Fish and Game [CDFG] 1991).

California Fish and Game Code 3503. Bird nests and eggs are protected by the California Fish and Game Code 3503, which states "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."

California Fish and Game Code 3513. Protects California's migratory birds by making it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame birds.

State of California Fully Protected Species. The classification of Fully Protected was the State'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 fish, mammals, amphibians and reptiles, birds, and mammals. Most fully protected species have also been listed as threatened or endangered species under ESA and/or

California Endangered Species Act (CESA). Fully Protected 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 necessary scientific research and relocation of the bird species for the protection of livestock.

California Fish and Game Code, Section 1600, as amended. Under Section 1602 of the Fish and Game Code, CDFG regulates activities that would divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake that supports fish or wildlife. CDFG has jurisdiction over riparian habitats associated with watercourses. Jurisdictional waters are delineated by the outer edge of riparian vegetation or at the top of the bank of streams or lakes, whichever is wider. CDFG jurisdiction does not include tidal areas or isolated resources. Section 1602 of the Fish and Game Code requires any person who proposes a project that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake or use materials from a streambed to notify the CDFG before beginning the project. If the CDFG determines that the project may adversely affect existing fish and wildlife resources, a Lake or Streambed Alteration Agreement is required.

Native Plant Protection Act. The Native Plant Protection Act (*California Fish and Game Code Section. 1900-1913*; NPPA) prohibits the taking, possessing, or sale within the state of any plant listed by CDFG as rare, threatened, or endangered. An exception to this prohibition in the Act allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify CDFG at least 10 days prior to the initiation of activities that would destroy them. The NPPA exempts from the "take" prohibition "the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way."

California Environmental Quality Act (CEQA). The California Environmental Quality Act of 1970 (CEQA), Public Resources Code (PRC) 21100 et seq., requires lead agencies to evaluate the environmental impact associated with a proposed project. CEQA requires that a local agency prepare an Environmental Impact Report (EIR) on any project it proposes to approve that may have a significant effect on the environment. The purpose of an EIR is to provide decision-makers, public agencies, and the general public with an objective document that fully discloses the potential environmental effects of a proposed project. The EIR process is specifically designed to objectively evaluate and disclose potentially significant direct, indirect, and cumulative impacts of a proposed project; to identify alternatives that may reduce or eliminate a project's significant effects; and to identify feasible measures that mitigate significant effects of a project. In addition, CEQA requires that an EIR identify those adverse impacts that remain significant after mitigation.

Porter–Cologne Water Quality Control Act, as amended. The Porter–-Cologne Act grants the State Water Resource Control Board (SWRCB) and the RWQCBs power to protect water quality and is the primary vehicle for implementation of California's responsibilities under the federal Clean Water Act. Any person proposing to discharge waste within any region must file a report of waste discharge with the appropriate regional board.

2.0 Study Methods

This section of the report describes the methods used during the pre-field review and the field survey.

2.1 Pre-field Review

A pre-field review of multiple sources was conducted to determine which biological resources may be of concern at the Project Site. The U. S. Fish and Wildlife Service's online Information, Planning, and Conservation System (IPaC) tool was used to investigate listed species, critical habitat, and National

Wetlands Inventory (NWI) information available for the project site. The California Natural Diversity Database (CNDDB) was queried using a 10-mile radius around the Project Site (**Figure 3**) (California Department of Fish and Wildlife [CDFW] 2014a). In addition, the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants (CNPS 2014) was queried for the Waukena USGS 7.5-minute quad map and the surrounding eight quads (Corcoran, El Rico Ranch, Guernsey, Goshen, Hanford, Paige, Remnoy, and Taylor Weir). Finally, the Initial Study and Mitigated Negative Declaration for the Corcoran and Corcoran West projects (Provost and Pritchard 2011) was reviewed to determine if any resources discussed in that document might not have been identified through the database queries. The special status species identified through the database searches and literature review are displayed in **Table 1**, which also lists the status, habitat and life history, geographic range, and specific occurrence records for each species. No NWI mapped wetlands were identified on the Project Site.

2.2 Field Survey

The field survey was conducted on March 25, 2014. The weather was mostly sunny, with scattered high clouds, and warm (approximately 70 to 75 degrees Fahrenheit), with light winds from the west and southwest. Areas A and B were surveyed by qualified biologists on foot to identify general site conditions and the potential for any special status species or their habitats to be present. Photographs were taken at each corner of each area and (in the case of Area A) at intermediate points, looking across the general area. Representative photographs are provided in **Appendix A**. Dominant vegetation was identified and recorded. All wildlife species observed were identified and recorded. Nests were investigated to determine if they were currently in use or had been abandoned. Detailed field notes were taken on site conditions, vegetation and habitats, and the potential for special status species to use the site. As needed, GPS was used to navigate across the site and record the location of relevant site features. The results of the field survey are summarized in **Table 1** and discussed in the Existing Conditions section of this report.

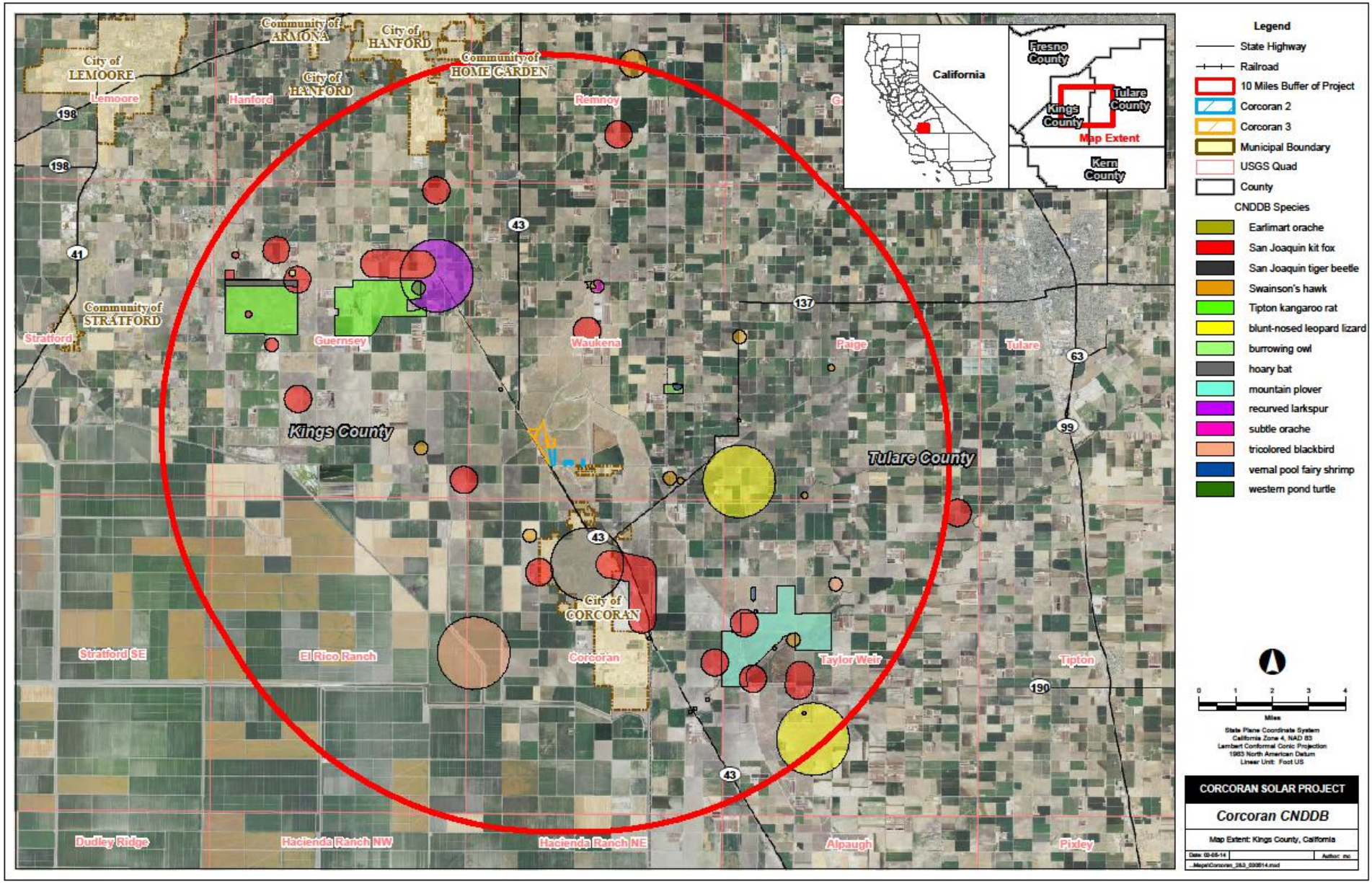


Figure 3. Corcoran Solar 2 & 3 Project Sites, CNDDB Search Results

Table 1 Special Status Species, Corcoran 2 and Corcoran 3 Projects

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Birds					
Burrowing owl (*Athene cunicularia)*	SSC	A yearlong resident of open, dry grassland and desert habitats. Uses rodent or other burrows for roosting and nesting cover. Pipes, culverts, and nest boxes used where burrows scarce. Burrowing owl nests have also been observed in buildings.	Throughout California in appropriate habitats and seasons. Yearlong resident of the Central Valley.	Three occurrences in CNDDB: 3 miles northeast, 5 and 9 miles southeast. Previously documented on Corcoran and Corcoran West sites.	Unlikely. Not observed on site. No potentially suitable burrows. Foraging not expected to occur.
Mountain plover (*Charadrius montanus)*	SSC	Population declining and very local; occasionally fairly common. Winter resident from September through March. Uses open grasslands, plowed fields with little vegetation, and open sagebrush areas. Often roosts in depressions such as ungulate hoof prints and plow furrows.	The Central Valley south to the Imperial Valley and other low elevation, suitable habitats	One occurrence in CNDDB: 6 miles southeast	Possible. Not observed on site. Intermittent winter foraging possible.
Swainson's hawk (*Buteo swainsoni)*	ST	Uncommon breeding resident and migrant. Breeds in stands with few trees in juniper-sage flats, riparian areas, and oak savannah. Forages in adjacent grasslands, suitable grain or alfalfa fields, or livestock pastures. Nests above ground on a platform of sticks, bark, and fresh leaves. Home ranges of 1 to 2 square miles)	Summer (breeding season) resident of the Central Valley	15 occurrences in CNDDB (one extirpated, another possibly extirpated) scattered through area, the closest 1 mile northwest, several others 2 to 3 miles east, west, and south	Possible. Not observed on site. Transmission line through project site provides only potential nesting sites. Foraging not expected to occur.
Tricolored blackbird (*Agelaius tricolor)*	SSC	Common locally. Breeds near fresh water, preferably in emergent wetlands with dense cattails, but also in thickets of willow, blackberry, wild rose, tall herbs. Feeds in grassland and cropland. Roosts in large flocks in emergent wetlands or in trees. Highly colonial; nesting area must be large enough to support a minimum colony of about 50 pairs. Breeders may travel as far as 6.4 km (4 mi) from nest to feed. Highly gregarious in all seasons.	Yearlong resident of the Central Valley and coastal areas of California	Two occurrences in CNDDB, one 5 miles southwest (possibly extirpated) and one 8 miles southeast	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Table 1 Special Status Species, Corcoran 2 and Corcoran 3 Projects

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Mammals					
Hoary bat (*Lasiurus cinereus)*	n/a[1]	Habitats suitable for bearing young include woodlands and forests with medium to large trees and dense foliage from sea level to 4125 meters (13,200 feet). During migration in southern California, males are found in foothills, deserts and mountains; females in lowlands and coastal valleys. Generally roosts in dense foliage of medium to large trees. Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. This species is a moth specialist.	Throughout California in suitable habitats	One occurrence in CNDDB, 2 miles south	Unlikely. Not observed on site. No suitable habitat. Foraging not expected to occur.
San Joaquin kit fox (*Vulpes macrotis mutica)*	FE, ST	Open, level areas with loose-textured soils supporting scattered, shrubby vegetation with little human disturbance represent suitable habitats for kit foxes. Cover is provided by dens they dig in open, level areas with loose-textured, sandy and loamy soils. Some agricultural areas may support these foxes. Reported home ranges of 2.6 to 5.2 square kilometers (1.0 to 2.0 square miles).	Scattered throughout the San Joaquin Valley, including interior Coast Range and Sierra Nevada foothills	18 occurrences in CNDDB scattered through area, the closest 2 miles west, several others 2 to 3 miles north and south	Unlikely. Not observed on site. No potentially suitable burrows. Transient use possible; foraging not expected to occur.
Tipton kangaroo rat (*Dipodomys nitratoides nitratoides)*	FE, SE	Limited to arid-land communities occupying the valley floor of the Tulare Basin in level or nearly level terrain. They occupy alluvial fan and floodplain soils ranging from fine sands to clays with high salinity. Sparse to moderate shrub cover is associated with high population densities. Burrows are located on slightly elevated areas such as roadbeds, railroad grades, canal banks, and along fence posts and near shrubs where windblown soil accumulates. Soft sandy soils and fine soils with high salinity are associated with higher population densities. Terrain not subject to flooding is important for permanent occupancy.	Kern, Kings, and Tulare Counties, generally from the Tulare Lake Bed south to the southern end of the San Joaquin Valley	Two occurrences in CNDDB, 4 to 9 miles northwest	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Invertebrates					
San Joaquin tiger beetle (*Cicindela tranquebarica* ssp.[2])	n/a[3]	Distribution is limited to vernal pools, alkali wetlands and scalds, and nearby open areas.	San Joaquin Valley	One occurrence in CNDDB, 8 miles northwest.	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Table 1 Special Status Species, Corcoran 2 and Corcoran 3 Projects

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Vernal pool fairy shrimp (*Branchinecta lynchi)*	FT	Lives in ephemeral freshwater habitats, such as vernal pools and swales. This species has a sporadic distribution within vernal pool complexes wherein the majority of pools in a given complex typically are not inhabited by the species. The majority of known populations inhabit vernal pools with clear to tea-colored water, most commonly in grass or mud bottomed swales, or basalt flow depression pools in unplowed grasslands, but one population occurs in sandstone rock outcrops and another population in alkaline vernal pools. The water in pools inhabited by this species has low total dissolved solids (TDS), conductivity, alkalinity, and chloride.	Scattered across most of the Central Valley and along the central coast from Solano County to San Benito County. Disjunct populations exist in San Luis Obispo, Santa Barbara, and Riverside Counties, and near Medford, Oregon.	Three occurrences in CNDDB, the closest 3 miles northeast, the other two 5 to 6 miles southeast	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Amphibian					
Western spadefoot (*Spea hammondii)*	SSC	This species occurs primarily in grasslands, but occasional populations also occur in valley-foothill hardwood woodlands. Some populations persist for a few years in orchard or vineyard habitats. Rarely found on the surface. Most of the year is spent in underground burrows up to 0.9 m (36 in) deep, which they construct themselves. Some individuals also use mammal burrows. Breeding and egg laying occur almost exclusively in shallow, temporary pools formed by heavy winter rains.	Throughout the Central Valley, as well as valleys in the central and southern Coast Ranges.	None in the CNDDB search radius though documented to the northeast in the Goshen quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Reptiles					
Blunt-nosed leopard lizard (*Gambelia sila)*	FE, SE, SFP	Scarce resident of sparsely vegetated alkali and desert scrub habitats, on alkali flats, large washes, arroyos, canyons, and low foothills in areas of low topographic relief. Lizard population densities may be correlated with an abundance of vacated small mammal burrows.	Scattered throughout the San Joaquin Valley from Modesto south, including valleys in the interior Coast Range and Sierra Nevada foothills	Three occurrences in CNDDB, the closest 3 miles east, others 8 miles northwest and 9 miles southeast	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Western pond turtle (*Emys marmorata)*	SSC	Associated with permanent or nearly permanent water in a wide variety of habitats. Pond turtles require basking sites such as partially submerged logs, rocks, mats of floating vegetation, or open mud banks.	Throughout the Central Valley and Coast Ranges in suitable habitats.	One occurrence in CNDDB, 5 miles northwest	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Plants					

Table 1 Special Status Species, Corcoran 2 and Corcoran 3 Projects

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Earlimart orache (*Atriplex cordulata* var. *erecticaulis)*	CNPS 1B.2	Life form: Annual herb Flowering period: August to November Habitat: Valley and foothill grassland Elevation: 40 to 100 meters	The southern end of the Great Valley, generally south of Fresno and north of Bakersfield.	One occurrence in CNDDB, 4 miles north	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Heartscale (*Atriplex cordulata* var. *cordulata)*	CNPS 1B.2	Life form: Annual herb Flowering period: April to October Habitat: Saline or alkaline, chenopod scrub, meadows and seeps, valley and foothill grassland (sandy) Elevation: 0 to 560 meters	Scattered throughout the Great Valley from Willows to south of Bakersfield, with limited occurrence on the central coast and coast range, near the Sacramento-San Joaquin Delta and Livermore Valley.	None in the CNDDB search radius though documented to the northeast in the Goshen quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Lesser saltscale (*Atriplex minuscula)*	CNPS 1B.1	Life form: Annual herb Flowering period: May to October Habitat: Alkaline, sandy, chenopod scrub, playas, valley and foothill grassland Elevation: 15 to 200 meters	The southern half of the Great Valley, generally from Stockton south to Bakersfield, with limited occurrence on the central coast and coast ranges, near the Livermore Valley and the south end of San Francisco Bay.	None in the CNDDB search radius though documented to the northeast in the Goshen quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Mud nama (*Nama stenocarpum)*	CNPS 2B.2	Life form: Annual / perennial herb Flowering period: January to July Habitat: Marshes and swamps (lake margins, riverbanks) Elevation: 5 to 500 meters	On the Southern California coast, generally from Los Angeles south to San Diego, but also east towards Riverside and into the Imperial Valley near El Centro. Limited occurrence in the Great Valley.	None in CNDDB search radius though documented to the northwest in the Guernsey quad.	Absent. Not observed on site. No suitable habitat. Not expected to occur.

Table 1 Special Status Species, Corcoran 2 and Corcoran 3 Projects

Common and Scientific Name	Status	Habitat / Life History	Geographic Range	Pre-field Review Results	Field Survey Summary
Recurved larkspur (*Delphinium recurvatum)*	CNPS 1B.2	Life form: Perennial herb Flowering period: March to June Habitat: Alkaline, chenopod scrub, cismontane woodland, valley and foothill grassland Elevation: 3 to 790 meters	Scattered throughout the Great Valley from Chico to south of Bakersfield, on the central coast and coast range, from the Sacramento-San Joaquin Delta south, as far west as the Salinas Valley and south into the Carrizo Plain. Limited occurrence in the western Mojave Desert.	One occurrence in CNDDB, 4 miles northwest	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Subtle orache (*Atriplex subtilis)*	CNPS 1B.2	Life form: Annual herb Flowering period: June to October Habitat: Valley and foothill grassland Elevation: 40 to 100 meters	The southern end of the Great Valley, generally south of Modesto and north of Bakersfield.	One occurrence in CNDDB, 4 miles north	Absent. Not observed on site. No suitable habitat. Not expected to occur.
Vegetation Type					
Valley Sacaton Grassland	n/a			None in CNDDB search radius, though documented to the north and northeast in the Goshen and Remnoy quads.	Absent. Not observed on site.

Sources: Information on birds, mammals, amphibians, and reptiles from CDFW 2014b. Information on the San Joaquin tiger beetle from Kings River Conservation District 2007. Information on the vernal pool fairy shrimp from USFWS 2002. Information on special status plants from CNPS 2014.

[1] The hoary bat was formerly considered a SSC, but is not on the current list (CDFW 2011). It is included here because it continues to be tracked by the CNDDB, despite its lack of legal status.

[2] A described subspecies of the widespread *Cicindela tranquebarica* (Knisley and Haines 2007).

[3] The San Joaquin tiger beetle was formerly listed as a "Category 2" candidate species by the USFWS (1994). However, the candidate listing system was revised and this species was not carried forward as a candidate. It is included here because it continues to be tracked by the CNDDB, despite its lack of legal status.

Status Codes

FE	Federally Endangered	SE	State Endangered
FT	Federally Threatened	ST	State Threatened
		SFP	State Fully Protected
		SSC	State Species of Special Concern

CNPS Codes

1B.1	Rare, Threatened, or Endangered in California and Elsewhere, Seriously Threatened in California
1B.2	Rare, Threatened, or Endangered in California and Elsewhere, Moderately Threatened in California
2B.2	Rare, Threatened, or Endangered in California, but More Common Elsewhere, Moderately Threatened in California

Potential Occurrence Codes

Present	Species observed on the site at time of field surveys or during recent past.
Likely	Species not observed on the site, but it may reasonably be expected to occur there on a regular basis.
Possible	Species not observed on the site, but it could occur there from time to time.
Unlikely	Species not observed on the site, and would not be expected to occur there except, perhaps, as a transient.
Absent	Species not observed on the site, and precluded from occurring there because habitat requirements not met.

3.0 Existing Conditions

This section discusses the specific findings of the database search, literature review, and field survey of the Project Site. Specific findings at each of the two areas (**A** and **B**, **Figure 1**) are described in terms of natural features, vegetation, wildlife habitat, and special status species observed or expected to occur.

3.1 Physical Setting

The Project Site is located near the center of the San Joaquin Valley, about 30 miles east of the Coast Ranges and 30 miles west of the Sierra Nevada Mountains. The Project Site is near the edge of the Tulare Basin ecological subsection, an area formerly covered by a permanent lake, but now subject to flooding only in wet years because of diversion of tributary streams for agricultural use (U.S. Department of Agriculture, Forest Service [USFS] 1997). Soils are a roughly even split of the Goldberg loam (drained) and the Lakeside Loam (partially drained), which are formed on flat to nearly flat surfaces from alluvium and tend to have a substantial clay component (Natural Resource Conservation Service 2014). Both of these soils are somewhat poorly drained and very slightly to moderately saline.

3.2 Land Use

The site has been used in the past for agriculture and livestock grazing. Similar land uses surround the Project Site. Immediately east of Area B is the permitted, but not yet developed, Corcoran West Solar project (Figure 1). It is currently fallow agricultural land and has been plowed. Nevada Avenue lies directly to the south of Areas A and B, across which is more fallow agricultural land. State Highway 43 and a railroad line run on the west side of Area A. Across this corridor are active agricultural fields and a dairy operation. To the north and northeast is primarily fallow agricultural land that is currently used for livestock grazing and shows signs of significant past soil disturbance, including old ditches, debris piles, and ruderal vegetation. Several levees, roads, and irrigation canals cross this area.

3.3 General Vegetation

Area A is a 135-acre block that was previously fallow agriculture and has been recently plowed (**Photographs 1** and **2**). Vegetation is almost entirely lacking, except at the base of the irrigation canal levee and other small areas that were not plowed. What little vegetation exists is poorly developed because of the recent drought and difficult to identify, except for western ragweed, tumbleweed, and saltgrass (*Distichlis spicata*).

Area B is a 40-acre block that was previously fallow agriculture and has been recently plowed (**Photographs 3** and **4**). Vegetation is almost entirely lacking, except at the base of the irrigation canal levee (**Photograph 3**) and other small areas that were not plowed, such as along fence lines (**Photograph 4**). This vegetation is poorly developed because of the recent drought and difficult to identify, except for western ragweed (*Ambrosia psilostachya*), tumbleweed (*Salsola* sp.), London rocket (*Sisymbrium irio*), filaree (*Erodium* sp.), and a brome grass (perhaps *Bromus hordeaceous* or *B. madritensis*).

3.4 Riparian Habitat and Sensitive Natural Communities

No riparian habitat or other sensitive natural communities were observed in Area A or Area B. The results of the CNDDB query indicated the potential for Valley Sacaton Grassland to be present at the Project Site. This native plant community was not observed at the site. Past agricultural land use and current conditions preclude occurrence of Valley Sacaton Grasslands on the Project Site.

