MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 30, 2013 Time: 9:00 A.M	**Agenda Item No.: 2**
Project Description: Consider the Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and ordinance to amend section 21.64.120(c)(3)(b) to allow an increase in wind turbine height from 200 feet to 396.5 feet, to allow the installation of two (2) wind turbines and the construction of a gravel access road. Each turbine consists of a three-bladed wind turbine on a tubular steel tower with a height range of 327.5 to 396.5 feet maximum to the rotor tip. Each turbine would include a 16 foot diameter by 30 foot deep pier type foundation. The project is proposed to be constructed in two phases: Phase 1 is site preparation and foundation construction; Phase 2 involves the delivery and assembly of the tower, rotor, nacelle, transformer, and gravel access road of approximately 12 feet in width.	
Project Location: Katherine Street and Puente del Monte Avenue, Gonzales	**APN:** 223-061-015-000 (PORTION)
Planning File Number: PLN120471	**Owner:** Herbert G. Meyer **Applicant:** Vista de Santa Lucia **Agent:** John Handel / Thomas Truszkowski
Planning Area: Central Salinas Area Plan	**Flagged and staked:** No
Zoning Designation: : "F/40" (Farmland, 40 acre minimum)	
CEQA Action: Initial Study / Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit E**) to:

1) Adopt a Negative Declaration; and
2) Recommend the Board of Supervisors adopt an Ordinance amending Title 21, Chapter 21.64 **(Exhibit D);** and
3) Approve the Use Permit subject to adoption of a Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road, based on the findings and evidence and subject to the conditions of approval (**Exhibit E**);

PROJECT OVERVIEW:

The project consists of:1) Use Permit to allow the installation of two (2) wind turbines and the construction of a gravel access road; and 2) ordinance to amend section 21.64.120(c)(3)(b) to allow an increase in wind turbine height from 200 feet to 396.5 feet.

The project is being proposed to provide wind turbine power to serve the proposed Vista de Santa Lucia Agricultural Business Park and Visitor Center to be located on the Project site on the adjacent property within the City of Gonzales.

Each of the two proposed wind turbines will consist of a three-bladed turbine on a tubular steel tower with a hub height range of approximately 262 feet. Rotor diameter of the proposed turbines is approximately 270 feet and the radius is half that amount (135 feet). [The total height range (hub height plus rotor radius) is 327.5 to 396.5 feet maximum to the rotor tip.] Each structure will be mounted on a concrete foundation 16 feet in diameter that will be surrounded by a security fence 4 feet out from the foundation. The area within the fence surrounding each turbine will occupy approximately 0.01 acres, or 452 square feet. A 440-foot setback will be included between each

turbine and adjacent parcels. Farming will continue to the edge of the fenced areas. Other elements of the project design include:

- One generator, transformer, switch gear, and metering panel for each turbine.
- Underground lines connecting the transformers to an existing substation.
- A gravel road connecting existing roads to the base of the turbines.
- Perimeter fence to remain in place during construction.

The Project will include no site clearing and minimal grading. Excavation to a depth of approximately 30 feet will be necessary to construct the turbine foundations.

Additional information relative to the surrounding areas, project issues, and environmental review are included in **Exhibit B – Project Discussion.**

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

RMA - Public Works Department
Environmental Health Bureau
√ Water Resources Agency
Gonzales Rural Fire Protection District
RMA - Building Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by Water Resources Agency have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit E**).

The project was referred to the Agricultural Advisory Committee (AAC) for review on September 27, 2012. The project involves the placement of wind turbines

Note: The decision on this project is appealable to the Board of Supervisors.

/S/ David J. R. Mack

David J. R. Mack, Associate Planner
(831) 755-5096, mackd@co.monterey.ca.us
January 23, 2013

cc: Front Counter Copy; Planning Commission; Gonzales Rural Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Building Department; Jacqueline R. Onciano, Planning Services Manager; David J. R. Mack, Project Planner; Herbert G. Meyer, Owner; John Handel (Vista de Santa Lucia, LLC), Agent; Thomas Truszkowski, Agent; The Open Monterey Project; LandWatch; Planning File PLN120471

Attachments:

Exhibit A	Project Data Sheet
Exhibit B	Project Discussion
Exhibit C	Vicinity Map
Exhibit D	Ordinance Amending Title 21, Chapter 21.64
Exhibit E	Draft Resolution, including: • Conditions of Approval • Site Plan and Elevations

Exhibit F	Draft Resolution recommending Approval of Code Text Amendment to Board of Supervisors.
Exhibit G	Agricultural Advisory Committee Minutes
Exhibit H	Project Correspondence
Exhibit I	Negative Declaration
Exhibit J	Biological Assessment for the Vista de Santa Lucia Wind Energy Generation Project (LIB120463)
Exhibit K	Preliminary Acoustic Analysis (LIB120462)
Exhibit L	Comments on Initial Study/Negative Declaration • State of California, State Clearinghouse and Planning Unit • County of Monterey, Environmental Health Bureau • Monterey Bay Unified Air Pollution Control District

This report was reviewed by Jacqueline R. Onciano, Planning Services Manager, Long-Range Planning

Exhibit A
Project Information for PLN120471

Project Title:	MEYER HERBERT G TR	**Primary APN:**	223-061-015-000
Location:	NO ADDRESS ASSIGNED	**Coastal Zone:**	NO
Applicable Plan:	Central Salinas Valley	**Zoning:**	F/40
Permit Type:	Combined Development Permit	**Plan Designation:**	Farmlands
Environmental Status:	Negative Declaration	**Final Action Deadline:**	09/21/2012
Advisory Committee:	N/A		

