



# Stanislaus County

## Planning and Community Development

1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

Phone: (209) 525-6330  
Fax: (209) 525-5911

### STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE REFERRAL

**DATE:** March 4, 2013

**TO:** Agricultural Commissioner - Milton O'Haire  
County Counsel - Thomas E. Boze  
Hazardous Materials - Beronia Beniamine  
Cooperative Extension - Roger Duncan  
Public Works - Angie Halverson

Modesto Regional Fire Authority FPB - Ken Slamon  
Modesto Regional Fire Authority FPB - Paul Easter  
Department of Environmental Res. - Bella Badal  
Sheriff Dept., Tim Beck, Human Resources  
Chief Executive Office - Mark Loeser

**FROM:** Department of Planning and Community Development - Carole Maben

**SUBJECT:** ENVIRONMENTAL REFERRAL - USE PERMIT APPLICATION NO. PLN2013-0007 - JKB  
ENERGY

Stanislaus County has established an Environment Review Committee (ERC), which consists of representatives of the Departments of Public Works, Planning and Community Development, Environmental Resources, Fire Safety, County Counsel, and the Chief Executive Office. The ERC meets every other Wednesday at 9:30 AM at 1010 10<sup>th</sup> Street, Suite 3400, Modesto. The primary purpose of the ERC is to provide a unified County review and response to environmental issues associated with projects which are referred to the County. The Chief Executive Office has been designated as the County Agency responsible for coordinating the review process.

Each agency should review the projects from the point of view of impacts on its own areas of responsibility. Please be as specific as possible in the expected degree of impacts including costs of providing services and possible methods of mitigating the impacts to acceptable levels including mitigation fees. Please complete the attached response form or provide a written response within two weeks.

The California Environmental Quality Act establishes very tight time frames for review. For that reason it is very important that a prompt response be provided. It is the hope that all County responses can be sent to the referring agencies as a package; however, in some instances the time for review does not permit that to happen. Some responses will have to be sent directly to the agency, with a copy to the Chief Executive Office. Please note below the date responses are needed and where to send them. Please send the original of any comments you may have directly to the agency listed below and a copy to the Stanislaus County Chief Executive Office. Please contact me if you have any questions.

**PROJECT AGENCY**  
Stanislaus County Planning  
& Community Development

**RESPOND TO**  
Rachel Wyse  
Associate Planner

**RESPONSE DATE**  
March 22, 2013

**STANISLAUS COUNTY ENVIRONMENTAL REVIEW COMMITTEE  
REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** \_\_\_\_\_

**SUBJECT: USE PERMIT APPLICATION NO. PLN2013-0007 - JKB ENERGY**

Based on this agencies particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheets if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

\_\_\_\_\_  
\_\_\_\_\_

Response prepared by:

\_\_\_\_\_  
Name Title Date



## Referral Early Consultation

**Date:** March 4, 2013  
**To:** Distribution List (See Attachment A)  
**From:** Planning and Community Development  
**Subject:** USE PERMIT APPLICATION NO. PLN2013-0007 - JKB ENERGY  
**Respond By:** March 22, 2013

**\*\*\*\*PLEASE REVIEW REFERRAL PROCESS POLICY\*\*\*\***

The Stanislaus County Department of Planning and Community Development is soliciting comments from responsible agencies under the Early Consultation process to determine: a) whether or not the project is subject to CEQA and b) if specific conditions should be placed upon project approval.

Therefore, please contact this office by the response date if you have any comments pertaining to the proposal. Comments made identifying potential impacts should be as specific as possible and should be based on supporting data (e.g., traffic counts, expected pollutant levels, etc.). Your comments should emphasize potential impacts in areas which your agency has expertise and/or jurisdictional responsibilities.

These comments will assist our Department in preparing a staff report to present to the Planning Commission. Those reports will contain our recommendations for approval or denial. They will also contain recommended conditions to be required should the project be approved. Therefore, please list any conditions that you wish to have included for presentation to the Commission as well as any other comments you may have. Please return all comments and/or conditions as soon as possible or no later than **March 22, 2013**.

Thank you for your cooperation. Please call (209) 525-6330 if you have any questions.

**Applicant:** JKB Development, Scott Belyea  
**Project Location:** 3100 Oak Flat Road, east of Interstate 5, west of Ward Avenue, in the Newman area.  
**APN:** 025-012-030  
**Williamson Act Contract:** 77-2603  
**General Plan:** Agriculture  
**Current Zoning:** A-2-40 (General Agriculture)

**Project Description:** Request to allow the construction of a new electrical transmission line to connect and serve the Fink Road Photovoltaic Site. The line, from Fink substation to I-5, was previously approved under County Use Permit No. 2010-03 (Fink Road Solar). This request is for the portion of the line from I-5 to PG&E's Salado sub-station on Oak Flat Road.

Full document with attachments available for viewing at:  
<http://www.stancounty.com/planning/pl/act-projects.shtm>

**USE PERMIT APPLICATION NO. PLN2013-0007 - JKB ENERGY**

Attachment A

Distribution List

X	CA DEPT OF CONSERVATION Land Resources (cert.)	X	STAN CO AG COMMISSIONER
X	CA DEPT OF FISH & WILDLIFE	X	STAN CO ALUC
X	CA DEPT OF FORESTRY (CAL FIRE)		STAN CO ANIMAL SERVICES
X	CA DEPT OF TRANSPORTATION DIST 10	X	STAN CO BUILDING PERMITS DIVISION
X	CA OPR STATE CLEARINGHOUSE	X	STAN CO CEO
X	CA RWQCB CENTRAL VALLEY REGION		STAN CO CSA
	CA STATE LANDS COMMISSION	X	STAN CO DER
X	CEMETERY DIST: PATTERSON & HILLS FERRY	X	STAN CO ERC
	CENTRAL VALLEY FLOOD PROTECTION	X	STAN CO FARM BUREAU
X	CITY OF: NEWMAN & PATTERSON	X	STAN CO HAZARDOUS MATERIALS
	COMMUNITY SERVICES / SANITARY DIST		STAN CO PARKS & RECREATION
X	COOPERATIVE EXTENSION	X	STAN CO PUBLIC WORKS
	COUNTY OF:		STAN CO RISK MANAGEMENT
X	FIRE PROTECTION DIST: W STAN	X	STAN CO SHERIFF
X	HOSPITAL DIST: DEL PUERTO	X	STAN CO SUPERVISOR DIST 5: DeMARTINI
	IRRIGATION DIST:	X	STAN COUNTY COUNSEL
X	MODESTO REGIONAL FIRE AUTHORITY		StanCOG
X	MOSQUITO DIST: TURLOCK	X	STANISLAUS LAFCO
X	MOUNTAIN VALLEY EMERGENCY MEDICAL SERVICES		SURROUNDING LAND OWNERS (on file w/the Clerk to the Board of Supervisors)
	MUNICIPAL ADVISORY COUNCIL:	X	TELEPHONE COMPANY: FRONTIER
X	PACIFIC GAS & ELECTRIC		TRIBAL CONTACTS (CA Government Code §65352.3)
	POSTMASTER:		TUOLUMNE RIVER TRUST
	RAILROAD:	X	US ARMY CORPS OF ENGINEERS
X	SAN JOAQUIN VALLEY APCD	X	US FISH & WILDLIFE
X	SCHOOL DIST 1: NEWMAN-CROWS LANDING / MARSHALL B KRUPP	X	US MILITARY (SB 1462) (5 agencies)
	SCHOOL DIST 2:	X	USDA NRCS
X	STAN ALLIANCE	X	WATER DIST: OAK FLAT & DEL PUERTO

**STANISLAUS COUNTY  
CEQA REFERRAL RESPONSE FORM**

**TO:** Stanislaus County Planning & Community Development  
1010 10<sup>th</sup> Street, Suite 3400  
Modesto, CA 95354

**FROM:** \_\_\_\_\_

**SUBJECT: USE PERMIT APPLICATION NO. PLN2013-0007 - JKB ENERGY**

Based on this agencies particular field(s) of expertise, it is our position the above described project:

- Will not have a significant effect on the environment.
- May have a significant effect on the environment.
- No Comments.

Listed below are specific impacts which support our determination (e.g., traffic general, carrying capacity, soil types, air quality, etc.) - (attach additional sheet if necessary)

- 1.
- 2.
- 3.
- 4.

Listed below are possible mitigation measures for the above-listed impacts: *PLEASE BE SURE TO INCLUDE WHEN THE MITIGATION OR CONDITION NEEDS TO BE IMPLEMENTED (PRIOR TO RECORDING A MAP, PRIOR TO ISSUANCE OF A BUILDING PERMIT, ETC.):*

- 1.
- 2.
- 3.
- 4.

In addition, our agency has the following comments (attach additional sheets if necessary).

\_\_\_\_\_  
\_\_\_\_\_

Response prepared by:

\_\_\_\_\_  
Name Title Date



# APPLICATION QUESTIONNAIRE

<p><b>Please Check all applicable boxes</b>  <b>APPLICATION FOR:</b>  <i>Staff is available to assist you with determining which applications are necessary</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> General Plan Amendment  <input type="checkbox"/> Rezone  <input checked="" type="checkbox"/> Use Permit  <input type="checkbox"/> Variance  <input type="checkbox"/> Historic Site Permit         </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Subdivision Map  <input type="checkbox"/> Parcel Map  <input type="checkbox"/> Exception  <input type="checkbox"/> Williamson Act Cancellation  <input type="checkbox"/> Other _____         </td> </tr> </table>	<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Subdivision Map <input type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____	<p><b>PLANNING STAFF USE ONLY:</b>          Application No(s): <u>PLN 2013-0007</u>          Date: <u>2.1.13</u>          S <u>13</u> T <u>69</u> R <u>76</u>          GP Designation: <u>AG</u>          Zoning: <u>A-2-40</u>          Fee: <u>√ #7441</u>          Receipt No. <u>505045</u>          Received By: <u>Cu</u>          Notes: <u>WM Act-77-2603</u></p>
<input type="checkbox"/> General Plan Amendment <input type="checkbox"/> Rezone <input checked="" type="checkbox"/> Use Permit <input type="checkbox"/> Variance <input type="checkbox"/> Historic Site Permit	<input type="checkbox"/> Subdivision Map <input type="checkbox"/> Parcel Map <input type="checkbox"/> Exception <input type="checkbox"/> Williamson Act Cancellation <input type="checkbox"/> Other _____		

In order for your application to be considered COMPLETE, please answer all applicable questions on the following pages, and provide all applicable information listed on the checklist on pages i – v. Under State law, upon receipt of this application, staff has 30 days to determine if the application is complete. We typically do not take the full 30 days. It may be necessary for you to provide additional information and/or meet with staff to discuss the application. Pre-application meetings are not required, but are highly recommended. An incomplete application will be placed on hold until all the necessary information is provided to the satisfaction of the requesting agency. An application will not be accepted without all the information identified on the checklist.

Please contact staff at (209) 525-6330 to discuss any questions you may have. Staff will attempt to help you in any way we can.

## PROJECT INFORMATION

**PROJECT DESCRIPTION:** (Describe the project in detail, including physical features of the site, proposed improvements, proposed uses or business, operating hours, number of employees, anticipated customers, etc. – Attach additional sheets as necessary)

**\*Please note:** A detailed project description is essential to the reviewing process of this request. In order to approve a project, the Planning Commission or the Board of Supervisors must decide whether there is enough information available to be able to make very specific statements about the project. These statements are called "Findings". It is your responsibility as an applicant to provide enough information about the proposed project, so that staff can recommend that the Commission or the Board make the required Findings. Specific project Findings are shown on pages 17 – 19 and can be used as a guide for preparing your project description. (If you are applying for a Variance or Exception, please contact staff to discuss special requirements).

See Attached

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## **PROJECT DESCRIPTION:**

JKB Energy is requesting a Conditional Use Permit to allow for a transmission interconnection for a new transmission line from the Fink Road Photovoltaic Site through the Cox property and feeding to PG&E's Salado sub-station on Oak Flat Road.

This transmission line will begin at a connection point at 4000 Fink Road, Crows Landing, California, (located approximately 3.5 miles west of Crows Landing near the intersection of Fink Road and Interstate 5 - Exit 428). It will then go north approximately 1027' to a point adjacent to Interstate Highway 5. Then it will go northwest parallel to Interstate Highway 5 approximately 3230' to a point in the northeast corner of APN 025-012-033. From there the line will cross over Interstate Highway 5 northeast approximately 947' to a point on the Cox property adjacent to an existing drainage easement, then parallel with the existing easement approximately 270'. From there the line will go north approximately 1013' to a point adjacent to the existing California Aqueduct and then northwest parallel to the existing aqueduct approximately 2457'. The line will then cross the aqueduct to PG&E's Salado substation.