3.5 General Wildlife

An inactive nest was observed on a transmission line structure at the northeast corner of Area B (**Figure 1**). An inactive nest was observed on a transmission line structure near the north end of Area A (**Figure 1** and **Photograph 2**). Investigations underneath the structure identified old whitewash and a few old mammalian prey remains. The nest itself is somewhat frayed around the edges and shows no signs of recent use. Over the course of the field survey, several red-tailed hawks (*Buteo jamaicensis*) were observed over the Project Site, but were not observed perching on the structure with the nest.

A western grebe (*Aechmophorus occidentalis*), several double-crested cormorants (*Phalacrocorax auritus*), a snowy egret (*Egretta thula*), and an American coot (*Fulica americana*) were observed in the Sweet irrigation canal (outside Areas A and B), which despite a near complete lack of vegetation provides limited foraging opportunities for water birds. Several mounds created by gophers (presumably *Thomomys bottae*) were observed on the levee and in the road on the west side of the Sweet irrigation canal. No other animal burrows or signs of concentrated wildlife use were observed in Area A or Area B. Both Area A and Area B have extremely limited value as wildlife or native plant habitat based on their current, active agricultural use.

3.6 Wildlife Corridors and Nursery Sites

Wildlife corridors connect suitable habitats in areas otherwise fragmented by terrain, changes in vegetation, or human land uses. Natural features such as drainages, ridgelines, or areas with vegetation cover provide corridors for wildlife travel. Habitat connectivity provided by corridors and linkages is important in providing access to mates, food, and water; allowing the dispersal of individuals away from high-density areas; and facilitating the exchange of genetic traits between populations. No specific studies of wildlife movement were conducted; however, the Project Site does not appear to provide habitat connectivity because much of the surrounding area is also used for agriculture and does not provide high quality habitat. Other than the active crow nests observed on the transmission line, Areas A and B do not provide any potential wildlife nursery sites because of the extensive past use of the Project Site for agriculture and current conditions.

3.7 Special Status Species

No special status species of plants or wildlife were observed on the project site during the field survey. Areas A and B are unsuitable for the majority of special status species considered because of their past agricultural land use and current condition. Some of the more mobile species may occasionally pass through the area while foraging or traveling between more suitable habitats nearby. The remainder of this section discusses the potential use of the Project Site by each of the special status species considered.

3.7.1 Special Status Plants

Suitable habitat for one or more of the six special status plant species considered in this report (Earlimart orache, heartscale, lesser saltscale, mud nama, recurved larkspur, and subtle orache) may have been present on the site before its conversion to agricultural lands use. Extensive past use of the project site for agriculture and current conditions preclude occurrence of any of these six special status plant species.

3.7.2 Special Status Wildlife

This section discusses each special status species individually.

3.7.2.1 Burrowing Owl

No nesting or roosting is expected on the Project Site because no burrows suitable for use by this species were observed. Foraging individuals may occasionally pass through the area; however, the minimal vegetation present is not expected to support populations of suitable prey species, such as grasshoppers, that could attract foraging burrowing owls.

3.7.2.2 Mountain Plover

Mountain plovers are known to use agricultural lands, including plowed fields, in the winter. Despite the highly disturbed nature of the project site, the possibility remains that mountain plovers could forage for short periods of time in the winter. There is ample foraging habitat for mountain plovers in the area surrounding the Project Site and in the region.

3.7.2.3 Swainson's Hawk

The transmission line that passes through Area A and near Area B provides the only nesting opportunities for the Swainson's hawk at the Project Site. During the field survey, each transmission line structure was investigated for the presence of nests. One inactive nest of unknown origin was observed in Area A. No other nests were found. Swainson's hawks may pass over the Project Site while foraging; however, the lack of habitat for suitable prey is expected to preclude active foraging.

3.7.2.4 Tri-colored Blackbird

No patches of dense cattails or other vegetation are present on or immediately adjacent to the project site. This species is not expected to occur on or near the Project Site.

3.7.2.5 Hoary Bat

No patches of medium to large trees with dense foliage are present on or immediately adjacent to the project site; therefore, no roosting is expected. Foraging use is unlikely because of the low quality of habitat for suitable prey. Any use of the Project Site would be transient, by individuals foraging nearby or by migrating individuals.

3.7.2.6 San Joaquin Kit Fox

No burrows suitable for use by the kit fox were observed in or immediately adjacent to the Project Site. The Project Site could be accessed by kit foxes traveling through adjacent agricultural lands. Any such use is expected to be transient because of the poor quality of habitat for potential prey species, such as rodents, on the project site.

3.7.2.7 Tipton Kangaroo Rat

Past agricultural land use and current conditions preclude use of the Project Site by the Tipton kangaroo rat.

3.7.2.8 San Joaquin Tiger Beetle

No vernal pools or alkali wetlands and scalds were observed on or immediately adjacent to the Project Site, nor is there any potential for these habitat features to develop. Past agricultural land use and current conditions preclude use of the Project Site by the San Joaquin tiger beetle.

3.7.2.9 Vernal Pool Fairy Shrimp

No vernal pools or swales were observed on or immediately adjacent to the Project Site, nor is there any potential for these habitat features to develop. Past agricultural land use and current conditions preclude use of the Project Site by the vernal pool fairy shrimp.

3.7.2.10 Western Spadefoot Toad

No breeding pools were observed on or immediately adjacent to the Project Site, nor is there any potential for these habitat features to develop. Past agricultural land use and current conditions preclude use of the Project Site by the western spadefoot toad.

3.7.2.11 Blunt-nosed Leopard Lizard

No alkali or desert scrub habitats were observed on or immediately adjacent to the Project Site. Past agricultural land use and current conditions preclude use of the Project Site by the blunt-nosed leopard lizard.

3.7.2.12 Western Pond Turtle

No permanent water is present on or immediately adjacent to the Project Site. Nearby irrigation ditches lack appropriate basking sites. The western pond turtle is not expected to occur based on the lack of suitable or potentially suitable habitat.

3.8 Jurisdictional Waters

No wetlands, Waters of the U. S., or Waters of the State were observed in Areas A or B.

3.9 Local Policies or Ordinances Protecting Biological Resources

The proposed project is subject to several provisions of the Kings County General Plan that protect biological resources.

3.10 Local, Regional, or State Conservation Plans

The Project Site is located within the Kern Water Bank Habitat Conservation Plan (HCP)/ Natural Community Conservation Plan (NCCP) and PG&E's Operations and Maintenance HCP service areas. There are no other approved HCPs, NCCPs, regional, or state HCPs in effect near the Project Site.

4.0 Environmental Consequences

This section of the report describes the potential effects of the proposed project on the biological resources present on the Project Site.

4.1 Significance Criteria

A significant effect on the environment is defined as a substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic interest. Specific effects to biological resources may be considered significant if they:

1) 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 CDFW or USFWS;

2) 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 CDFW or USFWS;

3) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act through direct removal, filling, hydrological interruption, or other means;

4) 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 site; reduce substantially the habitat of a fish or wildlife species, including causing a fish or wildlife population to drop below self-sustaining levels or threaten to eliminate an animal community;

5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or

6) Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Furthermore, CEQA Guidelines Section 15065 states that a project may trigger the requirement to make a mandatory findings of significance if the project has the potential to subsequently degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range on an endangered, rare or threatened species, or eliminate important examples of the major periods of California history or prehistory.

4.2 General Vegetation

The proposed Projects would not have a substantial effect on the general vegetation of the Project Site because the entire site has been recently plowed and is generally void of any vegetation. The minor remnants of ruderal vegetation along levees and fence lines would likely remain during and after project construction.

4.3 Riparian Habitat and Sensitive Natural Communities

The proposed Projects would not have an effect on riparian habitat or sensitive natural communities because these resources are not present on the Project Site.

4.4 General Wildlife

The proposed Projects would not have a substantial effect on wildlife in general because the Project Site currently represents unsuitable habitat for most wildlife species. Those areas of highest wildlife value (for example, the irrigation canals that provide limited foraging opportunities for waterfowl and the transmission line structures that provide nesting substrates for crows) would not be affected by the proposed project. These areas would retain their current value for wildlife. The plowed agricultural fields that comprise the majority of the Project Site do not provide breeding or cover habitats for any wildlife species. Foraging is also extremely limited because of the lack of vegetation. Once construction is

complete, vegetation management will be limited to that needed for reduction of fire hazard, maintenance of access, and weed control.

4.5 Wildlife Corridors and Nursery Sites

The proposed Projects would not have a substantial effect on wildlife corridors because the Project Site does not appear to function as a wildlife corridor. Once the project is completed, movement of wildlife species through the area is not expected to be substantially altered.

4.6 Special Status Plants

The proposed Projects would not affect any of the six special status plant species assessed because they are not present on the Project Site. Suitable habitats for these species are not present on the Project Site and past and ongoing agricultural practices preclude development of suitable habitats.

4.7 Special Status Wildlife

Of the 12 special-status wildlife species assessed for this Project, seven are not expected to occur on the Project Site because there are no suitable habitats present and because past and ongoing agricultural practices preclude development of suitable habitats. These seven species would not be affected by the proposed project. The remaining five species are discussed below.

4.7.1.1 Burrowing Owl

The proposed Projects would not affect breeding burrowing owls because no burrows suitable for use by this species exist on the Project Site. The project is also not expected to affect foraging owls because the minimal vegetation present does not support populations of suitable prey species, such as grasshoppers. Burrowing owls may occasionally pass over the site or stop briefly in the area while foraging nearby. The risk of injury or mortality to these transient individuals from construction or operation of the project is minimal and would not approach the level of significance. Similarly, the loss of unsuitable to poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby.

4.7.1.2 Mountain Plover

The proposed project would cause the loss of 175 acres of potential wintering habitat for mountain plovers; however, this loss would not approach the level of significance because of the abundance of similar habitat available nearby and in the region. If construction begins in the winter months, any mountain plovers present on the project site would be displaced to nearby habitat because they are a very mobile species. The risk of injury or mortality to these individuals from construction of the project is minimal and would not approach the level of significance.

4.7.1.3 Swainson's Hawk

The transmission towers located in Area A and near Area B would not be altered by the proposed Projects and would continue to provide nesting opportunities for the Swainson's hawk. Pre-construction surveys (**section 5.0**) would be implemented to identify active nests. If an active nest is identified, appropriate buffers would be implemented in consultation with the CDFW. Individuals may occasionally pass over the site or stop briefly in the area while foraging nearby. The risk of injury or mortality to these transient individuals from construction or operation of the project is minimal and would not approach the level of

significance. Similarly, the loss of unsuitable to poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby.

4.7.1.4 Hoary Bat

The proposed project would not affect roosting bats because no roost sites suitable for use by this species exist on the Project Site. The project is also not expected to affect foraging bats because the minimal vegetation represents poor quality habitat for suitable insect prey. Hoary bats may occasionally pass over the site while foraging nearby or migrating through the area. The risk of injury or mortality to these transient individuals from construction or operation of the project is minimal and would not approach the level of significance. Similarly, the loss of poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby.

4.7.1.5 San Joaquin Kit Fox

The proposed project would not affect breeding kit foxes because no burrows suitable for use by this species exist on the Project Site. The project is also not expected to affect foraging foxes because the minimal vegetation present does not support populations of suitable prey species, such as rodents. Kit foxes may occasionally pass through the project site in transit between suitable foraging/denning areas. Several mitigation measures (**section 5.0**) based on the USFWS Standardized Recommendations For Protection Of The Endangered San Joaquin Kit Fox Prior To Or During Ground Disturbance (USFWS 2011) (**Appendix B**) will be implemented to reduce the risk of adverse effects to kit foxes. Assuming these measures are properly implemented, the risk of injury or mortality to these transient individuals from construction or operation of the project would be minimal and would not approach the level of significance. The loss of unsuitable to poor quality foraging habitat from project construction would not approach the level of significance, considering the extent of higher quality habitat available nearby.

4.8 Jurisdictional Waters

The proposed project will have no impact on jurisdictional waters because these resources do not appear to be present on the Project Site.

4.9 Local Policies or Ordinances Protecting Biological Resources

The proposed project would not conflict with the goals and policies of the Kings County General Plan that protect biological resources.

4.10 Local, Regional, or State Conservation Plans

The development of the proposed project would not conflict with the operation or goals of the Kern Water Bank HCP/NCCP. The portion of the project at the connection to 115-kV line may be covered under the PG&E HCP. The project would not conflict with the PG&E HCP.

5.0 Recommended Mitigation

The following best management practices and mitigation measures are recommended to minimize effects to biological resources from project construction and operation. Implementation of these measures will ensure that the potential effects of the project are reduced to a less than significant level.

1. A qualified biologist should conduct a pre-construction survey for nesting birds (including raptors) on and closely adjacent to the Project Site no more than 30 days prior to any ground disturbance, if ground disturbance is to occur during the breeding season (February 1 to August 31). These surveys should be based on the accepted protocols (for example, the current Swainson's hawk protocol) for the target species. If an active nest is detected, an appropriate construction buffer may be needed. The actual size of the buffer would depend on species, topography, and type of construction activity that would occur near the nest, and would be determined in consultation with the CDFW and USFWS.

2. A qualified biological monitor should be present while ground-disturbing activities are occurring if it is determined that sensitive resources are present on or closely adjacent to the Project Site and those resources may be affected by project activities. In addition to conducting pre-construction surveys for the project, the biological monitor should: 1) aid crews in satisfying take avoidance criteria and implementing project mitigation measures, 2) document all pertinent information concerning project effects on sensitive species, and 3) assist in minimizing the adverse effects of project activities on sensitive species. The biological monitor should be empowered to order cessation of activities if take avoidance or mitigation measures are violated.

3. Project-related vehicles should observe a daytime speed limit of 20 miles per hour throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Nighttime construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10 miles per hour. Off-road traffic outside of designated project areas should be prohibited.

4. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks should be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW should be contacted as noted under measure 16 referenced below.

5. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

6. All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from the Project Site.

7. No firearms should be allowed on the Project Site.

8. No pets, such as dogs or cats, should be permitted on the Project Site to prevent harassment, mortality of kit foxes, or destruction of dens.

9. Use of rodenticides and herbicides in project areas should be restricted. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.

10. All spills of hazardous materials should be cleaned up immediately.

11. A representative should be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative should be identified during the employee education program and their name and telephone number should be provided to the USFWS.

12. A qualified biologist should conduct a sensitive species education program for all project personnel. Topics to be discussed should include: occurrence and distribution of sensitive species in the project area (including the San Joaquin kit fox), take avoidance measures being implemented during the project, reporting requirements if incidental take occurs, and applicable definitions and prohibitions under the Endangered Species Act. A fact sheet conveying this information should be prepared for distribution to project personnel.

13. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS should be contacted for guidance.

14. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox should immediately report the incident to their representative. This representative should contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The USFWS should be contacted at Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-1846, (916) 414-6620 or (916) 414-6600.

15. The Sacramento Fish and Wildlife Office and CDFW should be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers in measure 16 above. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.

16. New sightings of kit fox or any other special status species should be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the species was observed should also be provided to the USFWS at the address in measure 16 above.

6.0 References

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Appendix A Representative Photographs

Photograph 1. Area A, from the south end, looking north. The Sweet irrigation canal is on the right side, State Highway 43 on the left side.

Photograph 2. Area A, from the north end, looking south. The Sweet irrigation canal is on the left. The vegetation on the right is a narrow patch of giant reed (*Arundo donax*), located across the west branch of the Lakeland canal, west of the Project Site.

Photograph 3. Area B from the northwest corner, looking south. The Sweet irrigation canal, levee, and road are on the right. The majority of the area has been recently plowed, but small patches of ruderal vegetation remain in unplowed areas (left foreground).

Photograph 4. Area B from the southeast corner, looking west. Nevada Avenue is on the left and trucks can be seen on State Highway 43 in the background.

Appendix B U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance

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

Prepared by the Sacramento Fish and Wildlife Office
January 2011

INTRODUCTION

The following document includes many of the San Joaquin kit fox (*Vulpes macrotis mutica*) protection measures typically recommended by the U. S. Fish and Wildlife Service (Service), prior to and during ground disturbance activities. **However, incorporating relevant sections of these guidelines into the proposed project is not the only action required under the Endangered Species Act of 1973, as amended (Act) and does not preclude the need for section 7 consultation or a section 10 incidental take permit for the proposed project.**

Project applicants should contact the Service in Sacramento to determine the full range of requirements that apply to your project; the address and telephone number are given at the end of this document. Implementation of the measures presented in this document may be necessary to avoid violating the provisions of the Act, including the prohibition against "take" (defined as killing, harming, or harassing a listed species, including actions that damage or destroy its habitat). These protection measures may also be required under the terms of a biological opinion pursuant to section 7 of the Act resulting in incidental take authorization (authorization), or an incidental take permit (permit) pursuant to section 10 of the Act. The specific measures implemented to protect kit fox for any given project shall be determined by the Service based upon the applicant's consultation with the Service.

The purpose of this document is to make information on kit fox protection strategies readily available and to help standardize the methods and definitions currently employed to achieve kit fox protection. The measures outlined in this document are subject to modification or revision at the discretion of the Service.

IS A PERMIT NECESSARY?

Certain acts need a permit from the Service which includes destruction of any known (occupied or unoccupied) or natal/pupping kit fox dens. Determination of the presence or absence of kit foxes and /or their dens should be made during the environmental review process. All surveys and monitoring described in this document must be conducted by a qualified biologist and these activities do not require a permit. A qualified biologist (biologist) means any person who has completed at least four years of university training in wildlife biology or a related science and/or has demonstrated field experience in the identification and life history of the San Joaquin kit fox. In addition, the biologist(s) must be able to identify coyote, red fox, gray fox, and kit fox tracks, and to have seen a kit fox in the wild, at a zoo, or as a museum mount. Resumes of biologists should be submitted to the Service for review and approval prior to any

survey or monitoring work occurring.

SMALL PROJECTS

Small projects are considered to be those projects with small footprints, of approximately one acre or less, such as an individual in-fill oil well, communication tower, or bridge repairs. These projects must stand alone and not be part of, or in any way connected to larger projects (i.e., bridge repair or improvement to serve a future urban development). The Service recommends that on these small projects, the biologist survey the proposed project boundary and a 200-foot area outside of the project footprint to identify habitat features and utilize this information as guidance to situate the project to minimize or avoid impacts. If habitat features cannot be completely avoided, then surveys should be conducted and the Service should be contacted for technical assistance to determine the extent of possible take.

Preconstruction/preactivity surveys shall be conducted no less than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities or any project activity likely to impact the San Joaquin kit fox. Kit foxes change dens four or five times during the summer months, and change natal dens one or two times per month (Morrell 1972). Surveys should identify kit fox habitat features on the project site and evaluate use by kit fox and, if possible, assess the potential impacts to the kit fox by the proposed activity. The status of all dens should be determined and mapped (see Survey Protocol). Written results of preconstruction/preactivity surveys must be received by the Service within five days after survey completion and prior to the start of ground disturbance and/or construction activities.

If a natal/pupping den is discovered within the project area or within 200-feet of the project boundary, the Service shall be immediately notified and under no circumstances should the den be disturbed or destroyed without prior authorization. If the preconstruction/preactivity survey reveals an active natal pupping or new information, the project applicant should contact the Service immediately to obtain the necessary take authorization/permit.

If the take authorization/permit has already been issued, then the biologist may proceed with den destruction within the project boundary, except natal/pupping den which may not be destroyed while occupied. A take authorization/permit is required to destroy these dens even after they are vacated. Protective exclusion zones can be placed around all known and potential dens which occur outside the project footprint (conversely, the project boundary can be demarcated, see den destruction section).

OTHER PROJECTS

It is likely that all other projects occurring within kit fox habitat will require a take authorization/permit from the Service. This determination would be made by the Service during the early evaluation process (see Survey Protocol). These other projects would include, but are not limited to: Linear projects; projects with large footprints such as urban development; and projects which in themselves may be small but have far-reaching impacts (i.e., water storage or conveyance facilities that promote urban growth or agriculture, etc.).

The take authorization/permit issued by the Service may incorporate some or all of the protection measures presented in this document. The take authorization/permit may include measures specific to the needs of the project and those requirements supersede any requirements found in this document.

EXCLUSION ZONES

In order to avoid impacts, construction activities must avoid their dens. The configuration of exclusion zones around the kit fox dens should have a radius measured outward from the entrance or cluster of entrances due to the length of dens underground. The following distances are **minimums**, and if they cannot be followed, the Service must be contacted. Adult and pup kit foxes are known to sometimes rest and play near the den entrance in the afternoon, but most aboveground activities begin near sunset and continue sporadically throughout the night. Den definitions are attached as Exhibit A.

Potential den**	50 feet
Atypical den**	50 feet
Known den*	100 feet
Natal/pupping den	Service must be contacted (occupied and unoccupied)

*Known den: To ensure protection, the exclusion zone should be demarcated by fencing that encircles each den at the appropriate distance and does not prevent access to the den by kit foxes. Acceptable fencing includes untreated wood particleboard, silt fencing, orange construction fencing, or other fencing as approved by the Service as long as it has openings for kit fox ingress/egress and keeps humans and equipment out. Exclusion zone fencing should be maintained until all construction related or operational disturbances have been terminated. At that time, all fencing shall be removed to avoid attracting subsequent attention to the dens.

**Potential and Atypical dens: Placement of 4-5 flagged stakes 50 feet from the den entrance(s) will suffice to identify the den location; fencing will not be required, but the exclusion zone must be observed.

Only essential vehicle operation on existing roads and foot traffic should be permitted. Otherwise, all construction, vehicle operation, material storage, or any other type of surface-disturbing activity should be prohibited or greatly restricted within the exclusion zones.

DESTRUCTION OF DENS

Limited destruction of kit fox dens may be allowed, if avoidance is not a reasonable alternative, provided the following procedures are observed. The value to kit foxes of potential, known, and natal/pupping dens differ and therefore, each den type needs a different level of protection.

Destruction of any known or natal/pupping kit fox den requires take authorization/permit from the Service.

Destruction of the den should be accomplished by careful excavation until it is certain that no kit foxes are inside. The den should be fully excavated, filled with dirt, and compacted to ensure that kit foxes cannot reenter or use the den during the construction period. If at any point during excavation, a kit fox is discovered inside the den, the excavation activity shall cease immediately and monitoring of the den as described above should be resumed. Destruction of the den may be completed when in the judgment of the biologist, the animal has escaped, without further disturbance, from the partially destroyed den.

Natal/pupping dens: Natal or pupping dens which are occupied will not be destroyed until the pups and adults have vacated and then only after consultation with the Service. Therefore, project activities at some den sites may have to be postponed.

Known Dens: Known dens occurring within the footprint of the activity must be monitored for three days with tracking medium or an infrared beam camera to determine the current use. If no kit fox activity is observed during this period, the den should be destroyed immediately to preclude subsequent use.

If kit fox activity is observed at the den during this period, the den should be monitored for at least five consecutive days from the time of the observation to allow any resident animal to move to another den during its normal activity. Use of the den can be discouraged during this period by partially plugging its entrances(s) with soil in such a manner that any resident animal can escape easily. Only when the den is determined to be unoccupied may the den be excavated under the direction of the biologist. If the animal is still present after five or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgment of a biologist, it is temporarily vacant, for example during the animal's normal foraging activities.

The Service encourages hand excavation, but realizes that soil conditions may necessitate the use of excavating equipment. However, extreme caution must be exercised.

Potential Dens: If a take authorization/permit has been obtained from the Service, den destruction may proceed without monitoring, unless other restrictions were issued with the take authorization/permit. If no take authorization/permit has been issued, then potential dens should be monitored as if they were known dens. If any den was considered to be a potential den, but is later determined during monitoring or destruction to be currently, or previously used by kit fox (e.g., if kit fox sign is found inside), then all construction activities shall cease and the Service shall be notified immediately.