This will be an above ground, privately owned transmission line for the use of the solar project only. The poles will be either metal or redwood up to 100' high. There will be an easement dedicated on the Cox property centered on the new line.

A Conditional Use Permit has previously been approved by Stanislaus County for the Fink Road Photovoltaic Site.

## Buffer and Setback Guidelines

This Conditional Use Permit application is for the construction of a new transmission line. Because of the height and spacing of the poles there will be minimal change to the existing appearance and use of the land. This project is not a people intensive project and should not require buffer, setback or landscaping.

# PROJECT SITE INFORMATION

Complete and accurate information saves time and is vital to project review and assessment. Please complete each section entirely. If a question is not applicable to your project, please indicated this to show that each question has been carefully considered. Contact the Planning & Community Development Department Staff, 1010 10<sup>th</sup> Street – 3<sup>rd</sup> Floor, (209) 525-6330, if you have any questions. Pre-application meetings are highly recommended.

ASSESSOR'S PARCEL NUMBER(S): Book 025 Page 012 Parcel 030

Additional parcel numbers: \_\_\_\_\_

Project Site Address or Physical Location: 3100 Oak Flat Road

Newman, CA 95201

Property Area: Acres: 110 or Square feet: \_\_\_\_\_

Current and Previous Land Use: (Explain existing and previous land use(s) of site for the last ten years)

Agriculture

List any known previous projects approved for this site, such as a Use Permit, Parcel Map, etc.: (Please identify project name, type of project, and date of approval)

Existing General Plan & Zoning: Agriculture & A-2-40

Proposed General Plan & Zoning: Agriculture & A-2-40  
(if applicable)

ADJACENT LAND USE: (Describe adjacent land uses within 1,320 feet (1/4 mile) and/or two parcels in each direction of the project site)

East: Dry Open Land

West: Dry Open Land

North: Dry Open Land

South: Dry Open Land

## WILLIAMSON ACT CONTRACT:

Yes  No

Is the property currently under a Williamson Act Contract?

Contract Number: 1977-2603

If yes, has a Notice of Non-Renewal been filed?

Date Filed: \_\_\_\_\_

Yes  No

Do you propose to cancel any portion of the Contract?

Yes  No

Are there any agriculture, conservation, open space or similar easements affecting the use of the project site. (Such easements do not include Williamson Act Contracts)

If yes, please list and provide a recorded copy: \_\_\_\_\_

**SITE CHARACTERISTICS:** (Check one or more)

Flat

Rolling

Steep

**VEGETATION:** What kind of plants are growing on your property? (Check one or more)

Field crops

Orchard

Pasture/Grassland

Scattered trees

Shrubs

Woodland

River/Riparian

Other

Explain Other: \_\_\_\_\_

Yes  No

Do you plan to remove any trees? (If yes, please show location of trees planned for removal on plot plan and provide information regarding transplanting or replanting.) **no native trees expected to be removed**

**GRADING:**

Yes  No

Do you plan to do any grading? (If yes, please indicate how many cubic yards and acres to be disturbed. Please show areas to be graded on plot plan.) \_\_\_\_\_

**STREAMS, LAKES, & PONDS:**

Yes  No

Are there any streams, lakes, ponds or other watercourses on the property? (If yes, please show on plot plan)

Yes  No

Will the project change any drainage patterns? (If yes, please explain – provide additional sheet if needed) \_\_\_\_\_

Yes  No

Are there any gullies or areas of soil erosion? (If yes, please show on plot plan)

Yes  No

Do you plan to grade, disturb, or in any way change swales, drainages, ditches, gullies, ponds, low lying areas, seeps, springs, streams, creeks, river banks, or other area on the site that carries or holds water for any amount of time during the year? (If yes, please show areas to be graded on plot plan)

**Please note: If the answer above is yes, you may be required to obtain authorization from other agencies such as the Corps of Engineers or California Department of Fish and Game.**

**STRUCTURES:**

Yes  No  Are there structures on the site? (If yes, please show on plot plan. Show a relationship to property lines and other features of the site.)

Yes  No  Will structures be moved or demolished? (If yes, indicate on plot plan.)

Yes  No  Do you plan to build new structures? (If yes, show location and size on plot plan.)

Yes  No  Are there buildings of possible Historical significance? (If yes, please explain and show location and size on plot plan.) \_\_\_\_\_  
\_\_\_\_\_

**PROJECT SITE COVERAGE:**

Existing Building Coverage: 0 Sq. Ft.                      Landscaped Area: 0 Sq. Ft.

Proposed Building Coverage: 0 Sq. Ft.                      Paved Surface Area: 0 Sq. Ft.

**BUILDING CHARACTERISTICS:**

Size of new structure(s) or building addition(s) in gross sq. ft.: (Provide additional sheets if necessary) \_\_\_\_\_  
\_\_\_\_\_

Number of floors for each building: \_\_\_\_\_  
\_\_\_\_\_

Building height in feet (measured from ground to highest point): (Provide additional sheets if necessary) \_\_\_\_\_  
\_\_\_\_\_

Height of other appurtenances, excluding buildings, measured from ground to highest point (i.e., antennas, mechanical equipment, light poles, etc.): (Provide additional sheets if necessary) \_\_\_\_\_  
\_\_\_\_\_

**100' +/- Transmission lines**

Proposed surface material for parking area: (Provide information addressing dust control measures if non-asphalt/concrete material to be used) \_\_\_\_\_  
\_\_\_\_\_

**NIA**

**UTILITIES AND IRRIGATION FACILITIES:**

Yes  No  Are there existing public or private utilities on the site? Includes telephone, power, water, etc. (If yes, show location and size on plot plan)

Who provides, or will provide the following services to the property?

Electrical: PGE

Sewer\*: septic

Telephone: \_\_\_\_\_

Gas/Propane: \_\_\_\_\_

Water\*\*: well

Irrigation: \_\_\_\_\_

**\*Please Note:** A "will serve" letter is required if the sewer service will be provided by City, Sanitary District, Community Services District, etc.

**\*\*Please Note:** A "will serve" letter is required if the water source is a City, Irrigation District, Water District, etc., and the water purveyor may be required to provide verification through an Urban Water Management Plan that an adequate water supply exists to service your proposed development.

Will any special or unique sewage wastes be generated by this development other than that normally associated with resident or employee restrooms? Industrial, chemical, manufacturing, animal wastes? (Please describe:)

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**Please Note:** Should any waste be generated by the proposed project other than that normally associated with a single family residence, it is likely that Waste Discharge Requirements will be required by the Regional Water Quality Control Board. Detailed descriptions of quantities, quality, treatment, and disposal may be required.

Yes  No  Are there existing irrigation, telephone, or power company easements on the property? (If yes, show location and size on plot plan.)

Yes  No  Do the existing utilities, including irrigation facilities, need to be moved? (If yes, show location and size on plot plan.)

Yes  No  Does the project require extension of utilities? (If yes, show location and size on plot plan.)

**AFFORDABLE HOUSING/SENIOR:**

Yes  No  Will the project include affordable or senior housing provisions? (If yes, please explain)

**RESIDENTIAL PROJECTS:** (Please complete if applicable – Attach additional sheets if necessary)

Total No. Lots: \_\_\_\_\_ Total Dwelling Units: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Net Density per Acre: \_\_\_\_\_ Gross Density per Acre: \_\_\_\_\_

<i>(complete if applicable)</i>	Single Family	Two Family Duplex	Multi-Family Apartments	Multi-Family Condominium/Townhouse
Number of Units:	_____	_____	_____	_____
Acreage:	_____	_____	_____	_____

**COMMERCIAL, INDUSTRIAL, MANUFACTURING, RETAIL, USE PERMIT, OR OTHER PROJECTS:** (Please complete if applicable – Attach additional sheets if necessary)

Square footage of each existing or proposed building(s): 0

Type of use(s): n/a

Days and hours of operation: n/a

Seasonal operation (i.e., packing shed, huller, etc.) months and hours of operation: n/a

Occupancy/capacity of building: \_\_\_\_\_

Number of employees: (Maximum Shift): 50 @ const (Minimum Shift): 0

Estimated number of daily customers/visitors on site at peak time: \_\_\_\_\_

Other occupants: \_\_\_\_\_

Estimated number of truck deliveries/loadings per day: 10 @ const | 0 @ oper

Estimated hours of truck deliveries/loadings per day: 8 @ const | 0 @ oper

Estimated percentage of traffic to be generated by trucks: 90% @ const | 0 @ oper

Estimated number of railroad deliveries/loadings per day: 0 @ const | 0 @ oper

Square footage of:

Office area: \_\_\_\_\_

Warehouse area: \_\_\_\_\_

Sales area: \_\_\_\_\_

Storage area: \_\_\_\_\_

Loading area: \_\_\_\_\_

Manufacturing area: \_\_\_\_\_

Other: (explain type of area) \_\_\_\_\_

Yes  No  Will the proposed use involve toxic or hazardous materials or waste? (Please explain)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ROAD AND ACCESS INFORMATION:**

What County road(s) will provide the project's main access? (Please show all existing and proposed driveways on the plot plan)

**Oak Flat Road**  
\_\_\_\_\_  
\_\_\_\_\_

Yes  No  Are there private or public road or access easements on the property now? (If yes, show location and size on plot plan)

Yes  No  Do you require a private road or easement to access the property? (If yes, show location and size on plot plan)

Yes  No  Do you require security gates and fencing on the access? (If yes, show location and size on plot plan)

**Please Note: Parcels that do not front on a County-maintained road or require special access may require approval of an Exception to the Subdivision Ordinance. Please contact staff to determine if an exception is needed and to discuss the necessary Findings.**

**STORM DRAINAGE:**

How will your project handle storm water runoff? (Check one)  Drainage Basin  Direct Discharge  Overland

Other: (please explain) **natural existing drainage**

If direct discharge is proposed, what specific waterway are you proposing to discharge to? \_\_\_\_\_

**Please Note: If direct discharge is proposed, you will be required to obtain a NPDES permit from the Regional Water Quality Control Board, and must provide evidence that you have contacted them regarding this proposal with your application.**

**EROSION CONTROL:**

If you plan on grading any portion of the site, please provide a description of erosion control measures you propose to implement.

**We are going to file an NOI with the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan for the project site utilizing best management practices**

**Please note: You may be required to obtain an NPDES Storm Water Permit from the Regional Water Quality Control Board and prepare a Storm Water Pollution Prevention Plan.**

**ADDITIONAL INFORMATION:**

Please use this space to provide any other information you feel is appropriate for the County to consider during review of your application. (Attach extra sheets if necessary)

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## **NOTICES TO ALL APPLICANTS:**

### **GENERAL PLAN CONSISTENCY WITHIN LAFCO-ADOPTED CITY SPHERE OF INFLUENCE (SOI):**

Development, other than agricultural uses and churches, which are located within a LAFCO-adopted city SOI requires written communication received from the city memorializing their approval and specifying what conditions are necessary to ensure development complies with city development standards. The County will refer projects to the city for written communication, but all applicants are encouraged to contact the city within whose SOI the project is located at the earliest possible opportunity to determine project consistency with the city General Plan. Agricultural and church projects will also be referred to the city to determine General Plan consistency and conditions necessary to ensure compliance with city development standards. With the exception of agricultural uses and churches, written approval by the city must be obtained in order for the county to approve the project.

### **REQUIRED ADDITIONAL FEE: CALIFORNIA FISH & GAME CODE:**

Pursuant to California Fish & Game Code §711.4, the County of Stanislaus is required to collect filing fees for the Department of Fish and Game for all projects subject to the California Environmental Quality Act (CEQA) unless a fee exemption is provided in writing from the Department of Fish and Game. Pursuant to California Fish & Game Code §711.4(d), all applicable fees are required to be paid **within 5 DAYS of approval** of any project subject to CEQA. Fees are subject to change, please contact the Planning and Community Development Department for information on current fee amounts. As of January 1, 2010, the minimum fee for a non-exempt project was \$2,010.25. These fees are subject to change without County approval required and are expected to increase yearly.

If a required filing fee is not paid for a project, the project will not be operative, vested or final and any local permits issued for the project will be invalid. (Section 711.4(c)(3) of the Fish and Game Code.)

Under the revised statute, a lead agency may no longer exempt a project from the filing fee requirement by determining that the project will have a de minimis effect on fish and wildlife. Instead, a filing fee will have to be paid unless the project will have *no effect* on fish and wildlife. (Section 711.4 (c)(2) of the Fish and Game Code). If the project will have any effect on fish and wildlife resources, even a minimal or de minimis effect, the fee is required.