CONSTRUCTION AND ON-GOING OPERATIONAL REQUIREMENTS

Habitat subject to permanent and temporary construction disturbances and other types of ongoing project-related disturbance activities should be minimized by adhering to the following activities. Project designs should limit or cluster permanent project features to the smallest area possible while still permitting achievement of project goals. To minimize temporary disturbances, all project-related vehicle traffic should be restricted to established roads, construction areas, and other designated areas. These areas should also be included in preconstruction surveys and, to the extent possible, should be established in locations disturbed by previous activities to prevent further impacts.

1) Project-related vehicles should observe a daytime speed limit of 20-mph throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Nighttime construction should be minimized to the extent possible. However if it does occur, then the speed limit should be reduced to 10-mph. Off-road traffic outside of designated project areas should be prohibited.

2) To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the Service and the California Department of Fish and Game (CDFG) shall be contacted as noted under measure 13 referenced below.

3) Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods should be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe should not be moved until the Service has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

4) All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or project site.

5) No firearms shall be allowed on the project site.

6) No pets, such as dogs or cats, should be permitted on the project site to prevent harassment, mortality of kit foxes, or destruction of dens.

7) Use of rodenticides and herbicides in project areas should be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the Service. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to kit fox.

8) A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the Service.

9) An employee education program should be conducted for any project that has anticipated impacts to kit fox or other endangered species. The program should consist of a brief presentation by persons knowledgeable in kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the project. The program should include the following: A description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during project construction and implementation. A fact sheet conveying this information should be prepared for distribution to the previously referenced people and anyone else who may enter the project site.

10) Upon completion of the project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. should be re-contoured if necessary, and revegetated to promote restoration of the area to pre- project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the project, but after project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the Service, California Department of Fish and Game (CDFG), and revegetation experts.

11) In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the Service should be contacted for guidance.

12) Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFG immediately in the case of a dead, injured, or entrapped kit fox. The CDFG contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530)934-9309. The Service should be contacted at the numbers below.

13) The Sacramento Fish and Wildlife Office and CDFG shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The Service contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.

14) New sightings of kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed should also be provided to the Service at the address below.

Any project-related information required by the Service or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division
2800 Cottage Way, Suite W2605
Sacramento, California 95825-1846
(916) 414-6620 or (916) 414-6600

EXHIBIT "A" - DEFINITIONS

"Take" - Section 9 of the Endangered Species Act of 1973, as amended (Act) prohibits the "take" of any federally listed endangered species by any person (an individual, corporation, partnership, trust, association, etc.) subject to the jurisdiction of the United States. As defined in the Act, take means " . . . to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct". Thus, not only is a listed animal protected from activities such as hunting, but also from actions that damage or destroy its habitat.

"Dens" - San Joaquin kit fox dens may be located in areas of low, moderate, or steep topography. Den characteristics are listed below, however, the specific characteristics of individual dens may vary and occupied dens may lack some or all of these features. Therefore, caution must be exercised in determining the status of any den. Typical dens may include the following: (1) one or more entrances that are approximately 5 to 8 inches in diameter; (2) dirt berms adjacent to the entrances; (3) kit fox tracks, scat, or prey remains in the vicinity of the den; (4) matted vegetation adjacent to the den entrances; and (5) manmade features such as culverts, pipes, and canal banks.

"Known den" - Any existing natural den or manmade structure that <u>is used or has been used at any time in the past</u> by a San Joaquin kit fox. Evidence of use may include historical records, past or current radio telemetry or spotlighting data, kit fox sign such as tracks, scat, and/or prey remains, or other reasonable proof that a given den is being or has been used by a kit fox. The Service discourages use of the terms "active" and "inactive" when referring to any kit fox den because a great percentage of occupied dens show no evidence of use, and because kit foxes change dens often, with the result that the status of a given den may change frequently and abruptly.

"Potential Den" - Any subterranean hole within the species' range that has entrances of appropriate dimensions for which available evidence is insufficient to conclude that it is being used or has been used by a kit fox. Potential dens shall include the following: (1) any suitable subterranean hole; or (2) any den or burrow of another species (e.g., coyote, badger, red fox, or ground squirrel) that otherwise has appropriate characteristics for kit fox use.

"Natal or Pupping Den" - Any den used by kit foxes to whelp and/or rear their pups. Natal/pupping dens may be larger with more numerous entrances than dens occupied exclusively by adults. These dens typically have more kit fox tracks, scat, and prey remains in the vicinity of the den, and may have a broader apron of matted dirt and/or vegetation at one or more entrances. A natal den, defined as a den in which kit fox pups are actually whelped but not necessarily reared, is a more restrictive version of the pupping den. In practice, however, it is difficult to distinguish between the two, therefore, for purposes of this definition, either term applies.

"Atypical Den" - Any manmade structure which has been or is being occupied by a San Joaquin kit fox. Atypical dens may include pipes, culverts, and diggings beneath concrete slabs and buildings.

APPENDICE D

CULTURAL EVALUATION

CULTURAL RESOURCES CONSTRAINTS ASSESSMENT FOR THE PROPOSED CED CORCORAN SOLAR 2 AND CED CORCORAN SOLAR 3 PROJECTS

NORTH OF CORCORAN, KINGS COUNTY, CALIFORNIA

PREPARED BY

PATRICIA T. MITCHELL, M.A., RPA
SENIOR PROJECT ARCHAEOLOGIST

MAY 2014

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NATIONAL ARCHAEOLOGICAL DATABASE INFORMATION

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Report Date: May 2014

Report Title: Cultural Resource Constraints Assessment for the Proposed CED Corcoran Solar 2 and CED Corcoran Solar 3 Projects, North of Corcoran, Kings County, California

Submitted by: kp environmental, Inc., 2160 Oxford Avenue, Cardiff By The Sea, CA 92007

Prepared for: Con Edison Development

USGS Quadrangle: Waukena 7.5'

Total Acreage: Approximately 170 acres

Sites: CA-KIN-106H

Project Type: Literature Review, Constraints Assessment

Key Words: Constraints Assessment, 170 acres, San Joaquin Valley, Southern Yokut, Waukena quad, historic trash scatter, CA-KIN-106H.

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Confidential Appendices - Bound Separately: Not for public review

A: Previously Recorded Resources
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EXECUTIVE SUMMARY

This document presents the results of a records and literature search and constraints analysis for the proposed CED Corcoran Solar 2 and CED Corcoran Solar 3 projects (the "Projects") located on contiguous private lots of land north of Corcoran, Kings County, California. See Figure 1 for futher detail on the CED Corcoran Solar 2 Project Site and the CED Corcoran Solar 3 Project Site (together The "Project Site"). kp environmental, Inc. conducted this study for Con Edison Development under the direction of kp environmental personnel Patricia T. Mitchell, Senior Project Archaeologist.

As the proposed development is under the jurisdiction of Kings County, it is necessary to demonstrate that a level of effort be made that is adequate to satisfy the requirements under 36CFR800, the California Environmental Quality Act (CEQA).

The constraints assessment for the Projects includes a records and literature search, Bureau of Land Management General Land Office records search, and a Sacred Lands File Search from the California Native American Heritage Commission (NAHC). The NAHC record search did not reveal any sites in the immediate area; however, this does not preclude the possibility of their existence at the subsurface level. The NAHC provided a list of local Yokut Tribes to contact, which kp environmental will initiate with letters.

Based on the records review there is one known archaeological resource; CA-KIN-106H, within the CED Corcoran Solar 2 Project Site (Figure 1). CA-KIN-106H is a historic site, which has not been formally tested and evaluated for the CRHR. Historic maps show that the structure has been on the property since at least 1954, and one surface artifact date to pre-World War I. Orfila (2010a) recorded the site and recommended the site as mitigated with that documentation; however, she did recommend monitoring by a qualified archaeologist during all ground disturbing activities.

All of the CED Corcoran Solar 3 Project Site (Figure 1) has been surveyed within the past five years, and no archaeological resources have been recorded on this parcel.

The rich cultural prehistory of the San Joaquin Valley has increased the likelihood of finding additional archaeological sites subsurface. The correspondence received from the NAHC supports the increased inadvertent Native American discoveries in Kings County as development expands. It is management's recommendation that a qualified archaeologist be present during all ground disturbing activities.

1.0 INTRODUCTION

kp environmental Inc. (KPE) conducted a cultural resources constraints assessment of the Project Site. The proposed development involves the construction of two solar energy generating facilities and associated infrastructure to provide a total generating capacity of 39.75 MWac. The Projects are intended to operate year round and would generate electricity during daylight hours. Each Project would consist of the following components: (1) PV modules; (2) mounting structures; (3) inverters and transformers; (4) electrical collection and distribution system; (5) generation step-up transformer; (6) on-site switchgear, and (7) an on-site substation. Power generated from each of the Projects would be delivered from the via separate new gen-tie lines to existing 115kV power lines.

This study was performed in order to satisfy California Environmental Quality Act (CEQA) requirements regarding the identification and protection of significant archaeological resources on lands proposed for development. A separately bound confidential appendix (not for public review) follow this report: Appendix A is the confidential report figures; Appendix B contains the record search results and Archaeological Records (DPR 523 series); and, Appendix C which consists of the Native American consultation materials.

Project Location

The Project Site is located northwest of the intersection of 6th and Nevada Avenues in Corcoran, California (Figure 1). The Project Site is mapped on Section 34, Township 20S, Range 22E of the Waukena, CA 7.5' USGS topographic quadrangle (Figure 2). Currently, the Project Site is approximately 170 acres in size and is bordered on the west by the AT&SF Railroad, to the south by Nevada Avenue, to the east by fields, and to the north by an existing irrigation channel and fields.

Regulatory

This section reviews the most relevant State and County laws, ordinances and regulations for the protection of cultural resources and for which this study provides initial baseline data for agency assessments of impacts to cultural resources.

<u>The California Environmental Quality Act (CEQA; PRC §21002(b), 21083.2, and 21084.1)</u>
Historical resources are recognized as part of the environment under CEQA. The California Register of Historical Resources is an authoritative guide to the state's historical resources and to which properties are considered significant for purposes of CEQA. The California Register includes resources listed in or formally determined eligible for listing in the NRHP, as well as some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts) or have been identified in a local historical resources inventory may be eligible for listing in the California Register and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise (PRC § 5024.1, 14 CCR § 4850).

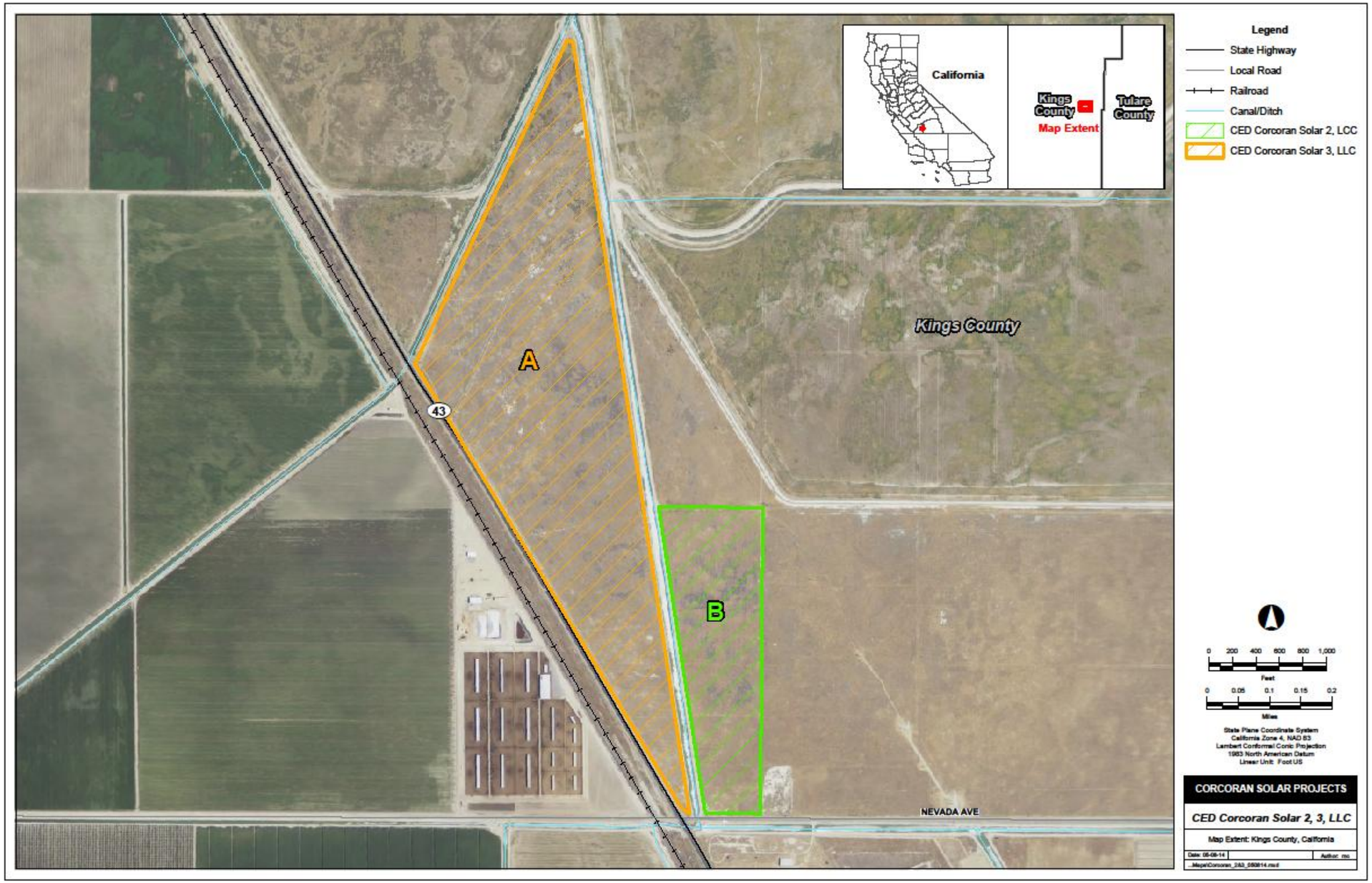
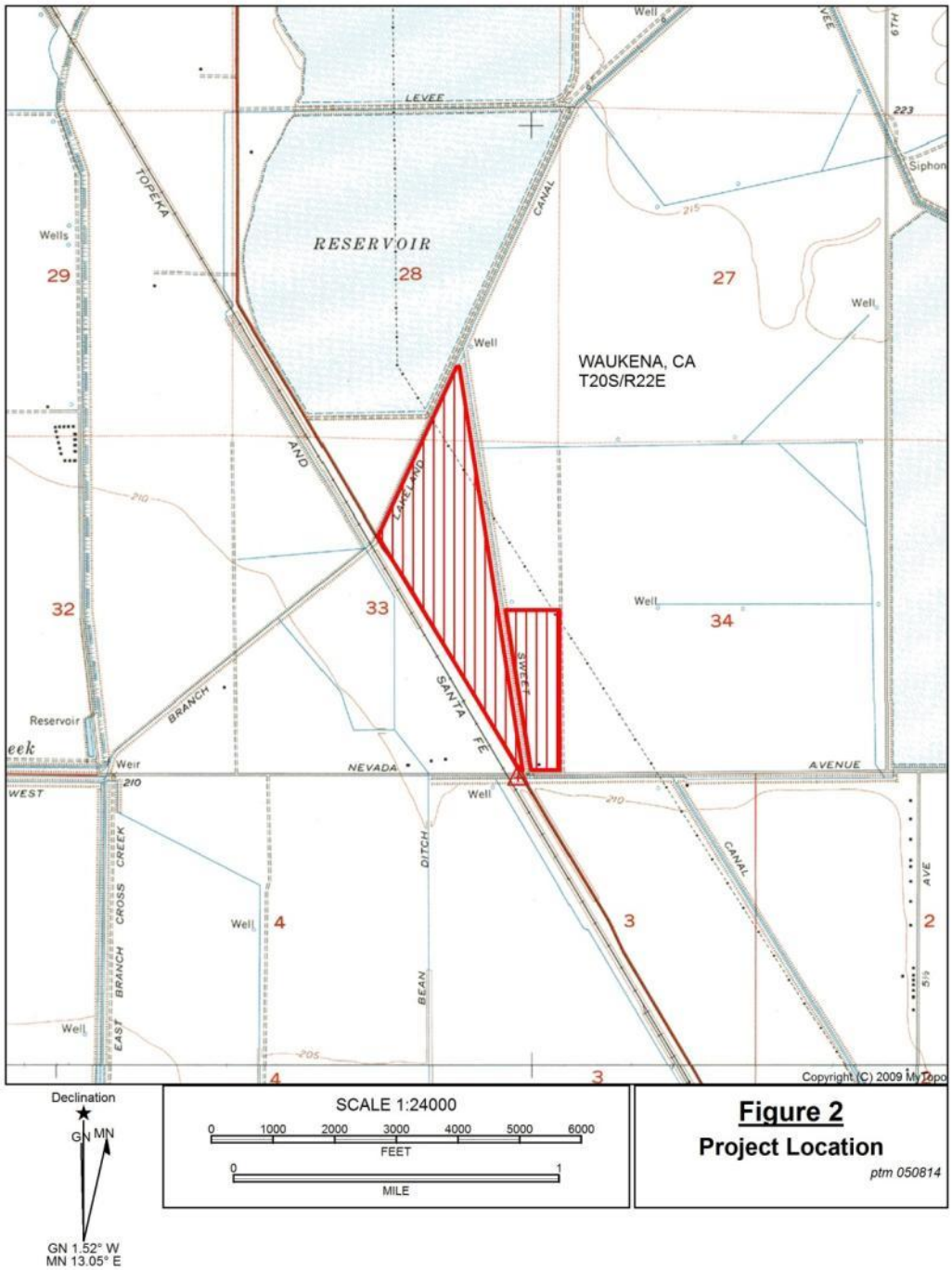


Figure 1. Regional Location



Declination
GN MN
GN 1.52° W
MN 13.05° E

SCALE 1:24000
0 1000 2000 3000 4000 5000 6000
FEET
0 1
MILE

Figure 2
Project Location
ptm 050814

Health and Safety Code Section 7050.5

This code section requires that further excavation or disturbance of land, upon discovery of human remains outside of a dedicated cemetery, cease until a county coroner makes a report. It requires a county coroner to contact the Native American Heritage Commission (NAHC) within 48 hours if the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the remains to be those of a Native American.

Health and Safety Code (Section 7052)

Section 7052 of the Health and Safety Code establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

Penal Code (Section 622.5)

Penal Code Section 622.5 provides misdemeanor penalties for injuring or destroying objects of historical or archaeological interest located on public or private lands, but specifically excludes the landowner.

Public Resources Code (Section 5097.5)

The unauthorized disturbance or removal of archaeological, historical or paleontological resources located on public lands is defined as a misdemeanor by Public Resources Code Section 5097.5.

Public Resources Code Section 5097.98

If a county coroner notifies the NAHC that human remains are Native American and outside the coroner's jurisdiction per Health and Safety Code Section 7050.5, the NAHC must determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 24 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

2035 Kings County General Plan (January 26, 2010)

Resource Conservation Element and Open Space Element

The Resource Conservation Element and Open Space Element provides detailed plans and measures for the preservation and management of biological and cultural resources, soils, minerals, energy, regional aesthetics, air quality, and open space. The purpose of the Conservation and Open Space Element is to promote the protection, maintenance, and use of the County's natural resources with particular emphasis on scarce resources, and to prevent wasteful exploitation, destruction, and neglect of the State's natural resources. Additionally, the purpose of this Element is to recognize that natural resources must be maintained for their ecological value for the direct benefit to the public, protect open space for the contributions to the economy, general welfare, and quality of life of the residents of Kings County.

Senate Bill 18 (SB 18), 2004

SB 18 requires cities and counties to notify and be available to consult with California Native American Tribes when adopting or amending general and specific plans, or when designating land as open space. SB 18 is separate from the CEQA process.

Significance Criteria

Cultural resources studies for the Project are carried out in compliance with CEQA and other applicable state or local laws, ordinances, rules, regulations, and policies. In practice, the National Register of Historic Places (NRHP) criteria for significance applied under Section 106 are generally in conformity with California Register of Historical Resources (CRHR) criteria, with some slight variances; however, currently there is not a federal nexus triggering Section 106 for the current Project. Therefore, all cultural resources within the Project Site are evaluated for eligibility to be listed on the CRHR.

CEQA requires that all private and public activities not specifically exempted be evaluated against the potential for environmental damage, including effects to historical resources. It defines historical resources as "any object, building, structure, site, area, or place which is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California," as cited in Division I, Public Resources Code, Section 5021.1[b].

Lead agencies have a responsibility to evaluate historical resources against the CRHR criteria prior to making a finding as to a proposed project's impacts to historical resources. The CRHR is used in the consideration of historic resources relative to significance for purposes of CEQA. The CRHR includes resources listed in, or formally determined eligible for listing in, the NRHP, as well as some California State Landmarks and Points of Historical Interest. Properties of local significance that have been designated under a local preservation ordinance (local landmarks or landmark districts), or that have been identified in a local historical resources inventory may be eligible for listing in the CRHR and are presumed to be significant resources for purposes of CEQA unless a preponderance of evidence indicates otherwise.

To be eligible for listing in the California Register, the criteria are similar to the National Register but have been modified for state use in order to include a range of historical resources which better reflect the history of California" (CCR §4852). A cultural resource must meet one of the four following criteria as per PRC §5024.1(c):

> (1) is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
>
> (2) is associated with the lives of persons important in our past.
>
> (3) embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possess high artistic values.
>
> (4) has yielded, or may be likely to yield, information important in prehistory or history.

The lead agency, in this case the Corcoran Irrigation District, is required to identify potentially feasible measures to mitigate significant adverse impacts to the significance of a historical resource, thereby ensuring that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures (http://ceres.ca.gov/topic/env_law/ceqa/guidelines/art5.html).

KPE wrote to the California NAHC on March 29, 2014 regarding any issues of cultural concern with respect to the Project Site or Area of Potential Effect (APE). The NAHC conducted a records search of its Sacred Lands File for the APE. A Copy of the NAHC letter is provided in Appendix B.

2.0 ENVIRONMENTAL SETTING

The San Joaquin Valley is sits between two mountain ranges in central California, Sierra Nevada on the east and California coastal ranges on the west. The Project Site is located on the flat plain of the central portion of the San Joaquin Valley. The San Joaquin Valley had a vastly different landscape at one time. According to Wallace (1978) and Sutton (1997) the area was dominated by a network of interconnecting lakes, rivers, streams, and sloughs and featured large expanses of "tule-choked marshes" and immense plains. The landscape today is much more arid because of the reduction of permanent water sources. Many species common to the region prior to Euroamerican contact still exist, but to a much lesser degree. Up until the late nineteenth century, the valley was home to number of biotic communities typically associated with a more mesic environment, such as large tracts of grassland and freshwater marsh communities (Twisselmann 1967). An extensive variety of animals was also represented in the valley, although many species are either extinct locally, or have experienced a dramatic decline in population subsequent to Euroamerican contact. Mammal species associated with the valley faunal community include coyotes, foxes, badgers, California jackrabbits, cottontail rabbits, ground squirrels, wood rats, pocket gophers, and a variety of mice, among others (Osborne 1992; Sutton 1997). Extinct or former valley mammal species include mammoth, bison, large and small horses, camel, pronghorn antelope, tule elk, mule deer, dire wolf, and giant ground sloth (Fenenga 1991).

Waterfowl and other birds that also reside in the valley, although in greatly reduced numbers from prehistoric times, include: teals, mallards, wood ducks, Canadian geese, American coots, grebes, hawks, and a variety of passerine (perching) birds (Cogswell 1977). Canadian geese, ducks, brants, and swans are winter migrants to the valley and would have provided an additional protein source in winter for the valley residents in prehistory (Moratto 2004; Porcasi 2000).

Fish species include, but are not limited to, Sacramento blackfish, Sacramento sucker, hitch, trout, perch, and chub (Moyle 1976). Invertebrates, including freshwater mussels and clams, insects (e.g., grasshoppers, caterpillars, bees), reptiles (lizards and snakes), and amphibians (frogs and toads), were also once abundant in the valley.

The climate of the San Joaquin Valley is categorized as Mediterranean, which is characterized by warm to hot, dry summers and mild to cool, wet winters, with the greatest precipitation occurring in the winter (Felton 1965). The average yearly precipitation is less than six inches, with approximately 70% falling between the months of December through April.

3.0 CULTURAL SETTING

The archaeological record has provided evidence of Native American occupation of the San Joaquin Valley extending back in time over a period of at least 12,000 years. Although there are few sites of such age identified thus far, the most notable of these is the Witt site along the southwestern shore of Tulare Lake south of the Project Site (Fenenga 1993). The cultural chronology of the San Joaquin Valley has evolved from late 19th century archaeological expeditions and quasi-scientific museum acquisition excavations of the 1920s and 1930s to the development of artifact typologies, relative dating, and pattern studies. Below is a general characterization of the prehistory of the San Joaquin Valley as summarized by Moratto (2004) from the various archaeological sequences (Bennyhoff, *in* Fredrickson 1968; Fredrickson 1974; Heizer 1958, 1964; Heizer and Cook 1949; Ragir 1972).

Cultural Chronology of the San Joaquin Valley

It is believed that the Early Period (8,000 to 4,000 B.P.) people were nomadic, and that their subsistence was based primarily on large game hunting and fishing. Common artifacts found at sites from this period include hand-molded baked clay net weights, *Olivella* and *Haliotis* shell beads and ornaments, charmstones, and heavy stemmed projectile points.

The Middle Period (4,000 to 1,500 B.P.) was characterized by a more diversified subsistence, with increased emphasis on seed processing, along with hunting, fowling, and fishing. Artifacts have included *Haliotis* shell ornaments in various geometric shapes, *Olivella* and *Haliotis* beads, distinctive spindle-shaped charmstones, cobble mortars, chisel-ended pestles, and large, heavy projectile points. There was extensive use of bone for tools, such as for awls, fish spear tips, saws, and pressure flakers.

In the Late Period (1,500 B.P. to Historic Contact), subsistence strategies increasingly focused on the processing of plant foods, with less emphasis on hunting, fowling, and fishing. Artifacts include *Olivella* beads, *Haliotis* ornaments, stone beads and cylinders, clamshell disk beads, tubular smoking pipes of stone, arrow-shaft straighteners, small side-notched projectile points, flat-bottomed mortars, and carefully crafted cylindrical pestles.

Southern Valley Yokuts Ethnography

The following ethnography section is repeated here from Orfila 2010b, as it covers the same project area and people. The Native American inhabitants of the southern San Joaquin Valley during ethnographic times are known collectively as the Southern Valley Yokuts. The Yokuts have been the subject of considerable study by numerous researchers, including Kroeber (1925), Gifford and Schenck (1926, 1929), Gayton (1948), Powers (1877), Latta (1977), and Wallace (1978). The following discussion draws primarily from these sources.

The Yokuts have been separated into three geographical divisions: Northern Valley, Southern Valley, and Foothill. The Southern Valley Yokuts occupied the region around the Project Site, most likely the Wéchikit, whose range included Reedley (Latta 1977:171; also see Wallace 1978:448). There were more than 40 Yokuts tribes, each tribe having a distinctive name, dialect, and territory. Their tribes

were organized into single, large village settlements or smaller settlements grouped together. Each group consisted of as many as 350 people and was self-governed. Every village had a captain and a central chief (to whom the captain reported), and these titles were hereditary.

Availability of resources, such as fish, waterfowl, shellfish, roots, and seeds, enabled the Yokuts to occupy permanent villages most of the year, practicing a mixed subsistence strategy that emphasized fishing, fowling, and the collection of shellfish, roots, and seeds. Fishing provided their primary food resource and generally was done by netting. Perhaps due to the abundance of game animals and plant resources, agriculture was not practiced by the Yokuts (Beals 1974:45).

While the Yokuts were primarily hunters and gatherers, they were organized into single, large village settlements or in several smaller settlements grouped together. Each group consisted of perhaps 350 people. For village location, Kroeber (1954:94) noted that they were generally ". . . situated where a smaller creek came into a river, or at the confluence of two creeks where there was a patch of level land." This type of settlement pattern was also likely due to the abundance and diversity of resources in their territories (Wallace 1978:454).

The basic social unit was composed of the nuclear family. Descent was patrilineal and children inherited their father's totem (Kroeber 1925:493-494; Wallace 1978:453-454; Osborne 1992:46-47). Tribes were divided into moieties, and reciprocity between members of opposite moieties was common during mourning rites and first-fruit ceremonies (Gayton 1948:25; Osborne 1992:46). Moiety exogamy was the norm (Wallace 1978:453).

Two types of dwellings were used by the Yokuts. Single-family huts covered with tule mats were generally laid out in a single row in the village (Wallace 1978:451). These thatch-covered structures would be covered with rushes to provide shade, and along with the post framework, they had the appearance of an early condominium (Heizer and Elsasser 1980:44). Long, steep-roofed communal structures covered with tule mats were also constructed (Kroeber 1971:7; Wallace 1978:451). These structures could house as many as 10 families in separate sections, each with a fireplace and outside door. Other structures included the sweathouse, which was "an institution of daily, not occasional service" (Kroeber 1971:8). Smaller than most living quarters, the Yokuts sweathouse was used exclusively by males, often as a sleeping space (Kroeber 1971:8).

While the Southern Valley Yokuts did not have an organized priesthood, shamans were considered religious specialists, playing a vital role in the religious lives of the people during public rituals. These shamans (also sometimes referred to as doctors), almost always males, attained their power through dreams or visions (Wallace 1978:457). During these visions, a guardian spirit was sought. This spirit was "a supernatural being or animal or other form [that] is seen and conversed with during a trance or dream" (Kroeber 1971:39-40). Rituals were an integral part of Yokuts culture. The ritual for the dead was the most elaborate Yokuts ceremony (Wallace 1978:456). It was usually an annual event, but might be skipped a year depending on a variety of circumstances, such as the number of dead or financial hardship on the bereaved families. The ritual lasted for six days in the summer or fall, and consisted of dancing, the use of effigies, burning the property of the deceased, and ritual washing of the mourners, concluding with "feasting, merriment, and gambling" (Wallace 1978:456). First-fruit

rites were also observed. Datura rituals were conducted in order to obtain a spirit helper, to assure prosperity, to ensure health, and for other purposes (Wallace 1978:456).

Many ceremonies centered on the manipulation of weather. Plummet-shaped charmstones were thought to bring rain, while thunder could be stopped by beating a dog until it cried (Wallace 1978:457). Other ceremonies involved rites of passage for significant occasions in an individual's life, including birth, female puberty, and death (Kroeber 1925; Wallace 1978). Group ceremonies were also conducted for a variety of purposes, such as reciting prayers, making offerings, and singing sacred songs (Wallace 1978:457).

Historical Background

European contact with Southern Valley Yokuts groups was first documented in 1772, when a group of Spanish soldiers commanded by Captain Don Pedro Fages entered the San Joaquin Valley through Tejon Pass. The purpose of Fages' mission was to capture renegade soldiers who had entered the valley in 1769 and had subsequently deserted their posts (Smith 1939:22). In 1776, in an attempt to discover a more direct overland route from Yuma to Monterey, Padre Francisco Garcés spent several weeks in the southern San Joaquin Valley (Bailey 1984:14). Entering the valley by way of the Tehachapi Pass, he traveled north along the eastern margin of the valley. Garcés maintained a detailed diary and appeared to have had good relations with the native populations.

Casual contacts by the Spanish military and Franciscan missionaries in the early 1800s appeared to have made little impact on the native peoples of the southern valley (Wallace 1978:459). From ca. 1822 to 1846, when California was part of Mexico, expeditions by Mexican officials continued. These expeditions were primarily for recovering stolen livestock, punishing those responsible for the thievery, and capturing slaves. No permanent Mexican settlements were established during this time, and the influence of these contacts on local Yokuts groups is unclear, with the notable exception of an 1833 malaria epidemic that brought about an estimated mortality rate of 75% of the native population (Wallace 1978:460).

When California was annexed by the United States in 1848, the San Joaquin Valley became saturated with settlers, and Indian lands were seized by Euroamericans. Some of the Yokuts people were sent to the Tejon Reservation at the base of the Tehachapi Mountains and some to the Fresno Reservation near Madera. In 1859, when these reservations failed to prosper, the Indians were then moved to the Tule River Reservation in Porterville.

In the 1840s and 1850s, much of the economic activities of Euroamerican settlers centered on mining and ranching (Preston 1981). These activities began to lose their appeal in the 1860s, after which time agriculture became a flourishing industry in the valley (Preston 1981). This led to rapidly rising land values, significant water diversions for irrigation, and eventual total disruption of the native landscape. Today, agricultural activities in the San Joaquin Valley produce more than 250 crops, making it one of the most productive agricultural regions in the world.

The City of Corcoran was incorporated in 1914, and was built on a strong agricultural base because it is located near the Tulare Lake Basin. Corcoran is also a major part of the State of California and the

Central San Joaquin Valley history because at the turn of the 20th Century Corcoran served as a junction for the San Francisco and San Joaquin Valley Railroad. The junction was a regular stop for four daily trains, and consisted of a platform from which business transactions were handled for trains entering from the north, south and easterly directions.

It's not exactly certain where the town's name came from, but it has been narrowed down to two individuals prominently mentioned throughout history: General Corcoran, a San Joaquin Valley pioneer, operated a steamboat between Stockton and Tulare Lake; and Thomas Corcoran a railroad superintendent worked for the Santa Fe Railroad, which eventually bought out both the San Francisco and San Joaquin Valley lines.

Another prominent Corcoran resident was H.J. Whitley, a land developer from southern California, who took the lead in building Corcoran (the main street of the community is named in his honor). He liked what he saw during a visit to the area in 1905 (a blacksmith shop, small store, scattered homes and a lush, untapped vista with herds of grazing wild hogs, horses and steers) and purchased 32,000 acres to start development and moved a member of his real estate firm, J.W. Guiberson, to the area. Guiberson became one of the many pioneers of the community, building the first home and business structure in Corcoran. His family also helped establish the first church in the community, an event which helped lead to the town's incorporation on August 14, 1914. The basis of Corcoran's economy then and now is agriculture. Initially, the most successful crops were grains, alfalfa and sugar beets.

4.0 PREVIOUS RESEARCH

The previously recorded cultural resources and investigations review conducted by the Southern San Joaquin Information Center (SSJIC) in March 2014 of the proposed Project Site combined with a one mile buffer, were examined to determine if known cultural resources would be potentially impacted by the proposed Projects. The records check and literature review revealed that seven investigations have been conducted within one mile of the Project Site. Of these seven investigations one of them is within or crossing the proposed Project Site (Table 1). One additional study (Tetra Tech 2003) was also conducted within the one mile buffer of the Project Site

Table 1. Previous Investigations

Report ID	Year	Author	Project	Company	Location
KI-00094	2000	Nelson, W.	Cultural Resources Survey for the Level (3) Communication Long Haul Fiberoptics Project Segment WS04: Sacramento to Bakersfield	Far Western Anthropological Research Group, Inc.	Within 1 mile radius
KI-00174	2010	Kubal, K & K. Goetter	Cultural Resources Assessment for the City of Corcoran Proposed Solar Facility Development Project	LSA Associates, Inc.	Within 1 mile radius
KI-00180	2010b	Orfila, R.S.	Cultural Resources Assessment for the ENCO Solar Corcoran Project	RSO Consulting	Within 1 mile radius
KI-00212	2010a	Orfila, R.S.	Cultural Resources Assessment for the ENCO Solar Sweetwater Project	RSO Consulting	Corcoran 2 and Corcoran 3
KI-00217	2000	Davy, D.M. & R. Benson	Archaeological Survey of the Kaweah River Basin Investigation Tulare Lakebed Mitigation Area Corcoran Site	Forest Wheeler Environmental Corporation	Within 1 mile radius
KI-00220	2012	Jones, T.	Cultural Resources Assessment Transmission Right-Of-Way for the Corcoran Solar Facility	LSA Associates, Inc.	Within 1 mile radius
KI-00236	2013	Jones, T.	Cultural Resources Assessment Alternate Electrical Transmission Rights-of-Way CID Solar, LLC Solar Project	LSA Associates, Inc.	Within 1 mile radius
Not Available	2003	Tetra Tech	Archaeological Test Excavations/Kaweah River Basin Investigation, Tulare Lakebed Mitigation Area, Corcoran Site	Tetra Tech	Within 1 mile radius

There are four previous studies particularly applicable to the proposed Project Site and they include an August 2000 archaeological pedestrian survey (Davy and Benson 2000, report reference KI-00217) of the Tulare Lakebed Mitigation Area. The Davy and Benson 2000 survey covered a portion of the proposed CED Corcoran 3 Project Site (Figure 3). A 50.7 percent sample of the 1,280-acre area was surveyed for cultural resources, and four sites and four isolated

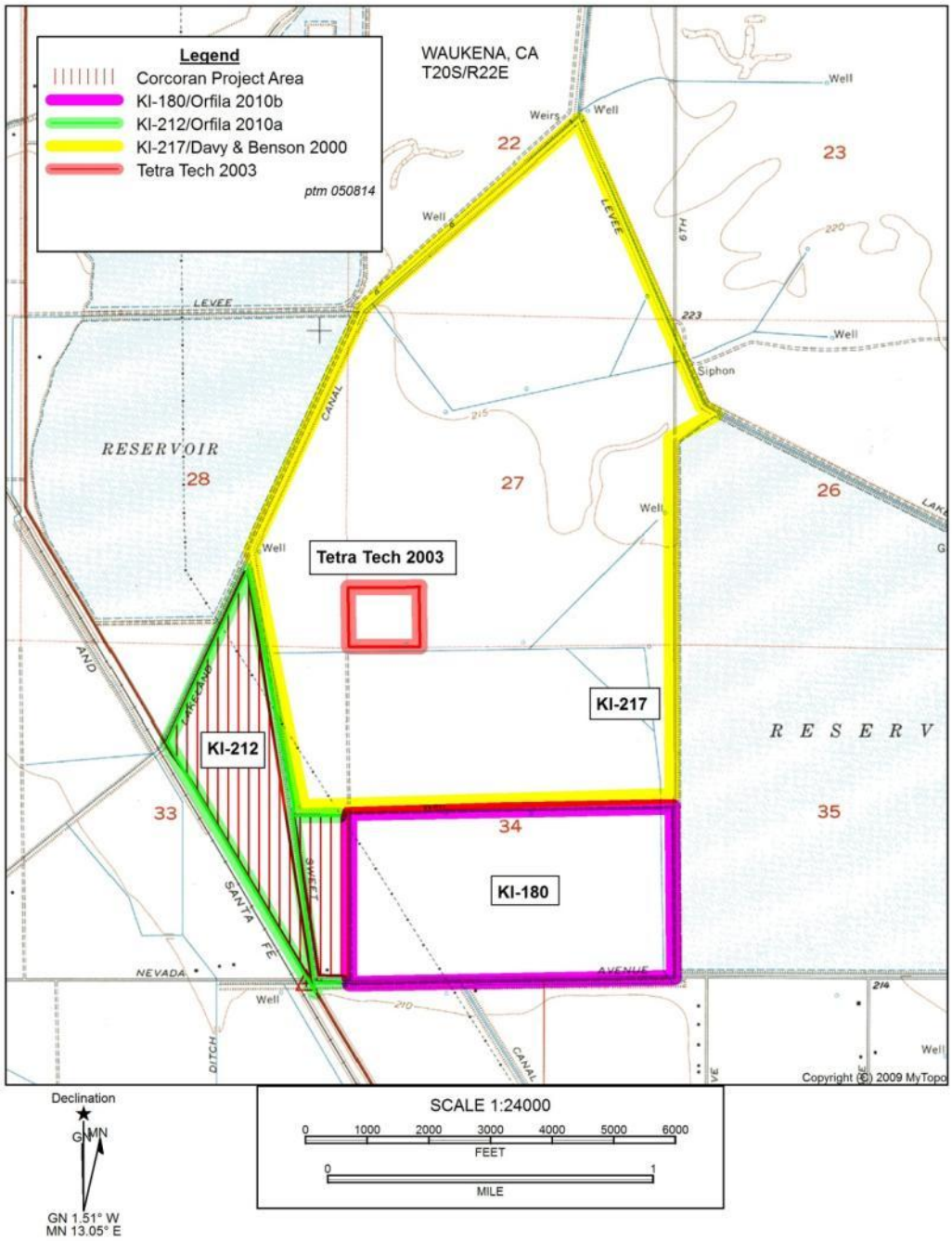


Figure 3. Previous Investigations

archaeological occurrences (isolates) were recorded. Phase II testing and National Register evaluation was recommended for one site (CA-KIN-88), which is located just over 1/8 mile east of Corcoran 3.

Tetra Tech returned to site (CA-KIN-88) in 2003 to conduct archaeological testing studies. Nine shovel test pits (STPs), two 1 x 1 meter text excavation units, and two trenches were used to test the site. According to the updated site record (Tetra Tech 2003) the site consists of two loci and the larger of the two appears to have some thickness. Two shell beads and an obsidian projectile point fragment were observed and collected north of the previously established site boundary, which extended the site and significantly increased its site area. Time constraints did not permit for a detailed examination of the new site extension.

Orfila (2010a) surveyed the Project Site in 2010 (report reference KI-00212) for the ENCO Solar Sweetwater Project. One historic trash scatter was recorded in association with the corner remnants of a brick structure (CA-KIN-106H). Testing was recommended to determine National Register eligibility. KPE's online search of the Bureau of Land Management (BLM) General Land Management (GLO) records showed that the ownership of the property traces back to the State of California as part of the Swamp Land Patent of September 28, 1850, 9 Stat 519 (CACAAA 111580).

Orfila (2010b) surveyed the area east of the Project Site in 2010 (report reference KI-00180) for the ENCO Solar Corcoran Project. A stratified systematic sample was computer generated for the 320 acres, and 32 percent (101 acres) was surveyed. Orfila (2010b) noted that visibility was poor at that time of year, and only one isolated chert flake (P-16-00259) was recorded during the survey. It was also noted that there were dozens of small animal burrows with evidence of *Anodonta* shell (freshwater mussel). Field archaeologists could not differentiate at the time whether the shell was a cultural deposit or evidence of an old lake shoreline. Two STPs were also excavated in the northern half of the survey area, and both were negative.

The SSJV record search indicated that one site (CA-KIN-106H) is within the proposed Corcoran 2 Project Site (Figure 4 - Confidential Appendix). As discussed above site CA-KIN-106H is a historic trash scatter that has not been formally evaluated for California or National Register eligibility.

There are three additional sites and two isolates within one mile of the proposed Project Site. These include CA-KIN-88, which is located just over 1/8 mile east of Corcoran 3 and is discussed above; CA-KIN-89, which is a faunal and lithic scatter; CA-KIN-110, which is a shell scatter with burnt small or medium animal bone and a flake; P-16-00259, an isolated chert flake recorded on the northeastern corner outside of Corcoran 2; and P-16-00084, which is recorded as the proximal end of a stage 4/5 obsidian biface.

Native American Correspondence and Inquiries

Inquiry was made to the California NAHC on March 29, 2014 regarding any issues of cultural concern with respect to the Project Site. The NAHC conducted a records search of its Sacred Lands File for the Area of Potential Effect (APE). A Copy of the NAHC letter is provided in Appendix C. KPE received a reply back dated April 8, 2014. The NAHC informed us that the Sacred Lands File search did not indicate that there are Native American traditional cultural places in the immediate vicinity of the proposed project site or the APE. The NAHC also made note that the absence of archaeological resources does not preclude the possibility of their existence at the subsurface level.

The Tulare Lakebed Mitigation Area has limited archaeological surveys, and based on the number of inadvertent discoveries of Native American remains in Kings County in the past decade, the NAHC feels that more data is probably present in the area and areas near the Project Site. Therefore, as

recommended by the NAHC, KPE will contact the following Tribes and individuals regarding sites in the area. In particular, if there are any Traditional Cultural Properties, Sacred Sites, resource collecting areas, or any other areas of concern. Letters will be sent to the following from the list of contacts forwarded from the NAHC:

- Neil Peyron, Chairperson - Tule River Indian Tribe
- Kenneth Woodrow, Chairperson - Wuksache Indian Tribe/Eshom Valley Band
- Stan Alec - King River Choinumni Farm Tribe
- Lalo Franco, Cultural Coordinator - Santa Rosa Tachi Rancheria
- Bob Pennell, Cultural Resources Director - Table Mountain Rancheria
- Kerri Vera, Environmental Department - Tule River Indian Tribe
- Joey Garfield, Tribal Archaeological - Tule River Indian Tribe

All of the Project Site has been surveyed for archaeological resources (Orfila 2010a). The southwest corner of the CED Corcoran Solar 2 Project Site has the remnants of a historical building and at least one artifact that pre-dates World War I. There is a potential that additional cultural material may be disturbed during earthmoving activities.

No archaeological resources are recorded within the CED Corcoran Solar 3 Project Site; however, there is an extensive prehistoric site within 1/8 mile east of CED Corcoran Solar 3 Site that has not been formally evaluated for eligibility to the CRHR (Tetra Tech 2003). According to the NAHC (see Appendix C), over the past decade there have been a number of inadvertent discovery of Native American remains in Kings County and it is the recommendation of the NAHC that we contact local Yokut representatives regarding the project as they may have knowledge of cultural resources in or near the proposed project area.

6.0 SUMMARY AND MANAGEMENT RECOMMENDATIONS

The constraints assessment for this project includes a records and literature search, BLM GLO records search, and a Sacred Lands File Search from the California NAHC.

Based on the records review there is one known archaeological resource in the CED Corcoran Solar 2 Project Site. CA-KIN-106H is a historic site, which has not been formally tested and evaluated for the CRHR. Historic maps show that the structure has been on the property since at least 1954, and one surface artifact date to pre-World War I. Orfila (2010a) recorded the site and recommended the site as mitigated with that documentation; however, she did recommend monitoring by a qualified archaeologist during all ground disturbing activities.

All of the CED Corcoran Solar 3 Project Site has been surveyed within the past five years, and no archaeological resources have been recorded on this parcel.

The rich cultural prehistory of the San Joaquin Valley has increased the likelihood of finding additional archaeological sites subsurface. The correspondence received from the NAHC supports the increased inadvertent Native American discoveries in Kings County as development expands. It is management's recommendation that a qualified archaeologist be present during all ground disturbing activities.

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CONFIDENTIAL APPENDICES - BOUND SEPARATELY

BEFORE THE KINGS COUNTY PLANNING COMMISSION
COUNTY OF KINGS, STATE OF CALIFORNIA

IN THE MATTER OF CONDITIONAL USE PERMIT NO. 12-08 (CED Corcoran Solar 2, LLC) and CED Corcoran Solar 3, LLC)	**RESOLUTION NO. 14-08** **RE: 6734 and 7094 Nevada Avenue, Corcoran**

WHEREAS, on December 11, 2012, SPS Sweetwater, LLC filed Conditional Use Permit No. 12-08 to develop a 20 Megawatt (MW) solar energy generating facility on a 130 acre portion of two parcels in Kings County located 2.5 miles north of the City of Corcoran; and

WHEREAS, on December 12, 2013, Solar Projects Solutions, LLC transferred their equity interest in SPS Corcoran West, LLC (now known as CED Corcoran Solar 2, LLC) and SPS Sweetwater, LLC (now known as CED Corcoran Solar 3, LLC) to Consolidated Edison Development, Inc. (collectively the "Applicant"); and

WHEREAS, on May 23, 2014, the Applicant submitted a revision to CUP No. 12-08 which proposed to: 1) modify Conditional Use Permit (CUP) No. 10-03 for the CED Corcoran Solar 2 Project (formerly SPS Corcoran West) by adding 40 acres and 11.25 megawatts (MW) to the previously approved solar energy generating facility and 2) establish a new 20 MW solar energy generating facility for the CED Corcoran Solar 3 Project (formerly SPS Sweetwater) on 130 acres; and

WHEREAS, the application was determined to be complete on May 23, 2014; and

WHEREAS, a Notice of Intent to Adopt a Mitigated Negative Declaration was published on July 18, 2014, providing notice that the Initial Study/Mitigated Negative Declaration (IS/MND) had been completed for the proposed Project and was available for public review and comment; and

WHEREAS, the Kings County Community Development Agency distributed copies of the IS/MND to those public agencies that have jurisdiction by law with respect to the Project, as well as to other interested persons and agencies, and sought the comments of such persons and agencies; and

WHEREAS, on August 18, 2014, the public review period for the proposed IS/MND for this project closed; and

WHEREAS, during the public review period for the proposed IS/MND comments were received before the end of the public review period from the California Department of Transportation (Caltrans); and

WHEREAS, these comments contained standards and requirements which have been listed in both the staff report and the resolution for this project as conditions of approval; and

WHEREAS, the comments did not result in any changes to the IS/MND and did not affect the adequacy of the environmental analysis, nor do they identify any significant new impacts, or present significant new information, nor did they result in a finding that the proposed mitigation measures in the IS/MND will not reduce potential effects to less than significant; and

WHEREAS, staff has determined that it is necessary to make minor changes to the IS/MND, which serve merely to clarify, amplify and make insignificant modifications to the IS/MND; and

WHEREAS, the revisions to the IS/MND are contained in an erratum which is attached to this resolution as Exhibit "A".