A project proponent who believes the project will have *no effect* on fish and wildlife should contact the Department of Fish and Game. If the Department of Fish and Game concurs the project will have no such effect, the Department will provide the project proponent with a form that will exempt the project from the filing fee requirement. Project proponents may contact the Department by phone at (916) 651-0603 or through the Department's website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

Pursuant to California Fish & Game Code §711.4(e)(3), the department (CDFG) shall assess a penalty of 10 percent of the amount of fees due for any failure to remit the amount payable when due. The department may pursue collection of delinquent fees through the Controller's office pursuant to Section 12419.5 of the Government Code.

Additionally California Fish & Game Code §711.4(f) states the following: Notwithstanding Section 12000, failure to pay the fee under subdivision (d) is not a misdemeanor. All unpaid fees are a statutory assessment subject to collection under procedures as provided in the Revenue and Taxation Code.

Failure to pay the necessary fee will also extend the statute of limitations for challenging the environmental determination made by the County, thus increasing exposure to legal challenge. The type of environmental determination to be made by the County may be discussed with the project planner following the environmental review stage of the project and will be outlined in Planning Commission staff report.

#### **REQUIRED ADDITIONAL FEE: STANISLAUS COUNTY RECORDER:**

Upon approval of the proposed project, Stanislaus County will record either a "Notice of Exemption" or a "Notice of Determination" pursuant to CEQA Guidelines. The Clerk Recorder charges an additional fee of **\$57.00** for recording these documents. A separate check made payable to "**Stanislaus County**" is due and payable **within 5 DAYS of approval** of the project.

#### **TECHNICAL STUDIES:**

If the project site is on or near a historical site, archaeological site, landfill site, river, floodplain, state highway, freeway, railroad, or airport, or if the project is identified by a resource agency or the County as potentially impacting sensitive agricultural, biological, hydrological, geological, mineral or other resources, or if specific environmental impacts are identified throughout the course of the project review, then specific technical studies may be required. Applicants are encouraged to contact the Planning Department at the earliest possible opportunity to determine the possible need and scope of such studies. (See Acknowledgements & Authorizations below for details.)

#### **DEED RESTRICTIONS & COVENANTS, CONDITIONS & RESTRICTIONS (CC&RS):**

The property involving this permit request may be subject to deed restrictions called Covenants, Conditions and Restrictions (CC&Rs) or a variety of private easements or other deed restrictions which may restrict the property's use and development. These deed restrictions are private agreements and are **NOT** enforced by the County of Stanislaus. Consequently, development standards specified in such deed restrictions are **NOT** considered by the County when granting permits.

You are advised to determine if the property is subject to deed restrictions and if so, contact the appropriate homeowners association and adjacent neighbors about your project prior to proceeding with construction. Following this procedure will minimize the potential for disagreement among neighbors and possible litigation.

## Acknowledgments/Authorizations:

### CULTURAL RESOURCES REVIEW

The County of Stanislaus may refer this application to the Central California Information Center (CCIC) to determine whether a records search or focused study addressing cultural resources will need to be conducted by a cultural resource consultant. Should this referral occur, the applicant(s) understand that further study by a cultural resources consultant may be required. If a records search or further study is required, the applicant(s) will be responsible for any additional costs. **Your application may not be considered complete if a Records Search or Archaeological study is required.** The applicant(s) signature on this application form signifies an acknowledgement that this statement has been read and understood.

### Senate Bill 18 COMPLIANCE

Senate Bill 18 requires the County to contact and consult with California Native American Tribes when adopting or amending a General Plan or Specific Plan or when designating land as open space. The purpose of the consultation is to protect Native American cultural places that may be impacted by the proposed action. The tribes have 90 days to respond and request a consultation. If a consultation is requested, additional studies or surveys may be required. If further study is required, the applicant(s) will be responsible for any additional costs. **Your application may not be considered complete if additional consultation with the Tribes is required.** The applicant(s) signature on this application form signifies an acknowledgement that this statement has been read and understood.

### BIOLOGICAL RESOURCES REVIEW.

Stanislaus County includes areas of "Critical Habitat" as defined by the US Fish and Wildlife Service for specific federally listed threatened and endangered species. Other sensitive biological resources are also present within the County as shown on the California Natural Diversity Data Base maps. Your application will be forwarded to various resource agencies for review and comment. The applicant(s) understand that further study by a biological resources consultant may be required. If further study is required, the applicant(s) will be responsible for any additional costs. **Your application may not be considered complete if a Biological study is required.** The applicant(s) signature on this application form signifies an acknowledgement that this statement has been read and understood.

### STREAMBED ALTERATION AGREEMENT AND U.S. ARMY CORPS OF ENGINEERS JURISDICTION

Prior to the commencement of any grading and/or construction activities on the property in question, that are based upon entitlements conferred by Stanislaus County permit approval(s), the applicant should consult with the California Department of Fish & Game (DFG) to determine whether or not a Streambed Alteration Agreement [§1603, CA Fish & Game Code] is required. The applicant should also consult with the U.S. Army Corps of Engineers to determine whether or not a permit is required for these activities pursuant to Section 404 of the Clean Water Act. Conditions of Approval or Mitigation Measures may be imposed on your project that will require you to conduct additional studies or obtain additional permits prior to beginning any construction activities. The applicant(s) signature on this application form signifies an acknowledgement that this statement has been read and understood.

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD - STORM WATER PERMIT REQUIREMENTS**

Storm water discharges associated with construction activity are a potentially significant source of pollutants. The most common pollutant associated with construction is sediment. Sediment and other construction related wastes can degrade water quality in creeks, rivers, lakes, and other water bodies. In 1992, the State Water Resources Control Board adopted a statewide General Permit for all storm water discharges associated with construction activity that disturbs five or more acres of land. Effective March 10, 2003, all construction sites disturbing one or more acres of land will be required to obtain permit coverage. The General Permit is intended to ensure that construction activity does not impact water quality.

You need to obtain General Permit coverage if storm water discharges from your site and either of the following apply:

- Construction activities result in one or more acres of land disturbance, including clearing, grading, excavating, staging areas, and stockpiles or;
- The project is part of a larger common plan of development or sale (e.g., subdivisions, group of lots with or without a homeowner's association, some lot line adjustments) that result in one or more acres of land disturbance.

It is the applicants responsibility to obtain any necessary permit directly from the California Regional Water Quality Control Board. The applicant(s) signature on this application form signifies an acknowledgment that this statement has been read and understood.

**STATE OF CALIFORNIA HAZARDOUS WASTE AND SUBSTANCES SITES LIST (C.G.C. § 65962.5)**

Pursuant to California Government Code Section 65962.5(e), before a local agency accepts as complete an application for any development project, the applicant shall consult the latest State of California Hazardous Waste and Substances Sites List on file with the Planning Department and submit a signed statement indicating whether the project is located on a site which is included on the List. The List may be obtained on the California State Department of Toxic Substances Control web site (<http://www.envirostor.dtsc.ca.gov/public>).

The applicant(s) signature on this application form signifies that they have consulted the latest State of California Hazardous Waste and Substances List on file with the Planning Department, and have determined that the project site  is or  is not included on the List.

**Date of List consulted:** 1/18/13

**Source of the listing:** \_\_\_\_\_  
(To be completed only if the site is included on the List)

**ASSESSOR'S INFORMATION WAIVER**

The property owner(s) signature on this application authorizes the Stanislaus County Assessor's Office to make any information relating to the current owners assessed value and pursuant to R&T Code Sec. 408, available to the Stanislaus County Department of Planning and Community Development.

## **INDEMNIFICATION:**

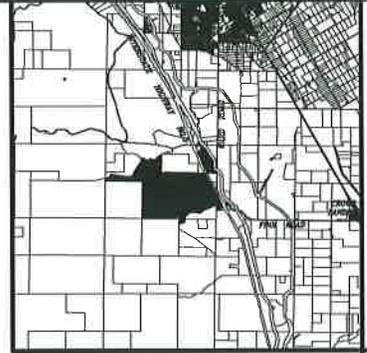
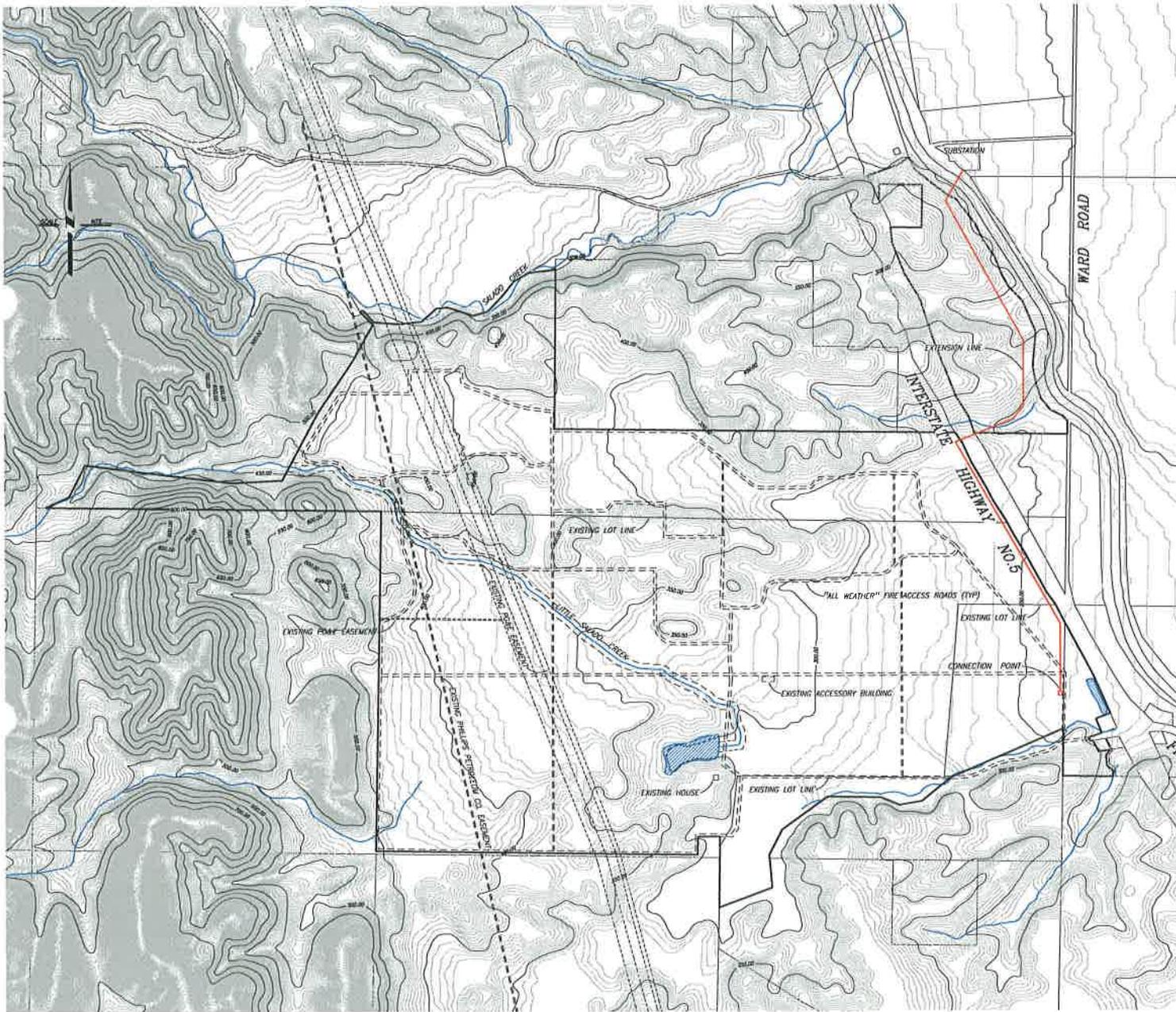
In consideration of the County's processing and consideration of this application for approval of the land use project being applied for (the "Project"), and the related California Environmental Quality Act (CEQA) consideration by the County, the Owner and Applicant, jointly and severally, agree to indemnify the County of Stanislaus ("County") from liability or loss connected with the Project approvals as follows:

1. The Owner and Applicant shall defend, indemnify and hold harmless the County and its agents, officers and employees from any claim, action, or proceeding against the County or its agents, officers or employees to attack, set aside, void, or annul the Project or any prior or subsequent development approvals regarding the Project or Project condition imposed by the County or any of its agencies, departments, commissions, agents, officers or employees concerning the said Project, or to impose personal liability against such agents, officers or employees resulting from their involvement in the Project, including any claim for private attorney general fees claimed by or awarded to any party from County.

The obligations of the Owner and Applicant under this Indemnification shall apply regardless of whether any permits or entitlements are issued.

2. The County will promptly notify Owner and Applicant of any such claim, action, or proceeding that is or may be subject to this Indemnification and, will cooperate fully in the defense.
3. The County may, within its unlimited discretion, participate in the defense of any such claim, action, or proceeding if the County defends the claim, actions, or proceeding in good faith. To the extent that County uses any of its resources responding to such claim, action, or proceeding, Owner and Applicant will reimburse County upon demand. Such resources include, but are not limited to, staff time, court costs, County Counsel's time at their regular rate for external or non-County agencies, and any other direct or indirect cost associated with responding to the claim, action, or proceedings.
4. The Owner and Applicant shall not be required to pay or perform any settlement by the County of such claim, action or proceeding unless the settlement is approved in writing by Owner and Applicant, which approval shall not be unreasonably withheld.
5. The Owner and Applicant shall pay all court ordered costs and attorney fees.
6. This Indemnification represents the complete understanding between the Owner and Applicant and the County with respect to matters set forth herein.

**IN WITNESS WHEREOF, by their signature on page 2, the Owner and Applicant hereby acknowledge that they have read, understand and agree to perform their obligations under this Indemnification.**



**PLOT PLAN**

BEING A PORTION OF SECTIONS 13, 14, 15, 23  
AND 24, STANISLAUS COUNTY RECORDS,  
T. 5 S., R. 7 E., M05884  
STANISLAUS COUNTY, CALIFORNIA  
MARCH 2010

**OWNER**

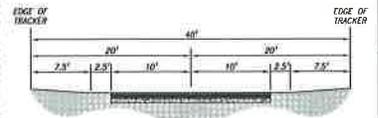
RECORD OWNER: COUNTY OF STANISLAUS  
1010 10TH STREET  
MORISTO, CA 95354  
APN 027-033-012  
005-019-016  
005-019-017  
005-019-031  
005-019-033  
005-019-030

**GENERAL NOTES**

1. AREA OF SUBDIVISION: 1.074 ACRES
2. THE LAND VARIES IN SLOPES OF 0% - 41%
3. ZONING: A-2-160/A-2-40 GENERAL AGRICULTURE LAND
4. SOILS: QUINCY CLAY LOAM, SUSQUEHANNA, VERNALIS-ZACHARIAS COMPLEX, STONER CLAY LOAM, ZACHARIAS CLAY LOAM, CHOLMA-ARABIA COMPLEX, CARBONA CLAY LOAM, CHARLUS GRAVELLY CLAY LOAM
5. WATER TABLE: 100% PER CALIFORNIA DEPARTMENT OF WATER RESOURCES 1969
6. ONE 15'x15' HANDBRICK BUILDING MADE OF NON-COMBUSTIBLE MATERIAL WILL BE BUILT FOR EACH PHASE.
7. THE PROJECT WILL BE COMPLETED IN SEVERAL PHASES.

**LEGEND**

EXISTING ROAD



**"ALL WEATHER" FIRE ACCESS ROAD**

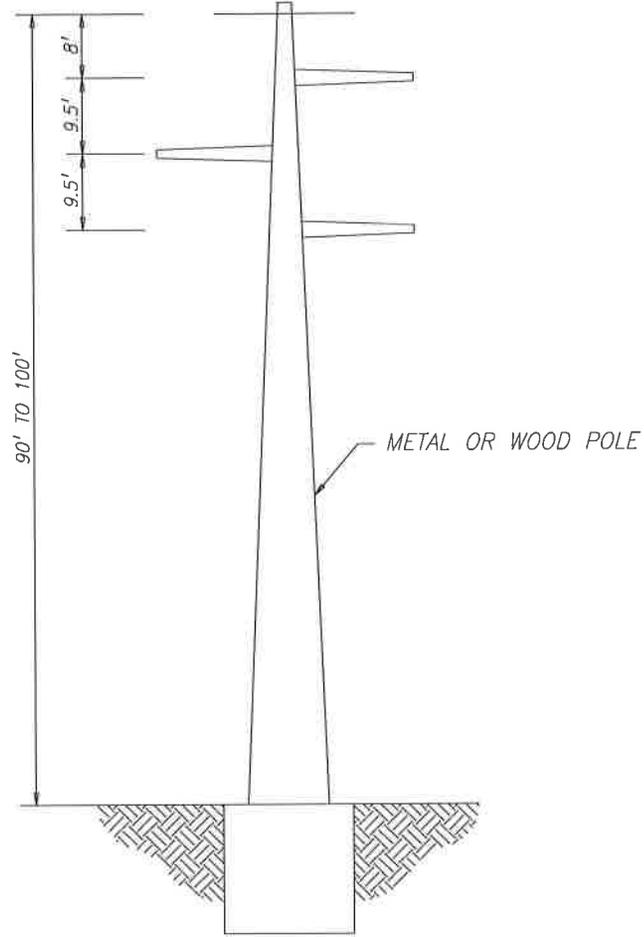
**BENCHMARK ENGINEERING, INC.**  
CIVIL ENGINEERING & LAND SURVEYING  
216 SOUTH MAIN AVENUE - DANFORTH  
STANISLAUS COUNTY, CALIFORNIA 95830  
(209) 946-8300



**PLOT PLAN**  
**COX PROPERTY**  
STANISLAUS COUNTY, CALIFORNIA

JOB NO. 154722  
DATE 1-17-13  
DRAWN BY JW  
CHECKED BY AS  
SCALE AS SHOWN

SHEET NUMBER  
**1**  
OF 1 SHEETS



**PRELIMINARY POLE  
ELEVATION**



**BENCHMARK ENGINEERING, INC.**  
 CIVIL ENGINEERING & LAND SURVEYING  
 213 SOUTH SIERRA AVENUE • OAKDALE, CALIFORNIA • 95391  
 (209) 845-6000 FAX (209) 845-6006

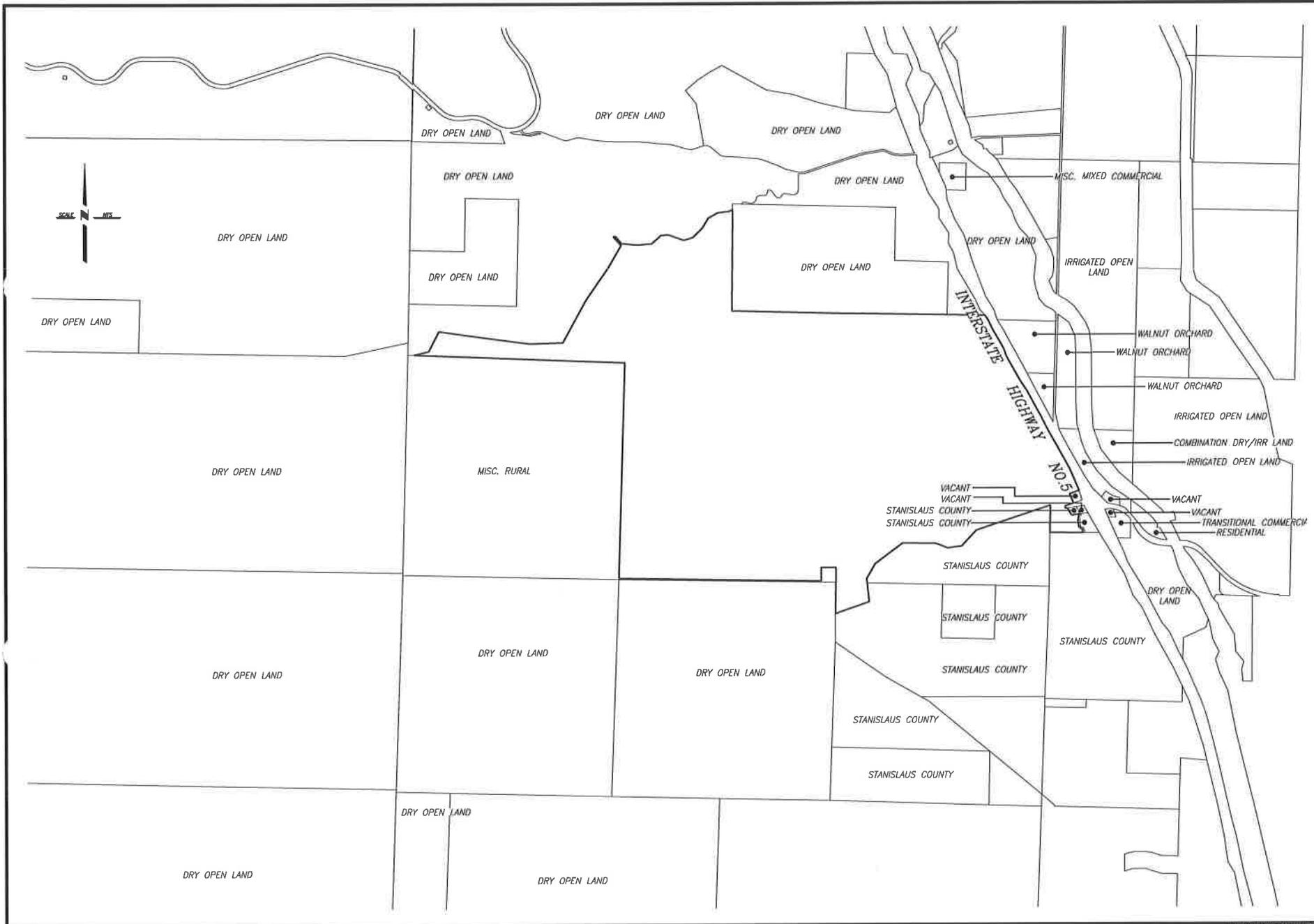


**POLE ELEVATION**

**COX PROPERTY**  
 STANISLAUS COUNTY, CALIFORNIA

JOB NO. 184720  
 DATE 1-17-13  
 DR BY TM  
 CK BY  
 SCALE AS SHOWN

SHEET  
**1**  
 OF 1 SHEETS



DATE:	
REVISED:	
DATE:	
DESCRIPTION:	

**BENCHMARK ENGINEERING, INC.**  
 CIVIL ENGINEERING & LAND SURVEYING  
 213 SOUTH BERRIA AVENUE • OAKDALE, CALIFORNIA • 95361  
 (209) 845-9000 FAX: (209) 845-9006

**AREA MAP**  
**FINK ROAD SOLAR FARM**  
 STANISLAUS COUNTY, CALIFORNIA

JOB NO.	184720
DATE	2-2-10
CR BY	JW
CK BY	
SCALE	AS SHOWN

SHEET NUMBER  
**1**  
 OF 1 SHEETS



**DRAFT**

**ADDENDUM TO THE RECIRCULATED  
MITIGATED NEGATIVE DECLARATION**

**FOR THE  
FINK ROAD SOLAR FARM PROJECT**

**STATE CLEARINGHOUSE NO. 2011012006**

Prepared for:

Stanislaus County Planning and Community Development  
1010 10th Street, Suite 3400  
Modesto, CA 95354  
Contact: Rachel Wyse

Prepared by:

AECOM  
2020 L Street, Suite 400  
Sacramento, CA 95811  
Contact: Steve Smith

November 2012

# TABLE OF CONTENTS

<b>Section</b>	<b>Page</b>
<b>1 Introduction.....</b>	<b>1-1</b>
1.1 Background and Refinement in Project Description Leading to Preparation of the Addendum .....	1-1
1.2 Guidance in State CEQA Guidelines Regarding Changes to a Project .....	1-3
<b>2 Description of Proposed Project Refinement .....</b>	<b>2-1</b>
2.1 115-kV Overhead Transmission Line.....	2-1
<b>3 Environmental Analysis of Proposed Project Refinement .....</b>	<b>3-1</b>
3.1 Environmental Issues.....	3-1
3.2 Conclusions Regarding the Environmental Analysis of the Project Refinement .....	3-13
<b>4 References.....</b>	<b>4-1</b>
<b>Exhibit</b>	
Exhibit 1 Location of Proposed Project Refinement .....	1-2
<b>Tables</b>	
Table 1 Proposed Transmission Line Construction .....	2-2
Table 2 Soil Names and Characteristics .....	3-6