WHEREAS, pursuant to CEQA Guidelines § 15073.5, recirculation of the IS/MND is not required; and

WHEREAS, on August 29, 2014, the Kings County Community Development Agency recommended that the Mitigated Negative Declaration be approved for the proposal; and

WHEREAS, on August 29, 2014, the Kings County Community Development Agency staff notified the applicant of the proposed recommendation on this project; and

WHEREAS, on September 8, 2014, the Planning Commission held a duly noticed public hearing for CUP Number 12-08 in the Board of Supervisors Chambers of the Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California; and

WHEREAS, at the September 8, 2014, public hearing the Planning Commission received 1) a report presented by County staff that included the staff recommendation, 2) testimony from the applicant, and 3) testimony from members of the general public; and

WHEREAS, the Planning Commission received testimony prior to the close of the public hearing; and

WHEREAS, on September 8, 2014, after the conclusion of public testimony the Planning Commission closed the public hearing and deliberated; and

WHEREAS, in order to approve CUP Number 12-08 the Planning Commission is required to make the following findings and certifications with regards to the California Environmental Quality Act: (1) The Planning Commission has reviewed and considered the IS/MND, together with the comments received during the public review and comment period, before approving the project; (2) Based on the whole record before it, including the IS/MND and the comments received during the public review period, there is no substantial evidence in the record that the proposed Project will have a significant effect on the environment; (3) The IS/MND for this Project has been completed in compliance with CEQA and is adequate; and (4) The IS/MND reflects the Planning Commission's independent judgment and analysis; and

WHEREAS, the Planning Commission has reviewed the IS/MND in its entirety, and has determined that the document reflects the independent judgment of the County; and

WHEREAS, the IS/MND identified certain significant effects on the environment that, absent the adoption of mitigation measures, would be caused by the construction and operation of the Project; and

WHEREAS, the Planning Commission is required, pursuant to CEQA, to adopt all feasible mitigation measures or feasible project alternatives that can substantially lessen or avoid any significant project-related environmental effects; and

WHEREAS, the Planning Commission is required by Public Resources Code Section 21081.6, subdivision (a), to adopt a Mitigation Monitoring and Reporting Plan to ensure that the mitigation measures adopted by the County are actually carried out; and

WHEREAS, as demonstrated by the Mitigation Monitoring and Reporting Plan, attached as Exhibit "B" to this Resolution, all of the Project's significant environmental effects can be either substantially lessened or avoided through the adoption of feasible mitigation measures; and

WHEREAS, the Planning Commission determines it appropriate to certify and adopt the Mitigated Negative Declaration, to adopt the Mitigation Monitoring and Reporting Plan, and to approve CUP Number 12-08.

NOW, THEREFORE, BE IT RESOLVED AND CERTIFIED, by the Kings County Planning Commission that:

I. SECTION 1: Recitals

1. The above recitals are true and correct, and the Planning Commission hereby so finds.

II. SECTION 2: Findings Related to Proceedings

1. The Notice of Intent to Adopt a Mitigated Negative Declaration for the Project was duly prepared, noticed and properly circulated in accordance with the provisions of CEQA.

2. An Initial Study/Mitigated Negative Declaration has been conducted for the proposed Project by the Lead Agency to evaluate the potential for any adverse environmental impact in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code Section 21000 et seq.), as amended, and the State Guidelines thereto (California Code of Regulations Section 15000 et seq.).

3. The Initial Study/Mitigated Negative Declaration was duly prepared, properly circulated and completed in accordance with CEQA.

4. After providing adequate public notice, the Initial Study/Mitigated Negative Declaration was duly circulated in accordance with the provisions of CEQA, and a public hearing was properly noticed and was conducted by the Planning Commission in compliance with CEQA.

5. All comments received during and after the period of public review have been duly considered and incorporated into the Initial Study/Mitigated Negative Declaration, and when necessary, replied to in accordance with the provisions of CEQA.

6. The comments did not result in any changes to the Initial Study/Mitigated Negative Declaration, none of the comments identified a new, unavoidable significant effect, nor did they result in a finding that the proposed mitigation measures in the Initial Study/Mitigated Negative Declaration will not reduce potential effects to less than significant.

7. Staff has determined that it is necessary to make minor changes to the IS/MND, which serve merely to clarify, amplify and make insignificant modifications to the IS/MND.

8. Pursuant to CEQA Guidelines § 15073.5, recirculation of the Initial Study/Mitigated Negative Declaration is not required.

9. The Initial Study/Mitigated Negative Declaration and the Erratum were presented to this Commission, and they were independently reviewed and considered, together with the comments received during the public review period, by this Commission prior to acting on the proposed Project.

10. The Mitigated Negative Declaration for the Project has been properly completed and has identified all significant environmental effects of the Project, and there are no known potential environmental effects that are not addressed in the Mitigated Negative Declaration.

11. The Project has been modified with mitigation measures to eliminate significant impacts or to reduce such impacts to a level of insignificance in all instances.

12. The use should not be detrimental to public health and safety, nor materially injurious to properties in the vicinity. A Mitigated Negative Declaration has been recommended for this Project. The proposed Project may have significant adverse impacts on the environment; however, those impacts can be mitigated to an insignificant level by implementing the Mitigation Monitoring and Reporting Plan attached to the Planning Commission Resolution for this project as Exhibit "B." On the bases of the whole record (including the initial study, erratum, and all comments received), there is no substantial evidence that the project will have a significant effect on the environment.

13. The Planning Commission has used its own independent judgment in adopting this Resolution, in approving the Project, in adopting and certifying the Initial Study/Mitigated Negative Declaration with the Erratum, and in adopting the Mitigation Monitoring and Reporting Plan.

III. SECTION 3: Certification of the Initial Study/Mitigated Negative Declaration and Adoption of the Mitigation Monitoring and Reporting Plan

1. It is hereby certified that the Initial Study/Mitigated Negative Declaration has been completed in compliance with CEQA and is adequate.

2. It is hereby certified that the Initial Study/Mitigated Negative Declaration has been presented to the Planning Commission, which has reviewed and considered the information and analysis contained therein.

3. It is hereby certified that the Initial Study/Mitigated Negative Declaration reflects the independent judgment of the Planning Commission of the County of Kings.

4. The Planning Commission herby adopts the Mitigation Monitoring and Reporting Plan for this Project.

5. The Planning Commission authorizes and directs County staff to prepare and file a Notice of Determination within five working days following the date of adoption of this Resolution with the County Clerk-Recorder's Office of the County of Kings and with the State of California and directs that copies of the Initial Study/Mitigated Negative Declaration be retained at the office of the Kings County Community Development Agency.

IV. SECTION 4: Consistency with the *Kings County General Plan*

1. The proposed Project, as recommended for approval, is consistent with the objectives and the policies of the 2035 Kings County General Plan, specifically:

   A. Figure LU-15, the Kings County Land Use Map, of the Land Use Element of the *2035 Kings County General Plan* designates this site as General Agriculture (AG-40).

   B. Page LU-13, Section III.A.1 of the "Land Use Element" of the *2035 Kings County General Plan* states that agricultural land use designations account for a vast majority of the County's land use. Included within this land use type are four agricultural type land use designations, Limited Agriculture, General Agriculture 20 Acre Minimum, General Agriculture 40 Acre Minimum, and Exclusive Agriculture. The major differences between the four Agriculture designations relate to minimum parcel size, animal keeping, and agricultural service businesses. These designations preserve land best suited for agriculture, protect land from premature conversion, prevent encroachment of incompatible uses, and establish intensity of agricultural uses in a manner that remains compatible with other uses within the County. The development of agricultural service and produce processing facilities within the Agricultural areas of the County shall develop to County standards.

   C. Page LU-13, Section III.A.1 of the "Land Use Element" of the *2035 Kings County General Plan* states that the AG-40 designation is applied to rural areas of the County south of Kansas Avenue, excluding the Urban Fringe areas of Corcoran, the communities of Kettleman City and Stratford, and high slope areas of the Coast Ranges. Included within this designation are large corporate farming areas of the Tulare Lake Basin, and areas of the valley floor generally characterized by extensive and intensive agricultural uses. Extensive irrigation channels and levees divert surface water to support field crops along the valley floor and orchards along the Kettleman Hills. This designation allows intensive agricultural uses that by their nature may be incompatible with urban uses. Much of the land within this designation is also subject to flood hazard risk and should remain devoted to agriculture use to reduce the potential for future conflicts.

   D. Page LU-27, Section IV.B of the "Land Use Element" of the *2035 Kings County General Plan* states that the physical development of agricultural properties is regulated and implemented by the zoning ordinance.

   E. Page LU-38, LU Goal B7 of the "Land Use Element" of the *2035 Kings County General Plan* states that community benefiting non-agricultural uses remain compatible within the County's Agriculture Open Space area, and are supported for their continued operation and existence.

   F. Page LU-38, LU Policy B7.1.3 of the "Land Use Element" of the *2035 Kings County General Plan* states that power generation facilities for commercial markets shall be allowed and regulated through the Conditional Use Permit approval process, and include thermal, wind, and solar photovoltaic electrical generating facilities that produce power.

G. Page RC-50, Section G, Objective G1.2 of the "Resource Conservation Element" states that the County will promote the development of sustainable and renewable alternative energy sources, including wind, solar, hydroelectric and biomass energy.

H. Page RC-50, Section G, Policy G1.2.2 of the "Resource Conservation Element" states the County will encourage and support efforts to develop commercial alternative energy sources in lower priority agricultural lands within Kings County, when appropriately sited.

I. Page RC-51, Section G, Policy G1.2.7 of the "Resource Conservation Element" states the County will require commercial solar and wind energy systems to be reviewed as a conditional use permit pursuant to the procedures of the Kings County Zoning Ordinance.

V. SECTION 5: Consistency with the *Kings County Zoning Ordinance*

1. The use complies with the applicable provisions of the ordinance, specifically: The proposed Project, as recommended for approval, <u>is consistent</u> with the *Kings County Zoning Ordinance*.

A. Article 4, Section 405.D.30 of the General Agricultural (AG-40) District lists solar photovoltaic electrical generating facilities that commercially produce power for sale, which comply with all local, regional, State, and Federal regulations as a conditional use subject to Kings County Planning Commission approval.

B. Article 19, Section 1908.H of the *Kings County Zoning Ordinance* states that the when an application is submitted for a solar photovoltaic electrical facility for commercial sale and distribution of electrical power, the following findings shall be made before granting a conditional use permit:

(1) The proposed site is located in an area designated as either "Very Low Priority," "Low Priority," or "Low-Medium Priority" land according to Figure RC-13 Priority Agricultural Land (2035 Kings County General Plan, Resource Conservation Element, Page RC-20). "Medium Priority" land may be considered when comparable agricultural operations are integrated, the standard mitigation requirement is applied, or combination thereof.

a. Figure RC-13 "Priority Agricultural Land," in the Resource Conservation Element of the *2035 Kings County General Plan* designates the project site as Very Low Priority Land.

(2) The proposed site is located within 1 mile of an existing 60 KV or higher utility electrical line.

a. An existing 115 KV power line traverses the project site.

(3) Agricultural mitigation is proposed for every acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance converted for a commercial solar facility. The agricultural mitigation shall preserve at a ratio of 1:1 an equal amount of agricultural acreage of equal or greater quality in a manner acceptable to the County that coincides with the life of the project. Agricultural mitigation on land designed "Medium-High" or higher priority land shall preserve an equivalent amount of agricultural acreage at a ratio of 2:1.

a. Agricultural mitigation does not apply because no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project. The entire project site is designated as Grazing land by the FMMP.

(4) The project includes a reclamation plan and financial assurance acceptable to the County that ensures the return of the land to a farmable state after completion of the project life, and retains surface water rights.

a. The project would provide a reclamation plan and financial assurance acceptable to the County, prior to the issuance of a building permit, which ensures the return of the land to a farmable state after completion of the project life prior to issuance of construction permits. The property is not assessed by the Corcoran Irrigation District and receives no water supply from the District; therefore, there are no surface water rights to retain.

(5) The project includes a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption.

a. The project would provide a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption prior to issuance of construction permits. The weed abatement plan would ensure that 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 limited in height or removed through mechanical equipment. Herbicides may be applied if warranted by site conditions as specified in the weed abatement plan. Additionally, the project would include fire breaks around the project boundary in the form of driveways subject to county standards. The pest management plan would reduce anticipated nuisance impacts to adjacent farmland from pests inhabiting project facilities. Rodenticide and herbicide would be selected and used in a manner that minimizes impacts to protected biological species. The pest management plan would set action thresholds, identify pests, specify prevention methods as a first course of action, specify control methods as a second course of action, and establish a qualitative performance goal of nuisance reduction to adjacent farmland.

(6) The project establishes internal access roads that do not exceed a maximum distance of 300 feet between lanes.

a. The project establishes internal gravel access driveways that do not exceed a maximum separation distance of 300 feet.

(7) The project includes a solid waste management plan for site maintenance and disposal of trash and debris.

a. The project would provide a solid waste management plan for site maintenance and disposal of trash and debris prior to issuance of construction permits.

(8) The project site is not located on Williamson Act or Farmland Security Zone contracted land, unless it meets the principles of compatibility under Government Code Section 51238.1(a). Otherwise, the contract is proposed for cancellation or is eligible and converts to a Solar Easement.

a. The project site is located on Williamson Act contracted land and the contract is proposed for cancellation. Cancellation would need to be completed prior to the issuance of building permits.

VI. SECTION 6: Consistency with the *California Land Conservation (Williamson) Act*

1. The project site (APN: 028-290-041 and 043) is located within an established agricultural preserve.

A. The project site is located on Williamson Act contracted land and the applicant is proposing to discontinue the grazing operation and cancel the Williamson Act contract that currently restricts the project site. The cancellation would need to be completed prior to the issuance of building permits.

B. On March 27, 2012, the Kings County Board of Supervisors adopted Resolution No. 12-016 amending the County's Implementation Procedures for the California Land Conservation "Williamson" Act of 1965 by adding the following paragraph to Section I under Uniform Ruses for Agricultural Preserves: "Commercial solar photovoltaic system facilities that are designed primarily for the production of electrical energy for third party consumption are not compatible under the provisions of Section 51238(a)(1). For purposes of determining compatibility, a project must be determined consistent with the principles of compatibility under Section 51238.1(a)." Since the applicant is proposing to discontinue the grazing operation and cancel the Williamson Act contract that currently restricts the project site, the cancellation would need to be completed prior to the issuance of building permits.

VII. SECTION 7: Consistency with the *Flood Damage Prevention Ordinance* (Chapter 5A of the *Kings County Code of Ordinances*)

1. A portion of the site CED Corcoran Solar 2 and CED Corcoran Solar 3 are located within Other Areas Zone X as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Numbers 06031C0375C, dated June 16, 2009. See Figure 6 on Page 11 of the staff report. There are no development restrictions associated with Other Areas Zone X since these are areas determined to be outside the 0.2 percent annual chance floodplain.
2. A portion of the site CED Corcoran Solar 2 and CED Corcoran Solar 3 are located within Zone A as shown on the National Flood Insurance Program, Flood Insurance Rate Map (FIRM), Map Number 06031C0375C, dated June 16, 2009. See Figure 6 on Page 11 of the staff report. Zone A is a Special Flood Hazard Area Subject to Inundation by the 1 percent Annual Chance Flood where no base flood elevations have been determined.
   A. Any future development of structures within Zone A will be subject to standard requirements and the requirements of Chapter 5A of the Kings County Code of Ordinances.
      (1) Any future development will require that the elevation be determined and the Project designed according to the criteria of the Flood Damage Prevention Ordinance (Chapter 5A of the Kings County Code of Ordinances) for any structure constructed on the portion of the site within the flood zone.

VIII. SECTION 8: Kings County Enterprise Zone

1. The Project site <u>is not located</u> within the Kings County Enterprise Zone.

IX. SECTION 9: Consistency with the *Kings County Airport Land Use Compatibility Plan*

1. The Project site <u>is not located</u> within an Airport Compatibility Zone.

X. SECTION 10: Consistency with the Kings County Septic Tank Absorption Field Minimum Requirements

1. The Project site is located within an area requiring engineering for any new septic systems that are installed; however, no septic systems are proposed for development on the Project site.

XI. SECTION 11: Conditions of Approval

The Commission adopts the following conditions of approval for CUP No. 12-08:

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY – PLANNING DIVISION: Contact Sandy Roper of the Kings County Community Development Agency at (559) 852-2685 regarding the following requirements:

1. All proposals of the applicant shall be conditions of approval if not mentioned herein.

2. Prior to any ground disturbance, the applicant shall hire a Native American Monitor to monitor the project during all ground disturbing activities during both the construction and decommissioning phases of the project for CED Corcoran Solar 2 and CED Corcoran Solar 3.

3. Prior to any ground disturbance, a surface inspection of the project site shall be conducted by an Archaeologist. In addition, an Archaeologist shall monitor the project during all ground disturbing activities during both the construction and decommissioning phases of the project for CED Corcoran Solar 2 and CED Corcoran Solar 3

4. Prior to the issuance of a building permit for CED Corcoran Solar 2 the applicant shall obtain cancellation of the portion of the Williamson Act contract that would be occupied by CED Corcoran Solar 2.

5. Prior to the issuance of a building permit for CED Corcoran Solar 3 the applicant shall obtain cancellation of the portion of the Williamson Act contract that would be occupied by CED Corcoran Solar 3.

6. As per the Kings County Public Health Officer, *Coccidiodes immiti*, the fungus that causes valley fever, a serious and potentially long-term respiratory illness, is endemic in the soils of Kings County. Construction activities that disturb soils containing the spores of the fungus can put workers and the nearby public at risk. Effective dust control must be maintained on the job site at all times in order to reduce the risk of valley fever to workers and nearby residents. More information regarding the prevention of work related valley fever is available at www.cdph.ca.gov/programs/hesis/Documents/CocciFact.pdf and http://www.cdph.ca.gov/programs/ohb/Documents/OccCocci.pdf. Contact the San Joaquin Valley Air Pollution Control District for more information on dust control techniques.

7. The site plan for the project is approved in concept. However, it is understood that during the actual design of the project that either of the following minor alterations to the site plan may be necessary: 1) structural alterations; and/or 2) alterations to the location of structures. Any minor alterations shall comply with the following requirements:

   A. The site shall be developed in substantial compliance with the conceptually approved site plan. Development of the site shall be considered substantially consistent with the approved conceptual site plan if any minor structural alteration is within ten (10) percent of

the square footage shown on the conceptually approved site plan or up to a 2,500 square foot increase in structural size, whichever is less, and the minor structural alteration complies with coverage standards.

B. A minor alteration of the location of a structure shall be considered substantially consistent with the approved conceptual site plan if the new location of the structure complies with all setback requirements for the zone district that the project site is located in.

C. Any minor alteration that would make it necessary to modify or change any condition of approval placed on the project would require resubmittal of the application to amend the approval of the Conditional Use Permit.

D. No expansion of use, regardless of size, which would increase the projected scale of operations beyond the scope and nature described in this Conditional Use Permit application, will be allowed. Any expansion that is a substantial change from the conceptually approved site plan, will require either an amendment to the approved Conditional Use Permit or a new zoning permit.

8. The development shall comply with all regulations of *Zoning Ordinance No. 269*, with particular reference to the General Agricultural (AG-40) Zone District standards contained in Article 4.

9. Pursuant to Section 1605.B.1.a.1 of the Kings County Zoning Ordinance, No solid fence, wall, hedge or shrub exceeding three (3) feet in height shall be erected, planted or maintained within a required Traffic Safety Visibility Area. Traffic Safety Visibility Area is defined as a space set aside on a lot in which all visual obstructions, such as structures, fences and plantings that inhibit visibility and thus have the potential to cause a hazard to traffic and pedestrian safety are prohibited, as follows:

a. **Area adjacent to a driveway on any lot -** the Traffic Safety Visibility Area is that area on the street side of a diagonal line connecting points, measured from the intersection of the driveway (located on the property or adjoining parcel) and the street right of way line, twenty (20) feet along the side of the driveway and twenty (20) feet along the street side of a lot.

b. **On a corner lot -** the Traffic Safety Visibility Area also includes that area of a corner lot on the street side of a diagonal line connecting points, measured from the property corner where the streets intersect, set back one (1) foot for every one (1) mile per hour of the posted speed limit along each street.

10. Pursuant to Section 1606.C.1 of the *Kings County Zoning Ordinance* unless otherwise stated, the following signs are allowed as a permitted use and do not require a sign permit, site plan review or conditional use permit. All signs shall be located outside of the public right-of-way and shall not be located within a traffic safety visibility area if over three (3) feet in height. Unless a different setback is specified for a particular zone district, the minimum setback distance for all signs over three (3) feet in height shall be ten (10) feet from property lines. Signs shall be permitted only as follows in Agricultural (A) Districts:

A. Name plates or signs, not directly illuminated, with an aggregate area of not more than forty (40) square feet pertaining to a permitted use, permitted use with site plan review or conditional use conducted on the site.

B. Signs exceeding forty (40) square feet in structural area and up to one-hundred-fifty (150) square feet in structural area which are incidental and pertaining to a permitted or

conditional use may be permitted subject to a site plan review. Such signs may be located on the same parcel or an adjacent parcel used in conjunction with the permitted or conditional use. Signs exceeding forty (40) square feet in structural area may be illuminated and shall be thirty (30) feet from property lines adjacent to a road.

C. One non-illuminated on-site sign real estate sign or subdivision not exceeding thirty-two (32) square feet in structural area with copy on both sides pertaining to the sale, lease, rental or display of a structure or land per Section 1606.B.2.a.

D. Directional or information (other than advertising) signs not exceeding two hundred and forty (240) square feet in area located adjacent to a state highway or a county road within an area limited by points not closer than one-fourth (¼) mile or further than three-fourths (¾) mile from a frontage road turnoff, listing commercial establishments accessible via the frontage road, and further provided that not more than four (4) such signs shall be permitted on each side of the highway or county road.

E. Signs not exceeding two hundred forty (240) square feet in area located adjacent to a state highway or county road that is classified as an arterial or collector road (including such designations as urban or rural, major or minor) giving direction to or information about Kings County cities, communities, or rural service centers which are accessible by such state highways or county roads or direct routes consisting of combinations thereof, provided that such signs shall be limited to four (4) per city, community or rural service center regardless of the sign's location in this district, and further provided that such signs shall not contain information pertaining to a subdivision of land or private development, commercial establishments or quasi-public developments.