# 1 INTRODUCTION

## 1.1 BACKGROUND AND REFINEMENT IN PROJECT DESCRIPTION LEADING TO PREPARATION OF THE ADDENDUM

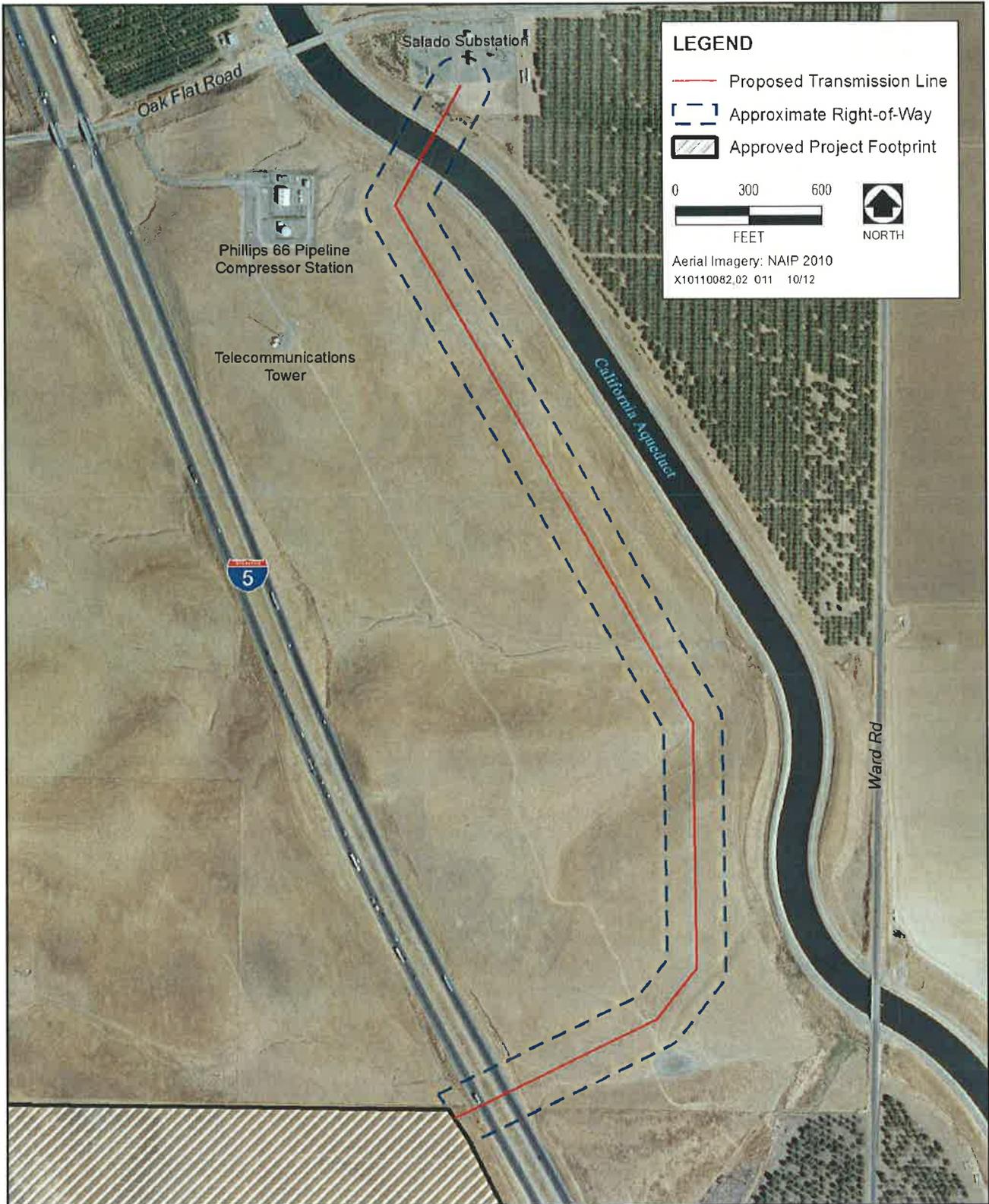
On January 18, 2012, the Recirculated Initial Study/Proposed Mitigated Negative Declaration (Recirculated IS/Proposed MND) for the Fink Road Solar Farm Project (State Clearinghouse No. 2011012006) was distributed to public agencies and the general public. The lead agency for the Recirculated IS/Proposed MND under the California Environmental Quality Act (CEQA) was the Stanislaus County Department of Planning and Community Development (County). The Recirculated IS/Proposed MND was revised and recirculated in response to written and oral comments received on the earlier IS/Proposed MND dated December 2010. The Recirculated IS/Proposed MND was prepared in accordance with CEQA (California Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines, as amended (California Code of Regulations [CCR] Section 15000 et seq.). The project proposed in the Recirculated IS/Proposed MND consisted of the construction and operation of a proposed solar energy farm in Crows Landing, California on a site owned by Stanislaus County. The project applicant proposed to lease the County's property to construct and operate the proposed solar energy farm. The Recirculated IS/Proposed MND evaluated the construction of such proposed solar energy farm.

On February 23, 2012, before approval of the Recirculated IS/Proposed MND, additional comments from the California Department of Fish and Game (DFG) were received. DFG's comments raised issues pertaining to biological surveys and feasible mitigation measures for impacts on western burrowing owl, San Joaquin kit fox, and Swainson's hawk. Following consultation with DFG, additional biological surveys were conducted, and mitigation measures proposed in the Recirculated IS/Proposed MND were revised. On April 19, 2012, the Stanislaus County Planning Commission unanimously approved the Recirculated IS/Proposed MND with the revised mitigation measures responding to DFG's comments and associated mitigation monitoring and reporting program (MMRP) and adopted the MND. On April 19, 2012, the Stanislaus County Planning Commission also unanimously approved the Use Permit Application No. 2010-03.

Since adoption of the revised Recirculated IS/Proposed MND (referred to hereafter as the approved IS/MND), detailed information regarding the design feasibility of the approved project has been prepared. Design evaluations identified an alternative for interconnection of the solar farm to Pacific Gas and Electric Company's (PG&E's) existing Salado Substation. As an alternative option, the project applicant proposes to design, construct, own, operate, and maintain a new 115-kV overhead transmission generator tie-in line. The proposed transmission line (also referred to in this addendum as the proposed project refinement) would connect from a new substation and control building located on the previously approved project site to PG&E's Salado Substation (Exhibit 1).

The action evaluated in this addendum involves the construction, operation, and maintenance of the aforementioned project refinement. This addendum does not address any changes to on-site project components within the previously approved project footprint.

As described in this addendum (Chapter 3), the proposed project refinement would not result in new potentially significant or significant environmental impacts, substantially increase the severity of previously identified effects, or result in new or modified mitigation measures included in the approved IS/MND that have been agreed to and will be implemented by the project applicant. As a result, the project applicant has made a minor refinement to the proposed project, including commitment to various best management practices (BMPs) that will be incorporated into the proposed project and made conditions of approval by the County. In light of the project refinement and latest BMPs, a proposed addendum to the approved IS/MND is the appropriate document for



Source: Benchmark adapted by AECOM in 2012

**Exhibit 1**

**Location of Proposed Project Refinement**

compliance with the requirements of CEQA. An administrative record has been prepared for this addendum and is on file with the Stanislaus County Planning and Community Development.

## **1.2 GUIDANCE IN STATE CEQA GUIDELINES REGARDING CHANGES TO A PROJECT**

If, after adoption of a Negative Declaration (ND) or Mitigated Negative Declaration (MND), altered conditions or changes or additions to a project occur, CEQA provides two mechanisms to address these changes: a subsequent ND/MND and an addendum to an ND/MND.

Section 15162 of the State CEQA Guidelines describes the conditions under which preparation of a subsequent ND and/or MND would be appropriate. When an ND or an MND has been adopted for a project, preparation of a subsequent ND and/or MND would be appropriate if the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following conditions is met:

- (1) substantial changes are proposed in the project which will require major revisions of the previous ND/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- (2) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous ND/MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the ND/MND was adopted, shows any of the following:
  - (A) the project will have one or more significant effects not discussed in the previous ND/MND;
  - (B) significant effects previously examined will be substantially more severe than shown in the previous ND/MND
  - (C) mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or
  - (D) mitigation measures or alternatives which are considerably different from those analyzed in the previous ND/MND would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15164 of the State CEQA Guidelines states that a lead agency may prepare an addendum to a previously adopted ND/MND if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent ND/MND have occurred.

The proposed project refinement, constitutes a minor technical addition that may be addressed in an addendum to an ND/MND. As described in Chapter 2 of this document, "Description of Proposed Project Refinement" and Chapter 3, "Environmental Analysis of Proposed Project Refinement," none of the conditions described above for Section 15162 calling for preparation of a subsequent ND/MND have been met. In addition, the approved IS/MND and associated MMRP remain valid for assessing and mitigating identified impacts that would result from implementation of the approved project.

The refinement to the proposed project as described in this addendum would not:

- ▶ result in any new potentially significant or significant environmental effects or
- ▶ substantially increase the severity of previously identified effects.

In addition, no new information of substantial importance has arisen that shows that:

- ▶ the project would have new potentially significant or significant effects,
- ▶ the project would have substantially more severe effects,
- ▶ mitigation measures or alternatives previously found to be infeasible would in fact be feasible, or
- ▶ mitigation measures or alternatives that are considerably different from those analyzed in the Recirculated IS/Proposed MND would substantially reduce one or more significant effects on the environment.

Because none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent ND/MND have occurred, an addendum to the approved IS/MND, consistent with Section 15164 of the State CEQA Guidelines, is the appropriate mechanism to address the proposed project refinement.

The action evaluated in this addendum represents a minor technical refinement and addition to the project presented in the approved IS/MND. The project applicant has recently discovered an alternative option for interconnection from the solar farm to PG&E's existing Salado Substation. With this alternative option, the project applicant proposes to design, construct, own, operate, and maintain a new 115-kV overhead transmission line. The details of this proposed project refinement are presented in Chapter 2 of this addendum. The County, as lead agency for the proposed project under CEQA, has determined that this refinement to the Fink Road Solar Farm project constitute a minor addition and change to the approved IS/MND and have conservatively decided to prepare this addendum in accordance with Section 15164 of the State CEQA Guidelines.

## 2 DESCRIPTION OF PROPOSED PROJECT REFINEMENT

The following refinement has been made to the proposed project since the approval of the IS/MND and since Use Permit Application No. 2010-03 was approved for implementation:

- ▶ Construct an approximately 1-mile-long (5,220-foot) 115-kV overhead transmission generator tie-in line within a maximum 120-foot-wide right-of-way.
- ▶ Implement BMPs related to health and safety planning.

The following text further describes the proposed project refinement.

### 2.1 115-KV OVERHEAD TRANSMISSION LINE

The project applicant proposed to design, construct, own, operate, and maintain a new 115-kV overhead transmission line for the delivery of power generated by the proposed project to PG&E's existing power grid. The project applicant would construct a new approximately 1-mile-long (5,220-foot) 115-kV overhead transmission generator tie-in line between a new substation located on the previously approved project footprint and PG&E's Salado Substation located off of Oak Flat Road. The proposed transmission line would be constructed within a maximum 120-foot-wide right-of-way.

The proposed transmission line would extend from the solar energy farm to the east across Interstate 5 (I-5) and run parallel to the California Aqueduct for approximately 3,470 feet and then cross the California Aqueduct to tie into the Salado Substation (Exhibit 1). The proposed transmission line would be suspended by wood or metal poles that would not reach a height greater than 100 feet tall. The placement of up to a total of 10 transmission poles would be free standing without guy wires and set within 8- by 8-foot concrete foundations. Although span lengths would vary according to ground and alignment conditions, it is estimated that the average span length across segments of the proposed transmission line would be approximately 800 feet.

The proposed transmission line would be located on a privately owned 120.8-acre parcel that is zoned A-2-40 (General Agriculture) by the County (Assessor's Parcel Number 025-012-030). The parcel is currently dry open land and lease space for a telecommunications tower and associated equipment. An underground oil pipeline runs along the center of the parcel. Adjoining the north end of the parcel is an active oil compressor station operated by Phillips 66 and Oak Flat Road. The parcel is bound on the west by I-5 and on the east by the California Aqueduct. An existing 69-kV overhead transmission line parallels the California Aqueduct within the right-of-way. Irrigated walnut orchards are located to the south of the parcel. The parcel is secured by post-and-wire fencing and can be accessed from Oak Flat Road via a gated entrance for the Phillips 66 compressor station and a gated unimproved road that extends onto the parcel from the compressor station parking lot.

The proposed project refinement would be located outside of the previously approved solar facility footprint on privately owned land. The project applicant plans to enter into a lease agreement with the current landowner for the use of the property. A separate Conditional Use Permit approved by the Stanislaus County Planning Commission would be required for the implementation of the project refinement. In addition, for any work or structures that cross or are planned within the right-of-way of California Aqueduct, the project applicant would apply for an encroachment permit from the California Department of Water Resources. In addition, an encroachment permit may be required from the California Department of Transportation (Caltrans) for any work within the I-5 right-of-way.

## 2.1.1 CONSTRUCTION

Construction activities, including surveying, foundation installation, pole assembly, and wire stringing are anticipated to occur over a period of 16 working days. Table 1 presents a summary of types of construction activities, duration, number of workers, types of equipment, and estimated daily trips.

Construction Activity	Activity Duration (Working Days)	Number of Temporary Workers	Types of Equipment	Estimated Number of Trips
Construction preparation	5	7	Blade, compactor, dump truck, water truck	78
Foundation installation	2	12	Drilling rig, crane, boom truck, flatbed truck, concrete truck	58
Tower/pole assembly	5	9	Bucket truck, crane <sup>1</sup> , boom truck	96
Tower/pole erection	2	9	Bucket truck, crane <sup>1</sup> , boom truck	42
Wire stringing	2	13	Puller and tensioner trucks	56
Note: <sup>1</sup> Crane is anticipated to set transmission structures; however, helicopter support may also be necessary. Sources: 8Minute Energy 2012; trip estimates generated by AECOM in 2012				

Temporary ground disturbance associated with temporary access roads and staging and laydown areas would occur within the proposed maximum 120-foot-wide right-of way. If required, commercial helicopter support would be coordinated with approved helicopter landing sites (i.e., helipad) near the transmission line site. The total temporary ground disturbance is estimated to be approximately 29 acres. Transmission line installation would result in a permanent ground disturbance of approximately 8 square feet for each pole. Assuming that 10 poles would be placed, the total maximum permanent ground disturbance for the entire transmission line would be approximately 800 square feet, or 0.018 acre.

## 2.1.2 HEALTH AND SAFETY PROGRAM

The project applicant would develop a Health and Safety Program that would incorporate safety planning and precautions as part of the design, construction, and maintenance of proposed project refinement. The program will include the development of a Safety Plan that includes safe work practices for construction activities, including procedures for identifying, marking, and preventing accidental damage to third party pipelines, and safety provisions for helicopter-supported construction operations. Safety provisions for helicopter operations would include the development of a helicopter lift plan, flight plan, and identification of airway/highway flight area clearances, and compliance with all other applicable regulations and approvals. Administrative controls will include classroom and hands-on training in construction and maintenance safety procedures, general safety items, and a planned maintenance program. These will work with the system design and monitoring features to enhance safety and reliability. All employees will be provided with communication devices, cell phones, or walkie-talkies, to aid in the event of an emergency situation on-site.

# 3 ENVIRONMENTAL ANALYSIS OF PROPOSED PROJECT REFINEMENT

This section describes the evaluation performed to verify that (1) the proposed project refinement described in Chapter 2 of this document do not meet any of the criteria in Section 15162 of the State CEQA Guidelines for preparation of a subsequent ND/MND and meet the criteria of Section 15164 of the State CEQA Guidelines for preparation of an addendum, such as not resulting in new significant impacts or substantially more severe impacts than those already described in the approved IS/MND for the project adopted on April 19, 2012, and (2) the combined analysis of the proposed project in the approved IS/MND and this addendum is sufficient to meet CEQA requirements and allow the approval of the proposed project refinement.

The evaluation is provided in the form of a narrative discussion addressing each environmental issue area included in the approved IS/MND for the approved project. A discussion is provided for each environmental issue area and provides information about the particular environmental issue, how the approved project and the proposed project refinement relate to the issue, and the status of any mitigation that may be required.

## 3.1 ENVIRONMENTAL ISSUES

### 3.1.1 AESTHETICS

A visual resource survey was conducted for the proposed project refinement. The investigation included a site visit and photographic documentation by an AECOM environmental analyst on October 25, 2012. Surveys were conducted in the midafternoon during full-sun weather conditions. The two main groups that would have a view of the proposed transmission line are (1) motorists traveling on I-5 who would have fleeting glimpses of the project site and (2) visitors to the vista point of I-5, which is located approximately 0.5 mile north of the proposed transmission site. The regional landscape setting of the I-5 corridor and the vicinity of the proposed transmission line is similar to that of the previously approved project footprint. Existing wood and metal pole-mounted transmission lines also traverse lands or cross over the I-5 scenic corridor and offer a weak contrast to the surrounding rolling hill landscape. Distant foreground views to the east include tower-mounted high-voltage transmission lines. Westerly panoramic views from the vista point include irrigated agriculture, orchards, rolling grass-covered hills and the California Aqueduct. Multiple wood pole transmission lines also traverse the landscape. The Salado Substation, compressor station, and telecommunications tower and the California Aqueduct provide strong contrast to the middle-ground landscape view to the south. The Fink Road Landfill and Waste-to-Energy plant provides strong contrast to the foreground views from the vista point.

With regard to aesthetics, as is the case with the solar facility footprint addressed in the approved IS/MND, implementation of proposed project refinement would be consistent with the character and quality of views along I-5. No new sources of light would be introduced with the implementation of the proposed project refinement. Viewers driving through the area would receive fleeting views of the proposed transmission line. In addition, the majority of the proposed transmission line, which would parallel the California Aqueduct, would be set back from I-5 by more than 1,000 feet and would be partially blocked by intervening topography for both northbound and southbound travelers. In some areas, the topography within the proposed transmission line right-of-way is 40 feet lower than the adjacent rolling hills that border the I-5 corridor. Project refinement would not substantially change the character of the existing landscape for visitors to the vista point because existing transmission lines provide weak contrast to the surrounding landscape and existing infrastructure on the transmission line site provides a strong contrast.

As part of project approvals, a permit for encroachment within the I-5 right-of way would be required. (Refer to Section 3.1.15, "Transportation and Circulation.") Among other things, Caltrans' encroachment permit requirements would ensure that the proposed transmission line would not adversely affect highway aesthetic

quality and may require that the applicant implement measures to reduce any effects regardless of their significance. Because the proposed transmission line would be consistent with the character and quality of views along I-5 and would provide weak contrast in comparison to existing structures (e.g., substation, and compressor station), and because an encroachment permit would be required, the impact is less than significant. No mitigation measures are required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on aesthetics or a substantial increase in the severity of previously identified effects on aesthetics. The project refinement does not constitute new information of substantial importance to aesthetic resources that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, "Guidance in State CEQA Guidelines Regarding Changes to a Project.") The analysis of aesthetics impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.2 AGRICULTURAL AND FOREST RESOURCES**

The proposed transmission line spans a 120.8-acre parcel that is zoned A-2-40 (General Agriculture) by the County. The proposed transmission line site is categorized under the California Department of Conservation, Farmland Mapping and Monitoring Program, as grazing land on which the existing vegetation is suited to the grazing of livestock (FMMP 2010). According to the most recent property information, the property is also under Williamson Act Contract (Williamson Act No. 1977-2603). There are no forest resources located on the proposed transmission line site. Williamson Act contracts are intended to limit use of the land to agricultural and "compatible" uses. The local agency makes findings of compatibility with agricultural zoning and Williamson Act contracts during the approval process for the conditional use permit.

With regard to agriculture, as is the case with the solar facility footprint addressed in the approved IS/MND, utilities are considered a compatible and allowed use under A-2-40 zoning designation. Similar to the previously approved project, project refinement fall under the County's Tier Three Uses, and may be permitted as such. Refinement. Because the placement of the proposed transmission line would not significantly compromise the long-term capability for or displace or impair grazing on the site, and would not result in a conversion to a non-agricultural use the proposed project refinement is considered to be a compatible use with the Williamson Act Contract on the property. Approval of the project refinement would also require issuance of a Conditional Use Permit. For these reasons, the conversion of important grazing farmland and conflicts with zoning and Williamson Act contracts would be a less-than-significant impact. There would be no impact on forest resources. No mitigation would be required.

The proposed project refinement are not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on agricultural or forest resources or a substantial increase in the severity of previously identified effects on agricultural or forest resources. The project refinement does not constitute new information of substantial importance regarding agricultural or forest resources that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, "Guidance in State CEQA Guidelines Regarding Changes to a Project.") The analysis of agricultural or forest resources impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.3 AIR QUALITY, INCLUDING GREENHOUSE GASES**

Implementation of the proposed project refinement includes the construction of a new approximately 1-mile-long (5,220-foot) 115-kV overhead transmission line. Construction would occur over a period of 16 days and would employ up to 13 construction crew members at any one time. All construction work would occur within a maximum 120-foot right-of-way. The number of truck trips and types of equipment used for construction activities is presented in Section 2.1.1, "Construction." Sensitive receptors at the transmission line site are workers at the Phillips 66 pipeline compressor station. Project implementation would not result in any major sources of odors.

With regard to air quality and greenhouse gases (GHGs), as is the case with the solar facility footprint addressed in the approved IS/MND, temporary and short-term construction activities could result in emissions during construction. Given the small scope and duration of the proposed project refinement in this addendum in addition with the emissions estimated in the previously approved IS/MND, the combined emissions would not exceed San Joaquin Valley Air Pollution Control District significance thresholds and the proposed project's emissions would result in a considerable contribution to the cumulative global GHG emissions impact. Furthermore, as a component of the approved project, the proposed project refinement would be subject to Mitigation Measures AQ-1, AQ-2, and AQ-3 from the approved IS/MND, which require minimization and control measures for fugitive dust construction. As is the case with the project footprint analyzed in the approved IS/MND, implementation of Mitigation Measures AQ-1, AQ-2, and AQ-3 would ensure that impacts on air quality and GHG emissions resulting from the project refinement would be less than significant. No new mitigation measures would be required.

The proposed project refinement are not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new potentially significant or significant environmental effects on air quality or GHG emissions or a substantial increase in the severity of previously identified effects on air quality or GHG emissions. The proposed project refinement do not constitute new information of substantial importance regarding air quality and GHG emissions that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, "Guidance in State CEQA Guidelines Regarding Changes to a Project.") The analysis of air quality and GHG emission impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.4 BIOLOGICAL RESOURCES**

A biological resources investigation was conducted for the proposed project refinement. The investigation included a pedestrian survey by an AECOM biologist of the transmission line alignment and associated substation on September 27, 2012, and a records search of the California Natural Diversity Database (CNDDDB) to ensure that no new special-status species occurrences were recorded in the project study area. No new CNDDDB occurrences were recorded, and the types of biological resources observed were very similar to those addressed in the approved IS/MND.

The proposed transmission line alignment traverses nonnative grassland habitat and a lined section of the California Aqueduct. A seasonal pond is present just south of the survey area, and a seasonal drainage swale extends from this pond through the westernmost portion of the project alignment (Exhibit 1). A freshwater marsh exists to the east of the proposed transmission line alignment. The survey area is currently used for livestock grazing. All grassland habitat in the project study area is dominated by nonnative, herbaceous plants that are common throughout this region of California. The survey area does not support any native plant communities.

Table BIO-1 in the approved IS/MND includes special-status species previously documented in the vicinity of the project site, and a summary description of their potential to occur on the project site. The potential for these species to occur within the transmission line alignment is the same with the exception of valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*). No elderberry shrubs are present within the transmission line alignment; therefore, no valley elderberry longhorn beetles are expected to occur. A loggerhead shrike (*Lanius ludovicianus*), a red-tailed hawk (*Buteo jamaicensis*), and an American kestrel (*Falco sparverius*) were observed foraging within the transmission line alignment. However, no suitable nesting habitat for these species was observed within the survey area. Although potential habitat for tricolored blackbird (*Agelaius tricolor*) exists in the freshwater marsh located to the east of the transmission line alignment, none exists within the survey area.

Potential impacts on special-status species as a result of transmission line construction would be the same as those discussed in the approved IS/MND, with the exception of potential impacts on valley elderberry longhorn beetle. With the exception of the need for elderberry shrub surveys, implementation of the protection measures included in Mitigation Measure BIO-1 for construction of the transmission line alignment would reduce potential impacts on special-status species to a less-than-significant level, and no further mitigation would be required.

Likewise, implementation of the protection measures included in Mitigation Measure BIO-2 for construction of the transmission line alignment would eliminate or minimize potential impacts on waters of the United States, including wetlands. The potentially jurisdictional pond and drainage feature located at the south end of the transmission line alignment shall be avoided to the extent feasible during project design and construction. In the unlikely event that complete avoidance is not feasible, the replacement of impacted acreage according to Mitigation Measure BIO-2 would reduce this impact to a less-than-significant level, and no further mitigation would be required.