F. Non-illuminated temporary construction signs in accordance with Section 1606.B.2.c.

G. Political and Campaign Signs in accordance with Section 1606.B.3.

H. Placing a sign on property which is restricted by contract under the *California Land Conservation "Williamson" Act of 1965* shall be prohibited, except for temporary signs (pursuant to Section 1606.B.2.a, c, and d), political and campaign signs (pursuant to Section 1606.B.4), and signs incidental to a permitted use, permitted use with site plan review, or conditional use which are consistent with the *Uniform Rules for Agricultural Preserves in Kings County*.

11. Exterior lighting shall be hooded so as to be directed only on site.

12. A minimum of four (4) off-street parking spaces shall be provided and that such parking shall be installed in accordance with the *Kings County Improvement Standards*.

13. All parking areas, aisles, and driveways shall be surfaced and maintained so as to provide a durable, dustless surface. Section 303.G. and Drawing 3036 of the *Kings County Improvement Standards* requires Cutback Asphalt over four (4) inches of Decomposed Granite under the "Rural Alternative." (Note: The Kings County Zoning Administrator hereby reserves the right to require additional improvements to the parking area and driveway if at any time in the future the decomposed granite surface deteriorates and either a dust problem is created due vehicles driving on the decomposed granite surface, or a mud problem is created due to vehicles tracking mud onto County Roads.)

14. All open and unlandscaped portions of the lot shall be maintained in good condition, free from weeds, dust, trash and debris.

15. The minimum yard requirements from property line to a structure shall be as follows:

    A. The minimum front yard setback for occupied structures shall be not less than fifty (50) feet from the public road right-of-way line or the property line if not fronting on a public road right-of-way. The minimum front yard setback for non-occupied uses shall be not less than thirty-five (35) feet from the public road right-of-way or property line if not fronting on a public road right-of-way.
    B. The minimum side yard setback shall be ten (10) feet from the side property line for interior sites. The minimum side yard setback shall be twenty (20) feet from the public road right-of-way line on the street side of a corner site.
    C. The minimum rear yard setback shall be ten (10) feet from the rear property line.

16. The minimum distance between structures shall be ten (10) feet.

17. The applicant shall comply with all requirements of, and obtain any necessary permits from, the San Joaquin Valley Air Pollution Control District (SJVAPCD). Questions concerning SJVAPCD requirements should be direct to Jessica Willis at (559) 230-5818.

18. The applicant shall comply with all requirements of, and obtain any necessary permits from, the California Regional Water Quality Control Board (CRWQCB). Questions concerning CRWQCB requirements should be direct to David Sholes at (559) 445-6279.

19. The applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and the Environmental Heath Services Division of the Health Department, and all other local and state regulatory agencies.

20. Pursuant to Section 14-38(d) of the *Kings County Code of Ordinances*, a "Notice of Disclosure and Acknowledgment of Agricultural Land Use Protection and Right to Farm Policies of the County of Kings" shall be signed, notarized, and recorded.

21. Pursuant to Section 66020(d)(1) of the *California Government Code*, the owner is hereby notified that the 90-day approval period in which the applicant may protest the imposition of fees, dedications, reservations, or other exactions, begins on the date that Planning Commission Resolution No. 14-08 is adopted.

22. Sales or use tax may apply to business activities on the site. The applicant may seek written advice regarding the application of tax to your particular business by writing to the nearest State Board of Equalization office. For general information, please call the Board of Equalization at 1-800-400-7115.

23. Prior to the issuance of a building permit, the applicant shall submit a Soil Reclamation Plan for review and approval by Community Development Agency staff. The plan shall contain an analysis of pre-project baseline soil conditions, and shall contain specific measures to restore the soil to its pre-project condition, including removal of all fixtures, equipment, non-agricultural driveways, and restoration of compacted soil. Reclamation shall be completed within six months of the expiration of the use permit.

24. Prior to the issuance of a building permit, the applicant shall post a performance bond or similar instrument to ensure completion of the activities under the Reclamation Plan. An Updated Engineer's Cost Estimate shall be submitted by the applicant every 5 years so that the financial assurances for the Reclamation Plan can be reviewed every 5 years by the Kings County Community Development Agency to determine if finances are sufficient to perform reclamation of the Project. The financial assurance must be adjusted if, during the five year review, finances are determined to be insufficient to perform reclamation of the Project.

25. Additional annual service impact fees affecting the Kings County Fire and Sheriff departments will not be billed to the applicant. Instead, the applicant will be responsible to pay for services rendered by the two departments during times of emergency when services are provided.

26. All mitigation measures in the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Plan that pertain to CUP No. 12-08 are adopted as conditions of this approval, and included in the Conditional Use Permit.

27. Within eight (8) days following the date of the decision of the Kings County Planning Commission, the decision may be appealed to the Kings County Board of Supervisors. The appeal shall be filed with the Clerk of the Board of Supervisors.

28. This Conditional Use Permit shall lapse and shall become null and void three (3) years following the date that the Conditional Use Permit became effective, unless prior to the expiration of three (3) years the proposed use has been established. A Conditional Use Permit involving construction shall lapse and shall become null and void three (3) years following the date that the Conditional Use Permit became effective, unless prior to the expiration of three (3) year a building permit is issued by the Building Official and construction is commenced and diligently pursued toward completion on the site that was subject of the Conditional Use Permit application.

29. This Conditional Use Permit may be renewed for additional periods of time, if an application (by letter) for renewal of the Conditional Use Permit is filed with the Planning Commission prior to the permit's expiration date.

XII. SECTION 12: Other Agency's Comments, Standards and Regulations

The following departments and agencies have provided comments, standards, and regulations concerning the proposed project. The Planning Commission has no authority to modify, amend, or delete any of these comments, standards, and regulations but lists them here as information to the applicant. Appeals for relief of other agency's standards and regulations must be made through that department's or agency's procedures, not through the Zoning Ordinance procedures. However, the applicant shall comply with all adopted rules and regulations of the Kings County Public Works Department, Fire Department, and the Environmental Heath Services Division of the Health Department, and all other local and state regulatory agencies. Failure of the applicant to comply with all adopted standards and regulations of all other local and state regulatory agencies is a violation of this conditional use permit (see Planning Division Condition No. 19 above) and could result in revocation of this conditional use permit.

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY - BUILDING DIVISION Contact Darren Verdegaal at the Kings County Community Development Agency - Building Division at (559) 852-2683, regarding the following requirements:

1. Building permits must be obtained from the Building Division of the Kings County Community Development Agency for any structures, plumbing, electrical, or mechanical work.

2. Failure to obtain a building permit for any structure, prior to commencing construction, which requires a building permit, will result in the payment of a double fee. Payment of such double fee shall not relieve any person from fully complying with the requirements of Kings County Code of Ordinances, Chapter 5 in the execution of the work or from any other penalties prescribed therein.

3. A minimum of (2) sets of plans and calculations signed by an architect or engineer licensed to practice in the Sate of California shall be required for all structures.

4. The applicant is responsible for contacting the Building Division to request a final inspection of the structures prior to occupying the structures and prior to startup of the operation. No building or structure shall be used or occupied until the Building Division has issued a Certificate of Occupancy.

5. All drive approaches and durable dustless surfaces shall be installed prior to the final inspection and maintained as per County Standards.

6. All special inspection reports shall be provided to the Building Division prior to requesting a final inspection.

7. If the facility will have employees on-site for maintenance of the system an accessible restroom shall be provided. This may be accomplished by either construction of a permanent structure or use of a chemical toilet with a regular maintenance schedule.

8. Pursuant to the *California Building Code* one (1) van accessible parking space, allowing room for individuals in wheelchairs, on braces or crutches to get in and out of an automobile onto a level surface, suitable for wheeling and walking shall be provided. The parking space shall be 9’ x 20’ with an 8’ wide loading and unloading aisle placed on the side opposite the driver’s side. The surfacing of the parking space, loading and unloading aisle and the accessible path from the space to the entrance of the building shall be either asphalt concrete or concrete.

9. A soils report, prepared by a qualified soils engineer, shall be provided to the Building Division prior to issuance of building permits.

10. The site is located within a Special Flood Hazard Area. The proposed development shall meet the requirements of the Kings County Code of Ordinances, Chapter 5A, Flood Damage Prevention.

11. The facility shall meet the requirements of the State of California Model Water Efficient Landscape Ordinance. If landscaping is proposed then landscape and irrigation plans shall be provided to the Community Development Agency for review and approval prior to building permit issuance.

12. All construction shall conform to the 2013 California Building Standards Code which consist of the California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, and California Energy Code, California Fire Code and California Green Building Standards Code.

KINGS COUNTY PUBLIC WORKS DEPARTMENT: Contact Mike Hawkins of the Kings County Public Works Department at (559) 852-2708 regarding the following requirements:

1. All requirements required hereafter shall conform to the Kings County Improvement Standards.

2. All other alternatives to Public Works requirements must be approved by the Kings County Public Works Department.

3. All drainage shall be contained on-site.

4. All proposals of the applicant are conditions of approval unless otherwise mentioned.

5. Canal Company shall be informed of bridge to be constructed over the Sweet Canal for their review and comments.

6. No signs or structures are to be placed in the County right-of-way. Any existing signs or structures within the County right-of-way shall be removed. This condition affects all phases of the solar farm.

7. Perimeter fencing along County maintained roads shall be placed at one (1) foot beyond the right-of-way line. Contact the Kings County Public Works Department for right-of-way information.

KINGS COUNTY FIRE DEPARTMENT: Contact Rick Smith of the Kings County Fire Department at (559) 852-2885 for the following requirements:

1. Rows of solar panels shall not exceed 300 feet in length.

2. There shall be a minimum of 4 feet of separation between rows to allow access for fire suppression personnel.

3. There shall be access roads of an all-weather surface capable of supporting heavy fire apparatus between the 300 foot sections of solar panels to allow fire apparatus access to the panels so that no portion of any panel is greater than 150 feet from fire suppression access. The access roads shall be maintained and completely surround the solar panels to allow access from any side or end. Widths of access roads shall be determined by the Fire Marshal.

4. The solar field shall be kept clear of combustible weeds and debris.

5. The solar fields shall be protected to prevent public access.

6. Fire Department requires a Knox box or other approved system to store and secure keys for any fence or buildings within the property.

7. Applicant shall provide training for fire personnel to be able to interrupt electrical power safely for emergency incidents requiring fire suppression or rescue activities.

8. Architects, Engineers and Designers shall provide detailed plans for review of the project and shall meet with the Fire Marshal in a timely manner upon his request for clarification of any issues.

9. Any fire suppression systems or fire flow requirements will be dependent upon project facilities and review of the project specifications.

10. Fire Department reserves the right to add additional comments or requirements depending upon the hazards involved with the project.

KINGS COUNTY HEALTH DEPARTMENT: Contact Lee Johnson of the Kings County Department of Environmental Health Services at (559) 852-2631 regarding the following requirements:

1. If hazardous materials at or above threshold reporting quantities (55 gallons of a liquid, 500 pounds of a solid, or 200 cubic feet of a gas) will be kept on site, the facility must file a Hazardous Materials Business Plan online at http://cers.calepa.ca.gov within 30 days of beginning operations. Hazardous materials are broadly defined, and include fuel, lubricants, antifreeze, motor vehicle batteries, welding gases, paints, solvents, glues, agricultural chemicals, etc. Please contact our office if you require assistance with the online registration process.

2. Any quantities of hazardous wastes generated by the facility operation must be managed in accordance with Federal, State, and local laws and regulations. Hazardous wastes cannot be disposed of into the municipal waste stream or onsite sewage disposal system. The owner/operator must contact our office at with any questions regarding proper management and reporting of any hazardous wastes associated with this operation.

3. Any plumbing fixtures that may be provided on site, such as hand wash sinks, used by employees for personal use must have bacteriologically safe water. Sinks should be limited to handwashing only and should be posted with signage indicating that the water is suitable for washing and general cleaning, but not recommended for drinking. Bottled water or other potable source must be provided for drinking. If drinking water will be provided to 25 employees or more for 60 days or more over a calendar year, then the facility may require a public water system permit from our office. Portable toilets must be serviced at an adequate frequency so as not to create nuisance conditions.

4. If an onsite septic system will be installed, three copies of septic system plans must be submitted to our office for review and approval prior to construction of the system.

CALTRANS: Contact Alec Kimmel, Transportation Planner with Caltrans at (559) 488-4325 regarding the following requirements:

1. An encroachment permit must be obtained for all proposed activities for placement of encroachments within, under or over the State Highway right-of-way. Activity and work planned in the State right-of-way shall be performed to State standards and specifications, at no cost to the State. Engineering plans, calculations, specifications, and reports (documents) shall be stamped and signed by a licensed Engineer or Architect. Engineering documents for encroachment permit activity and work in the State right-of-way may be submitted using English Units. The Permit Department and the Environmental Planning Branch will review and approve the activity and work in the State right-of-way before an encroachment permit is issued. Encroachment permits will be issued in accordance with Streets and Highway Codes Section 671.5, "Time Limitations." Encroachment permits do not run with the land. A change of ownership requires a new permit application. Only the legal property owner or his/her authorized agent can pursue obtaining an encroachment permit. Please call the Caltrans Encroachment Permit Office - District 6: 1352 W. Olive, Fresno, CA 93778, at (559) 488-4058.

2. The project site is adjacent to access control right-of-way. Access to the site from the State right-of-way is prohibited.

3. The right-of-way fence shall remain unmodified and undisturbed. An encroachment permit is required to repair the fence if damaged or modified. Any proposed fences shall meet current State Standards if located within or adjacent to the State right-of-way.

4. Any proposed curb, gutter, sidewalk, and access ramps shall be required to comply with current ADA requirements or other applicable State or Federal law.

5. The highway drainage shall not be modified. Site runoff is not allowed into the State right-of-way without approval from the Department.

6. Any future improvements should account for future utility placements whether underground or above ground.

7. Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Compliance with the Department's NPDES permit requires amongst other things, the preparation and submission of a Storm Water Pollution Protection Plan (SWPPP), or a Water Pollution Control Program (WPCP), and the approval of same by the appropriate reviewing authority prior to the issuance of an encroachment permit.

8. If right-of-way is dedicated to the State because of the project or the work proposed in the State right-of-way, it will need to be dedicated and conveyed to the State (in a form approved by the State) before an encroachment permit is issued for any work in the State right-of-way.

9. No advertising signs are allowed in or over the State right-of-way. A sign permit may be required for advertising signs adjacent to and visible from the State Highway right-of-way.

10. Landscape and irrigation should be kept outside of the State right-of-way. If not, a landscape and maintenance agreement is required between the Department and the local jurisdiction for the landscape and irrigation proposed before an encroachment permit is issued.

The foregoing Resolution was adopted on a motion by Commissioner _____ and seconded by Commissioner _____, at a regular meeting held on September 8, 2014, by the following vote:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSTAIN: COMMISSIONERS
ABSENT: COMMISSIONERS

KINGS COUNTY PLANNING COMMISSION

_____
Riley Jones, Vice-Chairperson

WITNESS, my hand this ____ day of September, 2014.

_____
Gregory R. Gatzka
Secretary to the Commission

cc: Kings County Board of Supervisors
Kings County Counsel
Kings County Community Development Agency – Building Division
Kings County Public Works Department
Kings County Fire Department
Kings County Health Department – Division of Environmental Health Services
Caltrans
Regional Water Quality Control Board
State of California, Department of Fish and Wildlife
San Joaquin Valley Air Pollution Control District
Corcoran Irrigation District, P.O Box 566, Corcoran, CA 93212
J.G. Boswell Company, P.O. Box 457, Corcoran, CA 93212
Consolidated Edison Development, Inc., 100 Summitt Lake Drive, Suite 410, Valhalla, NY 10595
Provost and Pritchard Consulting Group (Dawn Marple), 130 N. Garden Street, Visalia, CA 93291

Attachments: Exhibit "A" Erratum
Exhibit "B" Mitigation Monitoring and Reporting Plan

Exhibit "A" of Planning Commission Resolution No. 14-08

KINGS COUNTY COMMUNITY DEVELOPMENT AGENCY

1400 WEST LACEY BOULEVARD
HANFORD, CA 93230

ERRATUM

for the

Modification of Conditional Use Permit No. 10-03 for the CED Corcoran Solar 2 and Conditional Use Permit No. 12-08 for the CED Corcoran Solar 3 Generation Facilities Project

Initial Study/Mitigated Negative Declaration

(State Clearinghouse Number 2014071064)

August 2014

Prepared by:

EST. 1968
PROVOST& PRITCHARD
CONSULTING GROUP
An Employee Owned Company

Since the release of the CED Corcoran 2 and 3 Solar Project Initial Study/Mitigated Negative Declaration (IS/MND) for public review, the Kings County Community Development Agency has determined that, for clarification purposes, certain changes to the IS/MND are warranted. As will be demonstrated below, none of the changes affect the adequacy of the environmental analysis, nor do they identify any significant new impacts, or present significant new information. As a result, per CEQA Guidelines Section 15073.5, recirculation of the Modification of Conditional Use Permit No. 10-03 for the CED Corcoran Solar 2 and Conditional Use Permit No. 12-08 for the CED Corcoran Solar 3 Generation Facilities Project IS/MND is not required[1]. Changes to the Draft IS/MND text are presented in red format for new, added text and ~~strikethrough~~ format for deleted text.

The changes noted below are for clarification purposes and do not alter the conclusions of the IS/MND.

Agriculture and Forest Resources

Page 3- 13, Impact Assessment II-b, paragraph 2 now reads:

The Project site is located on two Assessor's Parcels (APN 028-290-41 and APN 028-290-43) which total approximately 170 acres in size and both are subject to a California Land Conservation ("Williamson Act") Contract (Williamson Act Contract #01394 dated January 1, 1971). These acres will be leased as a part of the project (the "Project site"). The proposed Project does not conflict with the existing zoning as it is an allowable conditional use under the existing AG-40 zone district. The Project ~~is proposing~~ includes a ~~to~~ petition for cancellation of the existing Williamson Act Contracts. Contract cancellation proceedings will be required as a condition of approval. Therefore, there will not be a conflict following project implementation and impacts would be considered less than significant. ~~any impacts regarding conflicts with a Williamson Act Contract are considered to be less than significant.~~

[1] According to CEQA Guidelines Section 15073.5,

(c) Recirculation is not required under the following circumstances:

(1) Mitigation measures are replaced with equal or more effective measures pursuant to Section 15074.1.

(2) New project revisions are added in response to written or verbal comments on the project's effects identified in the proposed negative declaration which are not new avoidable significant effects.

(3) Measures or conditions of project approval are added after circulation of the negative declaration which are not required by CEQA, which do not create new significant environmental effects and are not necessary to mitigate an avoidable significant effect.

(4) New information is added to the negative declaration which merely clarifies, amplifies, or makes insignificant modifications to the negative declaration.

Page 3-21, Regional setting, last bullet point now reads:

- Rules 8011 and 8081 (Regulation VIII, Fugitive PM_{10} Prohibitions): This regulation is designed to reduce PM_{10} emissions by reducing fugitive dust. Regulation VIII requires implementation of control measures to ensure that visible dust emissions are substantially reduced. The Regulation VIII control measures are provided in Table ~~3~~ 2.

Page 3-22 and 3-23, Impact Assessment III-b, Table 3 and paragraph 4 discussion now reads:

Table 3
Proposed Project Construction and Operation Emissions

	VOC (ROG) (tons/year)	NO_x (tons/year)	PM_{10} (tons/year)	CO_2 (tons/year)
Total Project Construction Emissions	0.5292	4.5606	0.9628	356.6853
Total Project Operation and Area Emissions	0.00	0.00	0.00	0.0002
Total Project Emissions	0.5292	4.5606	0.9628	356.6855
Threshold of Significance[1]	10	10	--	--

[1] Guide for Assessing and Mitigating Air Quality Impacts, San Joaquin Valley Air Pollution Control District, January 10, 2002

Regulation VIII measures are Air District mandated requirements for any type of ground moving activity and are listed in Table 2. The identified thresholds of significance were established by the San Joaquin Valley Air Pollution Control District's in their January 20, 2002 publication of the *Guide for Assessing and Mitigating Air Quality Impacts.* The proposed Project will be required to implement Regulation VIII measures (identified in Table 2) which will reduce any construction related PM10 emission impacts to less than significant levels. As demonstrated in Table 3, proposed Project construction and operation emissions will be under the significance threshold, and are therefore considered less than significant.

Page 3-24 and 3-25, Environmental Setting, paragraph 2 now reads:

A survey to determine the presence of sensitive botanical resources – Biological Technical Report for CED Corcoran Solar 2 and 3 Projects - was conducted by Heritage Environmental Consultants, LLC on March 25, 2014. A number of special status animals and plants occur in the vicinity of the Project site. These species and their potential to occur on site are listed in Table 4 and described in more detail in Appendix C.

Page 3-25, Environmental Setting, new Biological Survey Methodology Section insert (excerpt from biological technical study) now reads:

Biological Survey Methodology

(The following subsection is an excerpt from the Biological Technical Report for CED Corcoran Solar 2 and 3 Projects which was prepared by Heritage Environmental Consultants, LLC on March 25, 2014.)

Pre-field Review

A pre-field review of multiple sources was conducted to determine which biological resources may be of concern at the Project site. The U. S. Fish and Wildlife Service's online Information, Planning, and Conservation System (IPaC) tool was used to investigate listed species, critical habitat, and National Wetlands Inventory (NWI) information available for the project site. The California Natural Diversity Database (CNDDB) was queried using a 10-mile radius around the Project Site (California Department of Fish and Wildlife [CDFW] 2014a). In addition, the California Native Plant Society's (CNPS) Inventory of Rare and Endangered Plants (CNPS 2014) was queried for the Waukena USGS 7.5-minute quad map and the surrounding eight quads (Corcoran, El Rico Ranch, Guernsey, Goshen, Hanford, Paige, Remnoy, and Taylor Weir). Finally, the Initial Study and Mitigated Negative Declaration for the Corcoran and Corcoran West projects (Provost and Pritchard 2011) was reviewed to determine if any resources discussed in that document might not have been identified through the database queries. The special status species identified through the database searches and literature review are displayed in Table 4 (below), which also lists the status, habitat and life history, geographic range, and specific occurrence records for each species. No NWI mapped wetlands were identified on the Project site.

Field Survey

The field survey was conducted on March 25, 2014. The weather was mostly sunny, with scattered high clouds, and warm (approximately 70 to 75 degrees Fahrenheit), with light winds from the west and southwest. The sites were surveyed by qualified biologists on foot to identify general site conditions and the potential for any special status species or their habitats to be present. Photographs were taken at each corner of each site at intermediate points, looking across the general area. Representative photographs are provided as attachments to the biological technical report. Dominant vegetation was identified and recorded. All wildlife species observed were identified and recorded. Nests were investigated to determine if they were currently in use or had been abandoned. Detailed field notes were taken on site conditions, vegetation and habitats, and the potential for special status species to use the site. As needed, GPS was used to navigate across the site and record the location of relevant site features. The results of the field survey are summarized in the sections below and biological technical report.

<u>Page 3-29, Impact Assessment IV-a now reads:</u>

Less Than Significant With Mitigation Incorporation. Several special status plant and animal species were identified in the technical report to have the potential to be located in the vicinity of the Project site, as indicated in Table 4. The construction of the solar generation facility will result in the conversion of approximately 170-acres of grazing land to a solar generation facility. When construction of the solar generation facility is complete the permanent structures that will remain on site include concrete slabs and one substation enclosure. Vegetation control would be limited to the minimum necessary for fire protection. All together less than one acre within the 170-acre Project site will be covered by gravel and or concrete base. The effect on regional foraging wildlife habitat will be minor. Since the Project Site will not be regularly disked, tilled or irrigated, as occurs under the present land use practices, the conversion of regularly, cultivated agricultural lands to a solar farm may in fact be improved site conditions for foraging species. In addition, large areas of suitable foraging habitat for these species still exist with the vicinity of the Project Site.