Like the rest of the project described in the approved IS/MND, construction of the transmission line would not interfere with the migration of fish or wildlife, conflict with any policies or ordinances protecting biological resources, or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on biological resources, or a substantial increase in the severity of previously identified effects on biological resources. The project refinement does not constitute new information of substantial importance to biological resources that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the proposed project refinement would be consistent with CEQA requirements for use of an addendum. (Refer to Section 1.2, "Guidance in State CEQA Guidelines Regarding Changes to a Project.") The analysis of potential impacts on biological resources in the approved IS/MND and in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.5 CULTURAL AND PALEONTOLOGICAL RESOURCES**

A cultural resources investigation was conducted for the proposed project refinement. The investigation included an updated records search of the Central California Information Center (CCIC) of the California Historical Resources Information System to include the right-of-way for proposed transmission line and a ¼-mile surrounding radius and a pedestrian survey of the aforementioned right-of-way by an AECOM qualified archaeologist. The CCIC records search identified no previously recorded resources within the right-of-way for the gen-tie line alignment or within a ¼-mile surrounding radius. No cultural resources or suspected cultural resources were encountered during the pedestrian survey. The research portion of the investigation identified one verified historical resource and one potential historical resource within the right-of way. The verified historical

resource is a segment of the California Aqueduct that would be crossed by the proposed overhead transmission line, and the potential historical resource is the Salado Substation to which the proposed transmission line would connect. The California Aqueduct was determined eligible for listing in the National Register of Historic Places (NRHP) in July 2011 and therefore is a historical resource for the purposes of CEQA. The California Aqueduct was determined eligible under NRHP Criterion A as the largest and most significant of the water conveyance systems developed as part of the State Water Project; and NRHP Criterion C for its complex design necessary to redistribute water throughout the state of California on such a massive level. However, the crossing of the segment would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA, because the proposed new transmission line would not directly alter the character-defining features of the California Aqueduct, which include its unreinforced concrete lining, trapezoidal shape and/or any of the ancillary infrastructure such as power plants, pumping plants, canal check structures and siphons, reservoirs and dams, overcrossings (bridges) and culverts constructed as part of the overall California Aqueduct system between 1960 and 1974.

Furthermore, the proposed new transmission line would not introduce a visual element that would diminish the integrity of the historical resource. As a linear resource approximately 444 miles in length, the aqueduct is currently crossed by transmission lines in the project area and elsewhere. Visually, the proposed project study area currently features a number of existing transmission lines running adjacent (and parallel) as well as across the aqueduct. At least four existing transmission lines are clearly visible within 150 feet of the proposed alignment. Given that the proposed transmission line would not notably change the visual aspects of the California Aqueduct, it would continue to convey its significance at this location and elsewhere. The proposed project would tie into the Salado Substation, which is owned by PG&E and is not associated with the California Aqueduct. A formal historic evaluation of the substation (constructed sometime prior to 1953) has not been conducted for the purposes of this proposed project. However, the proposed transmission line would be in character with the historic purpose and use of the substation and it is considered unlikely that the proposed tie-in would diminish the integrity of any historic character-defining features. As a basic rural structure, previous modifications and upgrades over time to facilitate continued and expanded use of the substation likely resulted in much of the property being now represented by more modern materials and design. Thus, the proposed tie in would not result in a significant impact.

As a component of the approved project, the proposed transmission line would be subject to Mitigation Measures CR-1 and CR-2 from the approved IS/MND, which require construction workers stop work if previously unknown archaeological resources or human remains are uncovered during project construction, assess the significance of the find, and pursue appropriate management. As is the case with the project footprint analyzed in the approved IS/MND, implementation of Mitigation Measures CR-1 and CR-2 would ensure that impacts on cultural and paleontological resources resulting from the project refinement would be less than significant. No further mitigation would be required.

With regard to paleontological resources, as is the case with the solar facility footprint approved in the IS/MND, the right-of-way for the generator tie-in line alignment occurs on land that is underlain by Holocene-age alluvium. By definition, in order to be considered a fossil, an object must be more than 11,000 years old. Therefore, as is the case with the project analyzed in the approved IS/MND, because the alluvial deposits are less than 11,000 years old the proposed overhead 115-kV line generator tie-in line would have no impact on unique paleontological resources and no mitigation is required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on cultural or paleontological resources or a substantial increase in the severity of previously identified effects on cultural or paleontological resources. The project refinement does not constitute new information of substantial importance regarding cultural or paleontological resources that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of cultural and paleontological resources impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### 3.1.6 GEOLOGY AND SOILS

The topography of the proposed transmission line site is characterized by rolling hills that range from 300 feet above mean sea level (msl) along the center section of the site to approximately 260 feet above msl at the east and west parcel boundaries. The geology of the project site is similar to that of the previously approved project. As stated in the approved IS/MND, seismic and soil stability hazards are considered to be less than significant. Site soils are similar to those found on the previously approved project footprint. One additional soil type is found on the transmission line site. The additional soil information is presented in Table 2.

Table 2 Soil Names and Characteristics				
Soil Map Unit	Water Erosion Hazard <sup>1</sup>	Wind Erosion Hazard <sup>2</sup>	Shrink-Swell Potential <sup>3</sup>	Limitations
Calla-Carbona complex, 30 to 50 percent slopes	Severe	Low	High	<p>Properly designing building foundations and diverting runoff away from buildings helps to prevent structural damage caused by shrinking and swelling.</p> <p>Excavations for roads or building site pads can expose material that may be susceptible to wind and/or water erosion.</p> <p>Disturbed areas of construction sites should be revegetated or covered with synthetic matting where needed to reduce the risk of erosion.</p> <p>Steel used for construction should be coated before contact with the soil to prevent corrosion.</p>
Source: Natural Resources Conservation Service 2012				

With regard to soils, as is the case with the solar facility footprint addressed in the approved IS/MND, construction activities have the potential to result in loss of topsoil and soil erosion. However, construction of the proposed project components would involve very little excavation of soil. Furthermore, as a component of the approved project, the proposed transmission line, would be subject to Mitigation Measures GEO-1 and GEO-2 from the approved IS/MND, which require the applicant to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) and associated BMPs, and prepare, submit for County review and approval, and implement a grading and erosion control plan. As is the case with the project footprint analyzed in the approved IS/MND, implementation of Mitigation Measures GEO-1 and GEO-2 would ensure that impacts resulting from the project refinement would be less than significant. No further mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on geology or soils or a substantial increase in the severity of previously identified effects on geology or soils. The project refinement does not constitute new information of substantial importance regarding geology or soils that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of geology and soils impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.7 HAZARDS AND HAZARDOUS MATERIALS**

An updated search of the California Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Sites Lists, and sites with reported hazardous material spills, leaks, ongoing investigations and/or remediation within the vicinity of the transmission line site was performed using the DTSC online Envirostor and the State Water Resources Control Board GeoTracker databases (DTSC 2012; SWRCB 2012). One additional site was identified in the far northeast corner of the transmission line site. The site was identified as a clean-up site under the name Tosco-Patterson Pump Station NP 139 (SL0609981817). The site is also listed as open and inactive. No other information was readily available regarding the site. An underground hazardous liquid pipeline runs through the center of the transmission line site to the compressor station and an underground gas transmission line runs adjacent to the California Aqueduct (NPMS 2012).

Existing electric and magnetic field (EMF) sources within the vicinity of the transmission line site includes an existing 69-kV overhead transmission line that parallels the California Aqueduct to connect to PG&E’s existing Salado Substation, and radio antennae mounted on a telecommunications tower. The proposed transmission line would introduce a new source of EMF on the transmission line site. Periodic and transient uses of these areas during proposed construction, operations, and maintenance may result in public exposure to EMF when in the vicinity of facilities; however, the California Public Utilities Commission (CPUC) and the California Department of Health Services (CDHS) have not concluded that exposure to magnetic fields from utility electric facilities is a health hazard (CPUC 1993 and 2006; CDHS 2002). In addition, many reports have concluded that the potential for health effects associated with EMF exposure is too speculative to allow the evaluation of impacts or the preparation of mitigation measures .

With regard to hazards and hazardous materials, as is the case with the solar facility footprint approved in the IS/MND, construction of the proposed project would involve the use of heavy construction equipment, which uses small amounts of hazardous materials such as oils, fuels, and other potentially flammable substances that are typically associated with construction activities. Helicopter fueling would occur at local airports. As a component of the approved project, the proposed transmission line would be subject to Mitigation Measure HM-1 from the approved IS/MND, which requires the applicant to keep hazardous materials in an identified staging area and prepare and implement an accidental spill prevention and response plan during construction. Excavation activities during transmission line construction could damage other high-pressure pipelines in close proximity to the work being performed and cause an accident or explosion or otherwise affect the integrity of the existing pipelines. In addition, helicopter operations could pose hazards to construction workers and/or nearby workers at the compressor station, existing substation, or the telecommunications equipment. With the implementation of the health and safety program BMPs and Mitigation Measure HM-1, these underground utilities would be identified and marked prior to project construction and precautions for avoiding damage to these lines would be implemented, which would eliminate the potential for damage during construction. Safety precautions for helicopter operations would also be implemented. The listed clean-up site located at the far northeast corner of the proposed transmission line could pose a significant hazard to the public or the environment, as is the case for similar potential hazards identified on the previously approved project foot prints. Mitigation Measure HM-2, which required the project applicant to prepare and implement a Phase II Environmental Site Assessment would reduce the hazards associated with potential hazards identified on the previously approved project footprint. To reduce the hazards associated with the identified clean-up site, Mitigation Measure HM-2 is revised as follows:

## **Mitigation Measure HM-2. Prepare and Implement a Phase II Environmental Site Assessment**

*Prior to commencing any ground-disturbing activities, the project applicant shall commission a Phase II Environmental Site Assessment which shall be prepared by an appropriately registered professional in the State of California. The Phase II assessment will include further assessment of potential significant hazards associated with implementation of the approved project and proposed project refinement and findings from the Phase I ESA. The Phase II assessment complies with the guidelines, standards, and regulations set forth by the California Department of Toxic Substances Control. The project applicant will submit the Phase II to the County prior to construction, and will comply with and implement all recommendations and requirements the County imposes in response to these assessments.*

As is the case with the project footprint addressed in the approved IS/MND, implementation of health and safety BMPs, Mitigation Measures HM-1 and the proposed revised Mitigation Measure HM-2 would ensure that impacts resulting from the project refinement would be less than significant. No further mitigation measures are required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on hazards and hazardous materials or a substantial increase in the severity of previously identified effects on hazards and hazardous materials. The project refinement does not constitute new information of substantial importance regarding hazards and hazardous materials that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of hazards and hazardous materials impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.8 HYDROLOGY AND WATER QUALITY**

The hydrologic conditions of the transmission line site are similar to the previously approved project footprint. The transmission line site is also located outside of the 100-year floodplain. Runoff, when present, would flow either toward I-5 or to a drainage ditch that parallels the California Aqueduct.

With regard to water resources, as is the case with the solar facility footprint addressed in the approved IS/MND, construction-related activities have the potential to temporarily impair water quality from disturbed and eroded soil, petroleum products, or construction-related wastes (e.g., solvents) that could be discharged into receiving waters or onto the ground where they can be carried into receiving waters. As a component of the approved project, the proposed transmission line, would be subject to Mitigation Measures WQ-1 and WQ-2 from the approved IS/MND, which require the project applicant to prepare a SWPPP and associated BMPs, and prepare, submit for County review and approval, and implement a grading and drainage plan. As is the case with the project footprint analyzed in the approved IS/MND, implementation of Mitigation Measures WQ-1 and WQ-2 would ensure that impacts resulting from the project refinement would be less than significant. No further mitigation measures are required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on hydrology and water quality or a substantial increase in the severity of previously identified effects on hydrology and water quality. The project refinement does not constitute new information of substantial importance regarding hydrology and water quality that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of hydrology and water quality impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.9 LAND USE AND PLANNING**

The transmission site is located on a privately-owned parcel that is zoned A-2-40. The general plan land use and zoning designations for the project site allow for agricultural uses and low-density residential uses. Public utility infrastructure is an allowable use with a conditional use permit from Stanislaus County. Similar to the previously approved project footprint, the transmission line site is also located within the outer safety zone (Zone 4) of the Crow’s Landing Naval Air Station (ALUC 2004:21).