<u>Page 3-3, Mitigation Measure BIO-1 now reads:</u>

BIO 1: A qualified biologist shall conduct a pre-construction survey for nesting birds (including raptors) on and closely adjacent to the Project Site no more than 30 days prior to any ground disturbance, if ground disturbance is to occur during the breeding season (~~February~~ January 1 to ~~August 31~~ September 15). These surveys shall be based on the accepted protocols (for example, the current Swainson's hawk protocol-level surveys as recommended in California Department of Fish and Wildlife's report titled *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2002) or the 2012 *Staff Report on Burrowing Owl Mitigation*) for the target species. If an active nest is detected, the nests shall be protected from all construction activities with an appropriate construction buffer determined by a qualified biologist. An on-site monitor shall inspect nesting behavior daily to ensure raptors are not being disturbed by construction activities. Should the birds become agitated, construction shall be stopped and CDFW consulted on additional avoidance actions that should occur. Active Swainson's hawk nests shall be avoided by one-quarter mile in accordance with CDFW's 1994 Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley. All other nests shall be protected from all construction activities within 50 feet of the nest site. In the event that nests cannot be successfully avoided, the applicant may be required to obtain authorization from CDFW or USFWS. ~~an appropriate construction buffer may be needed. The actual size of the buffer would depend on species, topography, and type of construction activity that would occur near the nest, and would be determined in consultation with CDFW and USFWS.~~

Pages 3-38 through 3-40, subsequent biological mitigation measure identification numbers have changed as the result of the addition of two new mitigation measures:

BIO 6: Should any vertical tubes, such as solar mount poles, chain link fencing poles, or any other hollow poles be utilized on site, the vertical pole shall be capped immediately after installation to prevent avian fatalities.

BIO 7: Habitat permeability for special status species, their prey, and other wildlife will be maintained through the installation of permeable fencing. To enable wildlife to pass through the Project site after construction, the fence shall be raised four to six inches from the ground and the bottom fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that passes under the fence. Electrified fences are prohibited. Fencing specifications shall be indicated on all construction plans submitted with the construction permit package and be approved by the County in consultation with the USFWS and CDFW prior to installation.

Page 3-40, Mitigation Measures BIO-11 (formerly BIO-9) now reads:

BIO 11: Based on the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (Prepared by the Sacramento Fish and Wildlife office – January 2011), ~~Use~~ the use of rodenticides and herbicides in project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental

Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.

Page 3-40, Mitigation Measures BIO-17 and 18 (formerly BIO-15 and 16) now read:

BIO 17: The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project activities. Notification must include the date, time, and location of the incident as identified in ~~or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers in~~ BIO ~~14~~16 above. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.

BIO 18: New sightings of kit fox or any other special status species shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the species was observed shall also be provided to the USFWS at the address in measure 16 above.

Page 3-42, Impact Assessment IV-f now reads:

No Impact. The Project site is located within The Kern Water Bank Habitat Conservation Plan/NCCP and PG&E's Operations and Maintenance Habitat Conservation Plan service areas. There are no other approved habitat conservation plans, natural community conservation plans, regional or state habitat conservation plans in effect within the vicinity of the proposed Project Site. The development of the solar farm will not conflict with the operation or goals of the Kern Water Bank HCP/NCCP. The PG&E Operations and Maintenance HCP provides best management practices to ensure its facilities comply with the federal Endangered Species Act and the California Endangered Species Act (CESA). The Project would not conflict with the PG&E Operations and Maintenance HCP nor the Kern Water Bank HCP/NCCP since appropriate mitigation is being required to ensure compliance with the federal Endangered Species Act and the California Endangered Species Act. Therefore, the proposed Project would have no impact.

Page 3-46, Impact Assessment V-a, paragraph 4 now reads:

The rich cultural prehistory of the San Joaquin Valley has increased the likelihood of finding additional archaeological sites subsurface. The correspondence received from the NAHC supports the increased inadvertent Native American discoveries in Kings County as development expands. It is ~~management's recommendation~~ recommended that a qualified archaeologist be present during all ground disturbing activities (Appendix D). On addition to a cultural resources records search, a Sacred Lands Search (per requirements related to California ~~S.B.~~ Senate Bill (SB) 18 (September 30, 2004) regarding Native American consultation for certain projects) was requested by kp Environmental, Inc. on March 29, 2014. The results of that file search, conducted by the Native American Heritage Commission (April 8, 2014), indicated that no Native American cultural resources were located in the Project Area. The NAHC also made note that the absence of archaeological resources does not preclude the possibility of their existence at the subsurface level (Appendix D).

Page 3-46, Mitigation Measure CUL 1 now reads:

CUL 1: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities within one hundred (100) feet of the find shall be ceased and the Kings County Community Development Agency shall be notified immediately. The project proponent shall retain a qualified archaeologist to assess the significance of the find. A Native American monitor, in accordance with the Guidelines For Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required. If a potentially eligible resource is encountered, the archaeologist, lead agency, and project applicant shall arrange for either (1) total avoidance of the resource , if possible; or (2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. ~~and make mitigation recommendations, if warranted.~~ The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System (CHRIS). The resources shall be photo-documented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and Historical Preservation Department, or appropriate tribe as recommended by the Native American Heritage Commission. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.

Page 3-51, Impact Assessment VI-b, paragraphs 3 and 4 now read:

Approximately 100 acres of the Project site has a T factor rating of 2 while the remainder of the site has a T factor rating of 5 proving that the site has an overall low T factor rating therefore the Project site is not susceptible to significant soil erosion (Appendix A). Therefore, the project will have no significant impact on soil erosion and the loss of topsoil.

~~In addition to the Project site not being susceptible to significant soil erosion~~ Although the project will not have a significant impact on soil erosion and loss of topsoil, a Storm Water Pollution Prevention Plan (SWPPP) would be developed for the Project that would be implemented during both the construction and decommissioning periods. A SWPPP is required by the Regional Water Quality Control Board (General Permit for Discharges of Storm Water Associated with Construction Activity Construction General Permit Order 2009-0009-DWQ) for all projects which disturb more than one acre in size to ensure that Best Management Practices are followed.

~~As part of the SWPPP, the applicant would be required to provide the following Best Management Practices (BMPs) to further protect the topsoil.~~

The Impact Assessments VIII-a and VIII-b are now two separate analyses.

Page 3-57 and 3-58, Impact VII-a now reads:

Less Than Significant Impact. Implementation of the proposed Project could contribute to increases of GHG emissions that are associated with global climate change. Estimated GHG emissions attributable to development is primarily associated with increases of CO2 and other GHG pollutants, including CH4 and N2O, from mobile sources and utility usage. As discussed in Section III, Air Quality, of this IS/MND, because the proposed project would be operated remotely and would not involve typical operations

that would involve sources of GHG emissions, such as utility usage, emissions associated with mobile sources would be the only operational source of air pollutant emissions.

It should be noted that construction-related GHG emissions are a one-time release and are, therefore, not typically expected to generate a significant contribution to global climate change, as global climate change is inherently a cumulative effect that occurs over a long period of time and is quantified on a yearly basis. However, as the maximum emissions of GHG anticipated for the proposed project would occur during construction, the project's estimated construction-related GHG emissions have been amortized over the expected lifetime of the proposed Project (estimated at 20 years) and included in the annual operational GHG emissions in order to present a conservative long-term analysis.

The proposed Project's short-term construction-related and long-term operational GHG emissions were estimated using CalEEMod. Emissions (Appendix B) are expressed in annual metric tons of CO2 equivalent units of measure (MTCO2e), the common indicator for GHG emissions based on the global warming potential of the individual pollutants. According to CalEEMod, the proposed Project would result in annual GHG emissions, including amortized construction emissions, as presented in Table 5.

Table 5 Unmitigated Project GHG Emissions
Unmitigated Project GHG Emissions

Emission Source	GHG Emissions (MTCO2e/yr)
Total Construction[2]	**17.85**
Total Operational	**0.002**
Total Annual GHG Emissions	**17.857**

Reductions in GHG emissions associated with the proposed project's solar energy generation were estimated using the U.S. Environmental Protection Agency (USEPA) Green Power Equivalency Calculator[3] – a web-based calculator that provides the approximate amount of GHG emissions savings, as well as equivalency statements such as an equivalent number of passenger vehicles, homes, or coal plants. Based on the specific system design, the proposed project is estimated to produce 47,954,167 kWh/yr (47,954 MWh/yr) over the lifetime of the project. According to the USEPA's Green Power Equivalency Calculator, the solar energy generated during operation of the proposed project would avoid an estimated 33,067 MTCO2e per year – equivalent to GHG emissions from approximately 6,961 passenger vehicles per year, 3,720,811 gallons of gasoline consumed, 76,900 barrels of oil consumed, or the electricity use of 4,548 average American homes for one year.

Even with the temporary emissions of GHG associated with construction activities amortized over the lifetime of the Project, the overall decrease in GHG emission that would result from solar energy generation of the proposed Project would more than offset the GHG emission anticipated from construction and operation of the proposed Project. An overall net negative annual GHG emission of approximately 33,049.4 MTCO2e would occur with implementation of the proposed Project (i.e., 33,067 MTCO2e per year – 17.857 MTCO2e per year). Because GHG emissions would be negative overall, the

2 Amortized total construction emissions (357.11 MTCO2e) over the anticipated 20-year lifetime of the Project (357.11 MTCO2e / 20 years = 17.85 MTCO2e/yr)

3 http://www.epa.gov/cleanenergy/energy-resources/calculator.html#results site accessed August 2014.

proposed Pproject would be considered to have a positive impact on global climate change and would be beneficial to the environment. Therefore, the proposed Project would not generate GHG emissions, either directly or indirectly, that may result in a significant impact on the environment. Therefore, impacts related to GHG emissions and global climate change would be considered less than significant.

Page 3-58 and 3-59, Impact VIII-b now reads:

Less Than Significant Impact. In August 2008, the SJVAPCD adopted the Climate Change Action Plan (CCAP). The CCAP directed the District Air Pollution Control Officer to develop guidance to assist lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project specific greenhouse gas (GHG) emissions on global climate change. Accordingly, on December 17, 2009, the SJVAPCD adopted the Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. The guidance relies on the use of performance-based standards, otherwise known as Best Performance Standards (BPSs), to assess significance of project-specific GHG emissions on global climate change. Use of BPSs is a method of streamlining the CEQA process of determining significance and is not a required emission reduction measure. Projects implementing BPSs would be determined to have a less-than significant individual and cumulative impact on global climate change and would not require project-specific quantification of GHG emissions. Otherwise, demonstration that a project's emissions would be reduced or mitigated by 29 percent (from business as usual [BAU] levels by 2020), consistent with the GHG emission reduction targets established in the Assembly Bill (AB) 32 Scoping Plan would be required in order to determine that a project would have a less-than-significant individual and cumulative impact on global climate change. It should be noted that the SJVAPCD's guidance does not limit a lead agency's authority in establishing its own process and guidance for determining significance of project-related impacts on global climate change.

It should be noted that the BPSs included in the SJVAPCD guidance for development projects are design measures applicable primarily to commercial or residential developments, such as affordable housing, green building features, and vehicle miles travelled (VMT) reduction measures including alternative transportation and parking features. As such, the BPSs are not applicable to a renewable energy project. In addition, as solar projects are a relatively new type of development, a baseline or BAU level has not been established from which to measure a 29 percent reduction in GHG emissions. Consequently, the analysis in this IS/MND concentrates on the proposed project's incremental contribution of GHG emissions towards global climate change in comparison to the project's generation of solar energy, which would contribute to an overall reduction in GHG emissions by reducing the use of typical energy resources in the area such as fossil fuels including oil, coal, and natural gas. Because GHG emissions would be negative overall, the proposed Project would be considered to have a positive impact on global climate change and would be beneficial to the environment. Therefore, the proposed Project would not generate GHG emissions, either directly or indirectly, that may result in a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of GHGs.

~~**Less Than Significant Impact.** The proposed Project includes the construction and operation of a solar energy generation facility. Emissions resulting from solar electricity generation are negligible because no fuels are combusted[4]; however temporary emissions will be associated with construction-related~~

[4] U.S. Environmental Protection Agency, Clean Energy. Air Emissions. http://www.epa.gov/cleanenergy/energy-and-you/affect/air-emissions.html.

~~activities. Temporary and short-term proposed Project construction emissions will be minimal, as demonstrated in Table 3, and Project operations will not exceed SJVAPCD thresholds of significance. Subsequently, Project operations will reduce greenhouse gas emissions. The gases believed to be most responsible for global warming are water vapor, carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF6). Facility operational-related emissions will be minimal. There will be no permanent on-site personnel. Except for the bi-annual cleaning of the solar panels, emergency repair events and occasional security checks. Facility operation will not generate NO_x, CO, VOC, PM_{10}, or SO_x emissions. The Air District's Rule 9510 (Indirect Source Review) also requires operational emission reductions of 25 percent NO_x and 50 percent PM_{10} for 10 years if thresholds are exceeded. Air quality analysis (Appendix B) indicates this Project will not exceed the Air District's CEQA threshold for operational criteria pollutant emissions; therefore, operational impacts are not expected to trigger the Air District's Rule 9510 (Indirect Source Review) (See Table 3 and Appendix B).~~

~~The District has adopted a set of PM_{10} Fugitive Dust Rules collectively called Regulation VIII. Several components of Regulation VIII specifically address fugitive dust generated by construction-related activities. Therefore, the District has determined that any determination of significance with respect to construction emissions should be based on a consideration of the control measures to be implemented. Compliance with Regulation VIII for all sites and implementation of all other control measures summarized in Table 2 (as appropriate, depending on the size and location of the project site) will result in adequate sufficient mitigation to reduce PM_{10} impacts to a level considered less than significant.~~

~~The proposed Project will not significantly contribute to the emission of GHGs. Temporary Project construction emissions would be minimal, as demonstrated in Table 3, and Project operations would not exceed SJVAPCD thresholds of significance. In addition, Regulation VIII measures, as seen in Table 2, would be implemented, further decreasing potential emissions. The Project would not significantly contribute to the emission of GHGs and through the production of clean, emissions free energy, may help to reduce GHGs if fossil fuel sources of energy production are displaced by the energy produced by this facility. The impact would be less than significant.~~

Page 3-60, Checkbox VIII-e now reads:

e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐ ~~☒~~	☒ ~~☐~~

The Impact Assessments VIII-a and VIII-b are now two separate analyses.

Page 3-64, Impact VIII-a, paragraph 1 now reads:

~~**Less Than Significant With Mitigation Incorporation.**~~ **No Impact.** Project construction will require the transport and use of small quantities of hazardous materials in the form of gasoline, diesel and oil. The Project would not require long-term storage, treatment, disposal or transport of significant quantities of hazardous materials. The relatively small quantities that will be used for construction would be below

the reporting requirement s for a hazardous materials business plan and would not be considered to pose public health and safety hazards through release of emissions or risk of upset.

Page 3-65, Impact Assessment VIII-b, paragraph 1 now reads:

Less Than Significant With Mitigation Incorporation. Project construction and operation will ~~also~~ require the use of heavy equipment. The construction activities will not involve the use of significant amounts of hazardous compressed gas. ~~The use of heavy equipment will have the ability ability to~~ However, construction activities will generate dust. Soil on the Project site may contain fungal spores. When the soil is disturbed by digging, vehicles, or by the wind, the fungal spores may become airborne, and may be inhaled by people on or near the site. Some fungal spores are known to cause Valley Fever. While Valley Fever is not a hazardous material, it could potentially create a hazardous situation for workers if present on the site. In order to minimize the risk of Valley Fever, the generation of fugitive dust should be reduced to the greatest extent feasible. Such reduction can best be achieved by utilizing soil stabilizers before and during ground disturbing activities as described in Table 2 and Impact VII-b. Prior to the initiation of construction a Fugitive Dust Control Plan outlining the methods to reduce dust is required by the SJVAPCD to demonstrate compliance with its Regulation VIII as described in Table 2.

Page 3-65 and 3-66, Mitigation Measure HAZ-1 now reads:

The constructor and operator of the Project shall ~~develop~~ implement an Injury and Illness Prevention Program and a project-specific health and safety plan. These plan should include but not be limited to the following:

- Train workers on the applicable evacuation activities to protect workers from potential hazards posed by hazardous wastes;
- Compliance with the SJVAPCD's Regulation VIII and SJVAPCD-approved Dust Control Plan;
- Train workers and supervisors on how to recognize symptoms of illness related to Valley Fever;
- Provide pre-construction training and instruction regarding requirements for on-site construction pursuant to the approved Dusts Control Plan;
- Limit workers' exposure to outdoor dust in disease-endemic areas;
- When soil will be disturbed by heavy equipment or vehicles, wet the soil with water or other permitted soil stabilizer before disturbing it and continuously wet it while digging to keep dust levels down;
- Heavy equipment, trucks, and other vehicles generating heavy dust should have enclosed cabs equipped with air filters; and
- When exposure to dust is unavoidable, provide NIOSH-approved respiratory protection to all employees.

The constructor and operator shall present documentation to the County upon successful completion of the plan.

Page 3-66, Impact Assessment VIII-e now reads:

~~**Less Than Significant Impact**~~ **No Impact.** The nearest airport, the Corcoran Airport, is approximately 2.77 miles southwest of the Project site. The project site is not located within the Corcoran Airport Land Use Compatibility boundary**.** ~~The nearest private air strip (the Salyer air strip) is located 3.42 miles southeast of the project site at the southwest corner of Whitley Avenue and State Route 43.~~ Therefore, the proposed Project would not result in a safety hazard for people working in the Project area and ~~The impact would be less than significant~~ no impact would occur.

Page 3-66, Impact Assessment VIII-f now reads:

No Impact. The nearest private air strip (the Salyer air strip) is located 3.42 miles southeast of the project site at the southwest corner of Whitley Avenue and State Route 43. The proposed Project would not result in a safety hazard for people working in the Project area. Therefore, no impact would occur.

~~Any impacts regarding private airstrips have been discussed in Impact VIII-e. There would be no impact.~~

Page 3-70, Impact Assessment IX-a now reads:

Less Than Significant Impact. The Project is located across a canal from a water recharge and regulation basin. ~~Because of~~ The Project site is bordered by canals, State Route 43 and Nevada Avenue. ~~levee walls on the basin, runoff from the project would not be able to flow into the neighboring water recharge and regulation basin.~~ The canals bordering the Project site are elevated, whereas the Project site is depressed. State Route 43 and Nevada Avenue are also slightly elevated. Therefore, stormwater would not run off site nor ~~the project would not~~ result in any offsite discharge and, therefore, would not violate any water quality standards and would not impact waste discharge requirements. As a result, t~~T~~he impact would be less than significant.

Page 3-72, Impact Assessment IX-h now reads:

Less Than Significant Impact. As discussed in the analysis of Impact IX-g, a significant portion of the site is located within Zone A. However, as indicated in the Project Description, a minimal area of the site (less than one acre) is hardscaped or contains structures that may impede storm flow. Therefore, the impact would be less than significant. Any development of structures within Zone A will be subject to standard requirements and the requirements of Chapter 5A of the Kings County Code of Ordinances. Any development will require that the elevation be determined and the Project designed according to the criteria of the Flood Damage Prevention Ordinance (Chapter 5A of the Kings County Code of Ordinances) for any structure constructed on the portion of the site within the flood zone. ~~The impact would be less than significant.~~

Page 3-76 through 3-78, Impact Assessment X-b now reads:

No Impact. The Project site is located within an unincorporated area of Kings County. The 2035 Kings County General Plan designates the Project for General Agriculture use and the Zoning for the Project site is General Agricultural – minimum 40 Acres (AG-40). The proposed solar generation facilities are consistent with the underlying zoning with the approval of a conditional use permit. Article 4, Section 405.D.20 of the Kings County Zoning Ordinance lists solar photovoltaic electrical generating facilities that commercially produce power for sale as a conditional use in the General Agricultural (AG-40) zone

district. Section 405.D.20 requires solar photovoltaic electrical generating facilities that commercially produce power for sale to comply with all local, regional, State, and Federal regulations. Article 4, Section ~~402.B.11~~ 405.B.11 of the Kings County Zoning Ordinance lists public utility and public service structures including electric transmission as a permitted use in the General Agricultural (AG-40) zone district that does not require any type of zoning permit.

Article 19, Section 1908.H of the Kings County Zoning Ordinance states that the when an application is submitted for a solar photovoltaic electrical facility for commercial sale and distribution of electrical power, the following findings shall be made before granting a conditional use permit (a discussion of the project's consistency with each finding is included in *italics* below each finding):

1. The proposed site is located in an area designated as either "Very Low Priority," "Low Priority," or "Low-Medium Priority" land according to Figure RC-13 Priority Agricultural Land (2035 Kings County General Plan, Resource Conservation Element, Page RC-20). "Medium Priority" land may be considered when comparable agricultural operations are integrated, the standard mitigation requirement is applied, or combination thereof.

   Figure RC-13 "Priority Agricultural Land," in the Resource Conservation Element of the 2035 Kings County General Plan designates the project site as Very Low Priority Land.

2. The proposed site is located within 1 mile of an existing 60 KV or higher utility electrical line.

   An existing 115 KV power line traverses the project site.

3. Agricultural mitigation is proposed for every acre of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance converted for a commercial solar facility. The agricultural mitigation shall preserve at a ratio of 1:1 an equal amount of agricultural acreage of equal or greater quality in a manner acceptable to the County that coincides with the life of the project. Agricultural mitigation on land designed "Medium-High" or higher priority land shall preserve an equivalent amount of agricultural acreage at a ratio of 2:1.

   Agricultural mitigation does not apply because no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would be affected by the project. The entire project site is designated as Grazing land by the FMMP.

4. The project includes a reclamation plan and financial assurance acceptable to the County that ensures the return of the land to a farmable state after completion of the project life, and retains surface water rights.

   The project would provide a reclamation plan and financial assurance acceptable to the County, prior to the issuance of a building permit, which ensures the return of the land to a farmable state after completion of the project life prior to issuance of construction permits. The property is not assessed by the Corcoran Irrigation District and receives no water supply from the District; therefore, there are no surface water rights to retain.

5. The project includes a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption.

The project would provide a pest management plan and weed abatement plan to protect adjacent farmland from nuisances and disruption prior to issuance of construction permits. The weed abatement plan would ensure that 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 limited in height or removed through mechanical equipment. Herbicides may be applied if warranted by site conditions as specified in the weed abatement plan. Additionally, the project would include fire breaks around the project boundary in the form of driveways subject to county standards. The pest management plan would reduce anticipated nuisance impacts to adjacent farmland from pests inhabiting project facilities. Rodenticide and herbicide would be selected and used in a manner that minimizes impacts to protected biological species. The pest management plan would set action thresholds, identify pests, specify prevention methods as a first course of action, specify control methods as a second course of action, and establish a qualitative performance goal of nuisance reduction to adjacent farmland.

6. The project establishes internal access roads that do not exceed a maximum distance of 300 feet between lanes.

   The project establishes internal gravel access driveways that do not exceed a maximum separation distance of 300 feet.

7. The project includes a solid waste management plan for site maintenance and disposal of trash and debris.

   The project would provide a solid waste management plan for site maintenance and disposal of trash and debris prior to issuance of construction permits.

8. The project site is not located on Williamson Act or Farmland Security Zone contracted land, unless it meets the principles of compatibility under Government Code Section 51238.1(a). Otherwise, the contract is proposed for cancellation or is eligible and converts to a Solar Easement.

   The project site is located on Williamson Act contracted land and the contract is proposed for cancellation. Cancellation would need to be completed prior to the issuance of building permits.

As demonstrated above, the proposed project is consistent with the CUP findings for solar projects set forth in Section 1908.H of the Kings County Zoning Ordinance. Accordingly, the project applicant is requesting a CUP for the proposed project based upon the requirements of the Kings County Zoning Ordinance. A General Plan amendment is not required; therefore, upon approval of the requested CUP, the project would not conflict with any applicable land use plans, policies, or regulations of an agency with jurisdiction over the project. There is no impact.

<u>Page 3-78, Impact Assessment X-c now reads:</u>

No Impact. The Project site is located within The Kern Water Bank Habitat Conservation Plan/NCCP and PG&E's Operations and Maintenance Habitat Conservation Plan service areas. There are no other approved habitat conservation plans, natural community conservation plans, regional or state habitat conservation plans in effect within the vicinity of the proposed Project Site. The development of the solar farm will not conflict with the operation or goals of the Kern Water Bank HCP/NCCP. The PG&E

Operations and Maintenance HCP provides best management practices to ensure its facilities comply with the federal Endangered Species Act and the California Endangered Species Act (CESA). The Project would not conflict with the PG&E Operations and Maintenance HCP nor the Kern Water Bank HCP/NCCP since appropriate mitigation is being required to ensure compliance with the federal Endangered Species Act and the California Endangered Species Act. Therefore, the proposed Project would have no impact. ~~The proposed Project will not conflict with any adopted habitat conservation plans or natural community conservation plans. Therefore, there will be no impact.~~

Page 3-84, Impact Assessment XII-a, now reads:

Less than Significant Impact. Project operation would not generate noise; however Project construction would involve temporary noise sources and is anticipated to last twelve months. Typical construction equipment would include small backhoes, small tractors and miscellaneous equipment. During the construction phases of the Project, noise from construction activities would contribute to the noise environment in the immediate Project vicinity. Activities involved in construction would generate maximum noise levels, as indicated in Table ~~5~~6, ranging from 79 to 91 dBA at a distance of 50 feet, without feasible noise control (e.g., mufflers) and ranging from 75 to 80 dBA at a distance of 50 feet, with feasible noise control.

- The 2035 Kings County General Plan Table N-~~7~~8 and N Policy B1.2.1 set~~s~~ the standard noise threshold and defines a significant increase in noise from the pre-project noise environment. Table N-8 identifies 65 dBA as the threshold at the exterior of nearby residences; however, it does not identify a short-term, construction-noise-level threshold. The distinction between short-term construction noise impacts and long-term operational noise impacts is a typical one in both California Environmental Quality Act (CEQA) documents and local noise ordinances, which generally recognize the reality that short-term noise from construction is inevitable and cannot be mitigated beyond a certain level.

Table ~~5~~6
Typical Construction Noise Levels

Type of Equipment	dBA at 50 ft	
	Without Feasible Noise Control	With Feasible Noise Control[1]
Dozer or Tractor	80	75
Excavator	88	80
Scraper	88	80
Front End Loader	79	75
Backhoe	85	75
Grader	85	75
Truck	91	75

Source: US Environmental Protection Agency 1971
[1] Feasible noise control includes the use of intake mufflers, exhaust mufflers and engine shrouds operating in accordance with manufacturers specifications.

Most residents of urban and agricultural areas recognize this reality and expect to hear construction activities on occasion. The noise levels of construction equipment in Table ~~5~~6 above are at a distance of 50 feet from the listed equipment. The nearest residence is approximately 0.25 miles to the Southeast. As these activities would be restricted to daytime hours and would be short-term in nature, the impact would be less than significant, for example the truck at 91 decibels would be heard at approximately 4 decibels at the nearest residence 0.25 miles from the Project site.

Construction of the proposed Project is anticipated to last twelve months. All related construction activities and Project operations will comply with the standards set forth by the Noise Standards in the Noise Element of the 2035 Kings County General Plan. Construction activities would take place between 6 a.m. and 7 p.m. on weekdays and 7 a.m. and 5 p.m. on weekends, except as necessary for safety reasons or to perform specific construction activities when electrical clearances are available. Construction activities will comply with Noise Standards in the Noise Element of the 2035 Kings County General Plan and be conducted during day light hours, Monday through Friday, excluding holidays.

~~Post construction activities will include site system testing, commissioning and site clean-up. The Project would adhere to the following Noise Element Policy:~~

~~N Policy B1.1.3: Noise associated with construction activities shall be considered temporary, but will still be required to adhere to applicable County Noise Element standards.~~

Adherence to the General Plan policy would ensure that any potential impacts related to noise levels would remain less than significant.

Page 3-85 and 3-86, Impact Assessment XII-b, paragraph 3 and 4 and Table 6, now read:

Typical outdoor sources of perceptible ground borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. Construction vibrations can be transient, random, or continuous. ~~The~~ According to the Federal Transit Administration's Transit, Noise and Vibration Impact Assessment of 2006, the approximate threshold of vibration perception is 65 VdB, while 85 VdB (threshold of significance) is the vibration acceptable only if there are an infrequent number of events per day[5]. Table ~~6~~7 below describes the typical construction equipment vibration levels.

Table ~~6~~7
Typical Construction Vibration Levels[6]

Equipment	VdB at 25 ft[2]
Small Bulldozer	58
Jackhammer	79

There are not any sensitive receptors located within or adjacent to the Project site. The nearest residence is located approximately ¼ mile southeast of the project site, south of Nevada Avenue, along 5 ½ Avenue. Vibration from construction activities would be temporary and not exceed the FTA threshold at this distance. ~~The~~ Therefore, the impact would be less than significant.

Page 3-87, Impact Assessment XII-e now reads:

No Impact. Please refer to discussion in Section VIII-e and VIII-f above. The nearest public use airport is the Corcoran airport, which is located about 2.77 miles south of the Project site. The Project site is ~~completely~~ outside ~~any zone identified in the~~ of the Corcoran airport influence area, Figure LU-5 of the 2035 Kings County General Plan, and would not permanently staff onsite employees. Temporary

5 Ibid.

6 Ibid.

employees will be contracted for bi-annual or annual property maintenance and solar panel cleaning. As such, the proposed Project would not expose people or Project operation employees associated with the Project to excessive noise levels. Therefore, it is anticipated that there will be no impact as a result of Project implementation.

Page 3-98 and 3-99, Impact Assessment XVI-a, paragraph 3 now reads:

Further, according to the Kings County General Plan, Circulation Element, Nevada Avenue is designated as an arterial street. Currently Nevada Avenue would be the main entrance to the site and is operating at a Level of Service (LOS) B and is projected to operate at a LOS B into the year 2035. Arterial streets are designed to carry large volumes of traffic for relatively long distances. Arterials also serve considerable local traffic traveling short distances. It is anticipated that the construction-related trips would utilize the adjacent State Route (SR) 43 and Nevada Avenue to access the site. The particular SR segments to be used are presumed to be SR 43 between: the Corcoran Bypass and Kansas Avenue; 10th Avenue and Excelsior Avenue; and Excelsior Avenue and the Fresno County line. At present, each of the three segments comprises a two-lane highway. The minimum LOS standard within rural areas of Kings County is LOS "D," as indicated on Page C-13 of the Circulation Element. Table C-3 of the Circulation Element and Table 4.14-1 of the 2035 Kings County General Plan Environmental Impact Report (EIR) indicate the threshold of significance to maintain LOS "D" on a two-lane facility is 16,400 average daily trips (ADT) or less. The three segments of SR 43 currently (as of 2006) support 6,300, 10,300, and 10,800 average daily trips, respectively. Since the majority of the traffic generated by this facility would be temporary during construction, and only minor vehicle traffic associated with the maintenance of the facility would occur over the life of the Project, the Project's traffic would have a less than significant on the existing roadways.

Page 3-99, Impact Assessment XVI-a, paragraph 4 was removed:

~~Table C-4 of the Circulation Element indicates that these segments of SR 43 currently operate at Level of Service (LOS) "C" but are anticipated to decline to LOS "F" by 2035. This deficiency is noted in Impact TC-1 of the EIR. It should be noted that LOS "F" would be reached under the assumption that the affected segments remain as two-lane facilities. However, also as discussed under Impact TC-1 of the EIR, these roadway segments are identified in the Kings County Association of Governments' (KCAG) 2007 Regional Transportation Plan (RTP) for widening to either four-lane freeway or four-lane expressway standards, increasing the LOS "D" threshold to 67,100 ADT. Mitigation Measure TC-1(a) of the EIR requires Kings County to coordinate with its cities, KCAG, and Caltrans to secure funding for these widening projects. The Project would have a negligible effect on the service for the roadways surrounding the Project site; therefore, the permanent impact to local roadways would be less than significant.~~

Page 3-104, Impact Assessment XVII-d now reads:

No Impact. As discussed in Impact IX-b, the existing water demands are estimated at approximate 3.3 AF/year. Water for construction, estimated to be approximately 20,000 gallons per day of construction would be obtained from a third-party. Small volumes of water (approximately 1.1 acre feet per year) would be procured offsite to wash the panels approximately twice per year. Therefore, sufficient water supply is available for the Project. Water used on site for cleaning or other uses will be brought in from offsite. The new facility will not require potable or irrigation water facilities. No new or expanded water entitlements would be required for the proposed Project. There would be no impact.

Page 3-104, Impact Assessment XVII-f now reads:

Less Than Significant. Operation of the Project would generate minimal amounts of solid waste. As discussed in mitigation measure AG-1, waste would go to the Kings Waste and Recycling Authority's Materials Recovery Facility in Hanford, where recyclable materials would be removed. All remaining waste would then go to the B-17 Landfill Unit at the Chemical Waste Management Kettleman Hills Facility. The B-17 Landfill unit has an approved capacity of 18.4 million cubic yards. The site capacity used as of March 2012 was 896,171 cubic yards. The site capacity remaining as of March 2012 was 17.5 million cubic yards. Conditional Use Permit No. 04-01, which approved a new non-hazardous-waste landfill designated as Landfill Unit B-17, was approved on May 30, 2006, when the Planning Commission adopted Resolution No. 06-05. The estimated closure date is 2052, depending on actual fill rate. If this facility is not available, another equivalent will be utilized. All waste associated with decommissioning will be disposed of or recycled in accordance with applicable laws. ~~from any litter that comes in over the 8 foot fence. Solid waste from the site would be received at the Kings Waste and Recycling Authority.~~ Any impacts would be less than significant.

4 MITIGATION MONITORING AND REPORTING PROGRAM

This Mitigation Monitoring and Reporting Program (MMRP) has been formulated based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Modification of CUP No. 10-03 for the CED Corcoran Solar 2 and CUP NO. 12-08 for the CED Corcoran Solar 3 Generation Project (proposed Project) in Kings County (County). The MMRP lists mitigation measures recommended in the IS/MND for the proposed Project and identifies monitoring and reporting requirements.

Table 7 presents the mitigation measures identified for the proposed Project. Each mitigation measure is numbered with a symbol indicating the topical section to which it pertains, a hyphen, and the impact number. For example, AIR-2 would be the second mitigation measure identified in the Air Quality analysis of the IS/MND.

The first column of Table 8 identifies the mitigation measure. The second column, entitled “When Monitoring is to Occur,” identifies the time the mitigation measure should be initiated. The third column, “Frequency of Monitoring,” identifies the frequency of the monitoring of the mitigation measure. The fourth column, “Agency Responsible for Monitoring,” names the party ultimately responsible for ensuring that the mitigation measure is implemented. The last columns will be used by the County to ensure that individual mitigation measures have been complied with and monitored.

Table 8
Mitigation Monitoring Plan

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
AG-1: Prior to the issuance of a building permit, the applicant shall submit a Soil Reclamation Plan (Plan) for restoration of the Project site to its pre-project condition, for review and approval by the Planning Division of the Kings County Community Development Agency staff. The Plan shall contain an analysis of pre-project baseline soil conditions at the solar generation facility, and shall contain specific measures to restore the soil to its pre-project condition at the end of the Solar Facility's useful life, including removal of all project fixtures, equipment, and non agricultural driveways, as well as restoration of compacted soil. General preconstruction conditions of the project site shall be photographically documented by the applicant prior to the start of construction of the project. All driveways and other areas compacted during original construction or by equipment used in the decommissioning would be tilled to restore the sub-grade material to a density and depth consistent with its pre-project condition. A Kings County-approved grasses and forbs seed mixture designed to maximize revegetation with noninvasive species shall be broadcast or drilled across the project site, and weed-free mulch spread shall be applied, as needed, to stabilize the soil until germination occurs and young plants establish to facilitate moisture retention in the soil. Reclamation would return the site to the conditions equivalent to those prior to construction and operation of the project. Whether the project area has been restored to pre-construction conditions would be assessed by Kings County staff six months after the initial seeding has occurred. Additional seedings and applications of weed free mulch shall be applied to areas of the project site that have been determined to be unsuccessfully reclaimed (e.g., restored to pre-construction conditions) after six months, until the	Prior to construction And after the solar facility is no longer in service	Prior to construction And after the solar facility is no longer in service	Kings County	Review of Soil Reclamation Plan and			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
entire project area has been restored to equivalent conditions prior to construction and operation of the project. All waste shall be disposed of in compliance with applicable law. Waste would go to the Kings Waste and Recycling Authority's Materials Recovery Facility in Hanford, where recyclable materials would be removed. All remaining waste would then go to the B-17 Landfill Unit at the Chemical Waste Management Kettleman Hills Facility. The B-17 Landfill unit has an approved capacity of 18.4 million cubic yards. The site capacity used as of March 2012 was 896,171 cubic yards. The site capacity remaining as of March 2012 was 17.5 million cubic yards. Conditional Use Permit No. 04-01, which approved a new non-hazardous-waste landfill designated as Landfill Unit B-17, was approved on May 30, 2006, when the Planning Commission adopted Resolution No. 06-05. The estimated closure date is 2052, depending on actual fill rate. If this facility is not available, another equivalent will be utilized. All waste associated with decommissioning will be disposed of or recycled in accordance with applicable laws. Additionally, the Soil Reclamation Plan shall discuss the retention of any surface water rights. The applicant shall verify the completion of reclamation within 18 months after the solar facility has ceased operating, which would be 12 months after the expiration of the Project use permit, with Planning Division staff. (Please note that Section 2503.05 of the Kings County Zoning Ordinance defines an Abandoned Use as a business or other use which has discontinued operations and/or vacated the site, or abandoned the use, for more than six (6) months.)							
AG-2: Prior to the issuance of a building permit, the applicant shall either post a performance or cash bond, submit a Certificate of Deposit, or submit a letter of credit to ensure completion of the activities under the Soil Reclamation Plan. Financial assurances for the Reclamation Plan will be reviewed every 5 years by the Kings County	Prior to construction and every 5 years thereafter.	Prior to construction and every 5 years thereafter.	Kings County	Financial Review			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
Community Development Agency to determine if finances are sufficient to perform reclamation of the project. The assurance must be adjusted if, during the five-year review, finances are determined to be insufficient to perform reclamation of the project.							
Biological Resources:							
BIO-1: A qualified biologist shall conduct a pre-construction survey for nesting birds (including raptors) on and closely adjacent to the Project Site no more than 30 days prior to any ground disturbance, if ground disturbance is to occur during the breeding season (~~February~~ January 1 to ~~August 31~~ September 15). These surveys shall be based on the accepted protocols (for example, the current Swainson's hawk protocol-level surveys as recommended in California Department of Fish and Wildlife's report titled *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley* (2002) or the 2012 *Staff Report on Burrowing Owl Mitigation*) for the target species. If an active nest is detected, the nests shall be protected from all construction activities with an appropriate construction buffer determined by a qualified biologist. An on-site monitor shall inspect nesting behavior daily to ensure raptors are not being disturbed by construction activities. Should the birds become agitated, construction shall be stopped and CDFW consulted on additional avoidance actions that should occur. Active Swainson's hawk nests shall be avoided by one-quarter mile in accordance with CDFW's 1994 Staff Report Regarding Mitigation for Impacts to Swainson's Hawks in the Central Valley. All other nests shall be protected from all construction activities within 50 feet of the nest site. In the event that nests cannot be successfully avoided, the applicant may be required to obtain authorization from CDFW or USFWS. ~~an appropriate construction buffer may be needed. The actual size of the buffer would depend on species, topography, and type of construction activity that~~	Prior to construction	During construction and closure	Kings County	Field inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
~~would occur near the nest, and would be determined in consultation with CDFW and USFWS.~~							
BIO-2: A qualified biological monitor shall be present while ground-disturbing activities are occurring if it is determined that sensitive resources are present on or closely adjacent to the Project Site and those resources may be affected by project activities. In addition to conducting pre-construction surveys for the project, the biological monitor shall: 1) aid crews in satisfying take avoidance criteria and implementing project mitigation measures, 2) document all pertinent information concerning project effects on sensitive species, and 3) assist in minimizing the adverse effects of project activities on sensitive species. The biological monitor shall be empowered to order cessation of activities if take avoidance or mitigation measures are violated.	During construction	During construction	Kings County	Field Inspection			
BIO-3: Project-related vehicles shall observe a daytime speed limit of 20 miles per hour throughout the site in all project areas, except on county roads and State and Federal highways; this is particularly important at night when kit foxes are most active. Nighttime construction shall be minimized to the extent possible. However if it does occur, then the speed limit shall be reduced to 10 miles per hour. Off-road traffic outside of designated project areas shall be prohibited.	On-Going	On-Going	Kings County	Field Inspection			
BIO-4: To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a project, all excavated, steep-walled holes or trenches more than 2 feet deep shall be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, USFWS and CDFW shall be contacted as noted under measure 16 referenced below.	On-Going	On-Going	Kings County	Field Inspection			
BIO-5: Kit foxes are attracted to den-like structures such as	On-Going	On-Going	Kings County	Field Inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4 inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the Service has been consulted. If necessary, and under the direct supervision of a biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.							
BIO-6: Should any vertical tubes, such as solar mount poles, chain link fencing poles, or any other hollow poles be utilized on site, the vertical pole shall be capped immediately after installation to prevent avian fatalities.	On-Going	On-Going	Kings County	Field Inspection			
BIO-7: Habitat permeability for special status species, their prey, and other wildlife will be maintained through the installation of permeable fencing. To enable wildlife to pass through the Project site after construction, the fence shall be raised four to six inches from the ground and the bottom fence fabric shall be knuckled (wrapped back to form a smooth edge) to protect wildlife that passes under the fence. Electrified fences are prohibited. Fencing specifications shall be indicated on all construction plans submitted with the construction permit package and be approved by the County in consultation with the USFWS and CDFW prior to installation.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~6~~8: All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from the Project Site.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~7~~9: No firearms shall be allowed on the Project Site, excluding law enforcement personnel.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~8~~10: No pets, such as dogs or cats, shall be permitted on the Project Site to prevent harassment, mortality of kit	On-Going	On-Going	Kings County	Field Inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
foxes, or destruction of dens.							
BIO-~~9~~11: Based on the U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to or During Ground Disturbance (Prepared by the Sacramento Fish and Wildlife office – January 2011), ~~Use~~ the use of rodenticides and herbicides in project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional project-related restrictions deemed necessary by the U.S. Fish and Wildlife Service. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~10~~12: All spills of hazardous materials shall be cleaned up immediately.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~11~~13: A representative shall be appointed by the project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured, or entrapped kit fox. The representative shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.	Prior to Construction	During Construction and closure	Kings County	Field Inspection			
BIO-~~12~~14: A qualified biologist shall conduct a sensitive species education program for all project personnel. Topics to be discussed shall include: occurrence and distribution of sensitive species in the project area (including the San Joaquin kit fox), take avoidance measures being implemented during the project, reporting requirements if incidental take occurs, and applicable definitions and prohibitions under the Endangered Species Act. A fact sheet conveying this information shall be prepared for distribution to project personnel.	Prior to Construction	During Construction and closure	Kings County	Field Inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
BIO-~~13~~15: In the case of trapped animals, escape ramps or structures shall be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~14~~16: Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured, or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916) 445-0045. They will contact the local warden or Mr. Paul Hoffman, the wildlife biologist, at (530) 934-9309. The USFWS shall be contacted at Endangered Species Division, 2800 Cottage Way, Suite W2605, Sacramento, California 95825-1846, (916) 414-6620 or (916) 414-6600.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~15~~17: The Sacramento Fish and Wildlife Office and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during project activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers in measure 14 above. The CDFG contact is Mr. Paul Hoffman at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.	On-Going	On-Going	Kings County	Field Inspection			
BIO-~~16~~18: New sightings of kit fox or any other special status species shall be reported to the CNDDB. A copy of the reporting form and a topographic map clearly marked with the location of where the species was observed shall also be provided to the USFWS at the address in measure 16 above.	During Construction	On-Going	Kings County	Field Inspection			
Cultural Resources:							
CUL-1: If, in the course of project construction or operation, any archaeological or historical resources are uncovered, discovered, or otherwise detected or observed, activities	During construction	During construction	Kings County	Field inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
within one hundred (100) feet of the find shall be ceased and the Kings County Community Development Agency shall be notified immediately. The project proponent shall retain a qualified archaeologist to assess the significance of the find. A Native American monitor, in accordance with the Guidelines For Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required. If a potentially eligible resource is encountered, the archaeologist, lead agency, and project applicant shall arrange for either (1) total avoidance of the resource , if possible; or (2) test excavations to evaluate eligibility and, if eligible, total data recovery as mitigation. ~~and make mitigation recommendations, if warranted.~~ The archaeologist shall document the resources using DPR 523 forms and file said forms with the California Historical Resources Information System (CHRIS). The resources shall be photo-documented and collected by the archaeologist for submittal to the Santa Rosa Rancheria's Cultural and Historical Preservation Department, or appropriate tribe as recommended by the Native American Heritage Commission. The archaeologist shall be required to submit to the County for review and approval a report of the findings and method of curation or protection of the resources. Further grading or site work within the area of discovery shall not be allowed until the preceding steps have been taken.							
CUL-2: Prior to initiation of construction, the applicant shall conduct a site visit in concert with the Cultural Department of the Santa Rosa Rancheria in order to provide an opportunity for the Rancheria to assess the site and discuss their recommendations. During the site visit a cultural sensitivity class will be taught by the Cultural Department of the Santa Rosa Rancheria for the construction crew. Prior to initiation of construction, the applicant shall consult with the Cultural Department of the Santa Rosa Rancheria to	Ongoing	During construction	Kings County	Field inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
determine if they would like to provide one Tribal Cultural Consultant (TCC) during project grading. The Applicant and the Santa Rosa Rancheria shall enter a reburial agreement as well as a curation agreement for any artifacts that may be discovered during construction (per CEQA Guidelines, California Code of Regulations, Title 14, Section 15064.5). If prehistoric artifacts are found, the project archaeologist will work with the TCC to determine their significance and work with the Cultural Department of the Santa Rosa Rancheria and the landowner to identify potential reburial options.							
CUL-3: Pursuant to State Health and Safety Code §7050.5(c) and State Public Resources Code §5097.98, if human bone or bone of unknown origin is found at any time during on- or off site construction, all work shall stop in the vicinity of the find and the Kings County Coroner shall be contacted immediately. If the remains are determined to be Native American, the coroner shall notify the Native American Heritage Commission who shall notify the person believed to be the most likely descendant. The applicant shall work with the likely descendant to develop a program for the re-internment of the human remains and any associated artifacts. Additional work cannot take place within the immediate vicinity of the find until the identified appropriate actions have been implemented.	Ongoing	During construction	Kings County	Field inspection			
Hazards and Hazardous Materials:							
HZA-1 The constructor and operator of the Project shall ~~develop~~ implement an Injury and Illness Prevention Program and a project-specific health and safety plan. These plan should include but not be limited to the following: • Train workers on the applicable evacuation activities to protect workers from potential hazards posed by hazardous wastes; • Compliance with the SJVAPCD's Regulation VIII and SJVAPCD-approved Dust Control Plan; • Train workers and supervisors on how to recognize symptoms of illness related to Valley Fever;	Prior to construction	During construction and closure	Kings County	Field inspection			

Mitigation Measure/Condition of Approval	When Monitoring is to Occur	Frequency of Monitoring	Agency Responsible for Monitoring	Method to Verify Compliance	Verification of Compliance		
• Provide pre-construction training and instruction regarding requirements for on-site construction pursuant to the approved Dusts Control Plan; • Limit workers' exposure to outdoor dust in disease-endemic areas; • When soil will be disturbed by heavy equipment or vehicles, wet the soil with water or other permitted soil stabilizer before disturbing it and continuously wet it while digging to keep dust levels down; • Heavy equipment, trucks, and other vehicles generating heavy dust should have enclosed cabs equipped with air filters; and • When exposure to dust is unavoidable, provide NIOSH-approved respiratory protection to all employees.							