With regard to land use, as is the case with the solar facility footprint approved in the IS/MND, a Conditional Use Permit would be obtained prior to project implementation. Also, utility infrastructure and agricultural uses are not prohibited in Zone 4 areas (ALUC 2004:17). Thus, the proposed project would not conflict with the Airport Land Use Commission Plan. In regards to conflicts with adopted land use plans, policies, and regulations, the proposed project refinement would have a less-than-significant impact. No mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on land use or a substantial increase in the severity of previously identified effects on land use. The project refinement does not constitute new information of substantial importance regarding land use that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of land use impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.10 MINERAL RESOURCES**

Mineral resources of the proposed transmission line site are similar to the previously approved project footprint, and is the project site is classified MRZ-3, meaning that not enough data exist to determine whether significant mineral resources are present.

With regard to mineral resources, as is the case with the solar facility footprint approved in the IS/MND, the proposed transmission line site does not contain any known deposits of regionally-important mineral resources and is not designated as a local mineral resource recovery site, this impact would be would be less than significant. No mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on mineral resources or a substantial increase in the severity of previously identified effects on mineral resources. The project refinement does not constitute new information of substantial importance regarding mineral resources that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of mineral resources impacts for the proposed project in the approved IS/MND and for the

proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.11 NOISE AND VIBRATION**

The existing setting of the proposed transmission line site is similar to that of the previously approved project footprint. An active oil compressor station adjoins the proposed transmission line site. Employees working at the compressor station are the closest noise-sensitive receptors.

With regard to noise and vibration, as is the case with the solar facility footprint approved in the IS/MND, temporarily construction-related activities have the potential to generate temporary and short-term increased noise and vibration. Proposed project refinement would not require pile driving. Construction equipment could generate noise levels up to 89 dBA  $L_{eq}$  at 50 feet from the center of each construction work area. However, construction noise levels would attenuate with distance and are not anticipated to exceed the allowable noise level limits at the nearest noise-sensitive receptor (i.e., compressor station workers) during daytime activities under the Stanislaus County Noise Element and County Code. Although there would be a temporary and short-term increase in ambient noise levels during construction activities, noise levels would be less than the noise level limits established by Stanislaus County. The impact would be less-than-significant. No mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on noise and vibration or a substantial increase in the severity of previously identified effects on noise and vibration. The project refinement does not constitute new information of substantial importance regarding noise and vibration that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of noise and vibration impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.12 POPULATION AND HOUSING**

The proposed transmission line site consists of dry open land and lease space for a telecommunications tower and associated equipment. Construction of the proposed project would employ up to 13 construction crew members at any one time over the 16 day construction period.

With regard to population and housing, implementation of the proposed project refinement has no net increase of growth nor would it induce direct or indirect growth in the project study area or displace population. There is no impact. No mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on population and housing or a substantial increase in the severity of previously identified effects on population and housing resources. The project refinement does not constitute new information of substantial importance regarding population and housing that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a

Project.”) The analysis of population and housing impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.13 PUBLIC SERVICES**

The existing setting of the transmission line site is similar to that of the previously approved project footprint. Construction of the proposed project would employ up to 13 construction crew members at any one time over the 16 day construction period.

With regard to public services, as is the case with the solar facility footprint approved in the IS/MND, the proposed project is not associated with a direct immigration, or population increase, that would increase the use of or demand for existing public services. The transmission facilities would be privately operated and maintained. The impact would be less-than-significant. No mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on public services or a substantial increase in the severity of previously identified effects on public services. The project refinement does not constitute new information of substantial importance regarding public services that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of public services impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### **3.1.14 RECREATION**

The existing setting of the proposed transmission line site is similar to that of the previously approved project footprint. Construction of the proposed project would employ up to 13 construction crew members at any one time over the 16 day construction period.

With regard to recreation, as is the case with the solar facility footprint approved in the IS/MND, the proposed project would not increase the demand for recreation facilities or include the construction or expansion of existing recreational facilities, which might cause a substantial adverse change to recreational facilities, or result in the deterioration of existing facilities. There is no impact. No mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on recreation or a substantial increase in the severity of previously identified effects on recreation. The project refinement does not constitute new information of substantial importance regarding recreation that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of recreation impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### 3.1.15 TRANSPORTATION AND CIRCULATION

The existing transportation and circulation setting of the proposed transmission line is similar to that of the previously approved project footprint. Construction of the proposed transmission line would employ up to 13 construction crew members at any one time over the 16 day construction period. As presented in Section 2.2, the maximum number of trips for any given construction activity would be a total of 96 trips or about 19 trips per day. Commercial helicopter support may also be required during the 16-day construction period. Proposed project refinement also include placing an overhead transmission line across I-5, which is a federally funded highway. For transmission line crossings over federal highways, an issuance of permit for encroachment from the Federal Highway Administration (FHWA), including an "airspace lease" over federal land would be required. Encroachment permit provisions would ensure that the proposed transmission line would not adversely affect highway or traffic safety, or otherwise impair the highway or its aesthetic quality, or conflict with the provisions of Federal, State or local laws or regulations including the Federal Aviation Administration. FHWA approvals for utility installations that conform to 23 CFR 645, Subpart B (Accommodation of Utilities) are approved by Caltrans. Permitting also requires that the applicant prepare a traffic control plan, implement countermeasures, such as placing utility facilities at locations which protect or minimize exposure to out-of-control vehicles, using breakaway features, using impact attenuation devices, using delineation, or shielding, and corrective measures to reduce potential injury or accident to the highway users and improve the safety of designed utilities.

With regard to transportation and circulation, as is the case with the solar facility footprint approved in the IS/MND, implementation of the project refinement construction and operation of the proposed transmission line would not cause a substantial increase in existing traffic loads or result in changes to current levels of service. The impact is less-than-significant impact. No mitigation measures would be required. Construction and placement of the proposed transmission line across I-5 could introduce hazards for motorists. By implementing health and safety BMPs and obtaining an encroachment permit in accordance with 23 Code of Federal Regulations 645, Subpart B would ensure that these potential hazards resulting from the proposed transmission line would be less than significant. No mitigation measures would be required,

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on transportation and circulation or a substantial increase in the severity of previously identified effects on transportation and circulation. The project refinement does not constitute new information of substantial importance regarding transportation and circulation that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, "Guidance in State CEQA Guidelines Regarding Changes to a Project.") The analysis of transportation and circulation impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

### 3.1.16 UTILITIES AND SERVICE SYSTEMS

Project refinement include the construction of a new approximately 1-mile-long 115-kV transmission line between a new substation located on the previously approved project footprint and PG&E's Salado Substation located off of Oak Flat Road.

With regard to utilities and service systems, as is the case with the solar facility footprint approved in the IS/MND, implementation of the project refinement has the potential to affect existing drainage facilities. As a component of the approved project, the proposed project refinement would be subject to Mitigation Measures WQ-1 and WQ-2 from the approved IS/MND, which requires the applicant to prepare a SWPPP and associated BMPs, and prepare, submit for County review and approval, and implement a grading and drainage plan. As is the

case with the project footprint analyzed in the approved IS/MND, implementation of Mitigation Measures WQ-1 and WQ-2 would ensure that impacts resulting from the project refinement would be less than significant. No further mitigation measures would be required.

The proposed project refinement is not considered substantial changes to the project that require major revisions of the approved IS/MND due to the involvement of new significant environmental effects on utilities and service systems or a substantial increase in the severity of previously identified effects on utilities and service systems. The project refinement does not constitute new information of substantial importance regarding utilities and service systems that was not known and could not have been known with the exercise of reasonable diligence at the time the IS/MND was approved.

Given these conditions, implementation of the project refinement is consistent with the CEQA requirements for use of an addendum. (Refer to Section 1.2, “Guidance in State CEQA Guidelines Regarding Changes to a Project.”) The analysis of utilities and service systems impacts for the proposed project in the approved IS/MND and for the proposed project refinement in this addendum is sufficient to meet CEQA requirements and support the approval of the proposed project refinement.

## **3.2 CONCLUSIONS REGARDING THE ENVIRONMENTAL ANALYSIS OF THE PROJECT REFINEMENT**

### **3.2.1 ENVIRONMENTAL RESOURCE IMPACTS**

As described in the preceding sections, the proposed project refinement evaluated in this addendum would not change any of the impact conclusions of the previously approved IS/MND and would not substantially increase the severity of identified impacts. The project refinement also would not require the need for additional mitigation measures. In addition, the project would not cause environmental effects that would cause substantial direct or indirect adverse effects on human beings or the physical environment.

### **3.2.2 CUMULATIVE IMPACTS**

In Section 3.3.18 of the approved IS/MND, “Mandatory Findings of Significance,” the proposed project is considered together with related projects and regional development for each of the environmental issue areas evaluated in the previously approved IS/MND. Consistent with the intent of a cumulative analysis, where the combined effects of multiple projects are to be considered, the various elements of the proposed project are generally evaluated as a whole. The incremental contribution of adverse effects associated with the implementation of the proposed project and project refinement would be reduced with the implementation of environmental commitments and Mitigation Measures identified in the previously approved IS/MND. As documented throughout this addendum, implementing the proposed project refinement would not result in any new significant impacts or substantially more severe impacts and would not require any new mitigation measures. Furthermore, there are no new circumstances since approval of the IS/MND that would result in new potentially significant or significant impacts or that would substantially increase the severity of previously identified impact, or require new mitigation measures that were not previously disclosed or would result in new potentially significant or significant impacts. There is no other new information requiring analysis or verification. Therefore, the project refinement evaluated in this addendum would remain consistent with the conclusions of the cumulative impact analysis in Section 3.3.18 of the previously approved IS/MND.

### **3.2.3 CONCLUSION**

Based on the analysis of the categories of environmental impacts evaluated above, implementing the project with the proposed refinement described in this document would result in none of the conditions described in Section 15162 of the State CEQA Guidelines calling for preparation of a subsequent ND or MND. In summary, there are

no altered circumstances or new information of substantial importance since the approval of the IS and adoption of the MND, and the project refinement evaluated in this addendum. The proposed project refinement would not:

- ▶ result in any new potentially significant or significant environmental effects,
- ▶ substantially increase the severity of previously identified effects,
- ▶ result in mitigation measures or alternatives previously found to be infeasible becoming feasible, or
- ▶ result in availability/implementation of mitigation measures or alternatives that are considerably different from those analyzed in the previous document that would substantially reduce one or more significant effects on the environment.

These conclusions confirm that this addendum to the previously approved IS and adopted MND is the appropriate CEQA document to evaluate and record the project refinement described in this document.

## 4 REFERENCES

ALUC. *See* Stanislaus County Airport Land Use Commission.

California Department of Health Services. 2002. *An Evaluation of the Possible Risks from Electric and Magnetic Fields (EMFs) from Power Lines, Internal Wiring, Electrical Occupations, and Appliances: Final Report June 2002*. California EMF Program, Oakland, CA.

California Department of Toxic Substances Control. 2012. EnviroStor Database, Hazardous Waste and Substance List for Stanislaus County. Available: <http://www.envirostor.dtsc.ca.gov/public/search>. Accessed October 30, 2012.

California Public Utilities Commission. 1993 (November). Order instituting investigation on the Commission's own motion to develop policies and procedures for addressing the potential health effects of electric and magnetic fields of utility facilities. Decision 93-11-013.

California Public Utilities Commission. 2006 (January). Order Instituting Rulemaking to Update the Commission's Policies and Procedures Related to Electromagnetic Fields Emanating from Regulated Utility Facilities. Decision 06-01-042.

CDHS. *See* California Department of Health Services

CPUC. *See* California Public Utilities Commission.

DTSC. *See* California Department of Toxic Substances Control.

Farmland Mapping and Monitoring Program. Stanislaus County Important Farmland 2010 [map]. Available: [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/sta10\\_so.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2010/sta10_so.pdf). Accessed October 30, 2012.

FMMP. *See* Farmland Mapping and Monitoring Program.

National Pipeline Mapping System. 2012. Database results for Stanislaus County. Available: <https://www.npms.phmsa.dot.gov/PublicViewer/composite.jsf>. Accessed October 30, 2012.

NPMS. *See* National Pipeline Mapping System.

NRCS. *See* U.S. Natural Resources Conservation Service.

Stanislaus County Airport Land Use Commission. 2004. *Airport Land Use Commission Plan*. Adopted August 3, 1978. Amended May 20, 2004.

State Water Resources Control Board. 2012. Geotracker Database Results for Oak Flat Road and I-5. Available: <http://www.geotracker.waterboards.ca.gov/>. Accessed October 30, 2012.

SWRCB. *See* State Water Resources Control Board.

U.S. Natural Resources Conservation Service. 2012. Web Soil Survey. Available: <http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm>. Accessed October 30, 2012.

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