Project Site Data:

Lot Size:	539.9	**Coverage Allowed:**	5.0%
		Coverage Proposed:	0.0034%
Existing Structures (sf):	0		
Proposed Structures (sf):	**800**	**Height Allowed:**	**200**
		Height Proposed:	**396.5**
Total Square Feet:	**800**		
		FAR Allowed:	**N/A**
		FAR Proposed:	**N/A**

Resource Zones and Reports

Environmentally Sensitive Habitat:	**N/A**	**Erosion Hazard Zone:**	**Low**
Biological Report #:	**LIB120463**	**Soils/Geo. Report #**	**N/A**
Noise Report #:	**LIB120462**	**Geologic Hazard Zone:**	**IV**
		Geologic Report #:	**N/A**
Archaeological Sensitivity Zone:	**Low**		
Archaeological Report #:	**N/A**	**Traffic Report #:**	**N/A**
Fire Hazard Zone:	**N/A**		

Other Information:

Water Source:	**N/A**	**Sewage Disposal (method):**	**N/A**
Water District/Company:	**N/A**	**Sewer District Name:**	**N/A**
Fire District:	**Gonzales Rural Fire District**	**Grading (cubic yds):**	**> 100**
Tree Removal (Count/Type):	**N/A**		

EXHIBIT B
DISCUSSION

Project Description
See Project Overview above.

Surrounding Land Uses/Environmental Setting
The Project site is located in the Salinas Valley, Monterey County, California, adjacent to the city limit boundary of the City of Gonzales. The site is bounded by Fermin Lane on the northwest, unnamed farm roads on the northeast and southwest, and farm fields and a City of Gonzales industrial park winter stormwater drainage basin on the southeast. Katherine Street is approximately 0.1 mile to the southeast, and the City of Gonzales is opposite the unnamed farm road to the northeast. Alta Street is approximately 0.25 mile to the northeast, and the U.S. Highway 101 is approximately 0.8 mile to the east of the project site. The Salinas River is approximately 1.25 miles to the southwest. The urban center of Salinas is approximately 13.4 miles to the northwest.

The project site consists of active agricultural land, except for a small developed area occupied mostly by farm structures and equipment. The proposed turbines are located in an agricultural preservation easement (Reel 3159 – pages 897-907). The surrounding area also consists of agricultural land (under cultivation for asparagus and other crops) to the west and south and developed areas in the City of Gonzales to the east and north. Several single-family farm residences are also located within one mile of the site. The Salinas River, which includes extensive riparian habitat but is often dry in the summer months, is approximately 1.25 miles southwest of the site. Immediately west of the river is an area dominated by vineyards at the foot of the Sierra de Salinas Mountains. Large areas of natural habitat are found in the mountains. The Santa Lucia Mountains are located still further west. Gonzales Slough which meanders through the City of Gonzales, and the area west of the city, provides some wetland and riparian habitat 0.5 mile eat of the site, although it is typically dry during the summer months. Additional agricultural land lies east of U.S. Highway 101. Approximately 2.5 miles northeast of the site, near the Johnson Canyon Landfill, is grassland habitat associated with the foothill of the Gabilan Range. Located within the Gabilan Range is the Pinnacles National Monument, approximately 11.3 miles east of the site.

Project Issues
The installation of WECS in the Farmlands ("F") designation is allowed with issuance of a Use Permit and subject to the regulations for Wind Energy Conversion Systems (WECS) found in Monterey County Code (MCC) Section 21.64.120. This project complies with all applicable regulations with the exception of one, height. MCC Section 21.64.120.C.3 states, "*Commercial Wind Energy Conversion Systems shall not exceed a total height of 200 feet.*" As stated in the project description, this proposal will exceed the 200 foot height limit and is anticipated to be constructed to a maximum total height of 327.5 to 396.5 feet. In order to remedy this inconsistency with the code, a parcel specific Code Text Amendment (Ordinance) is being processed to allow the increased height. The ordinance is a legislative decision, which is subject to approval and adoption by the Board of Supervisors. This portion of the application will be forwarded to the Board of Supervisors for adoption, and the project will be conditioned subject to this adoption. Should the Code Text Amendment not be adopted, the project will not be allowed to exceed the 200 foot height limit.

Code Text Amendment

An Ordinance amending Monterey County Code Section 21.64.120 (Regulations for Commercial and Noncommercial Wind Energy Conversion Systems) is required to be adopted by the Board of Supervisors to allow an increase in the height allowance for the construction of the wind turbines. MCC Section 21.64.120, at the time it was drafted placed a maximum overall turbine height of no more than 200 feet, to limit potential impacts to biological species, especially avian/raptor species such as the California condor.

The location of the proposed turbines, on the project site is surrounded by the boundaries of the City of Gonzales on three sides and is directed adjacent to an existing commercial/industrial agricultural processing business park (Vista de Santa Lucia) in the jurisdiction of the City of Gonzales. For this particular reason, the biological reports prepared for the project indicate there is no anticipated impact to special-status animal or plant species, particularly the California condor. According to the Biological Assessment, "in six years of GPS monitoring of condors in the region, only one detection point occurred below 200 meters [600 feet] along the narrow strip north of King City to just south of Gonzales (Sorenson et al 2009). No condors were observed during any of the Project site or vicinity surveys." Additional information on potential project related impacts can be found in the Initial Study/Negative Declaration **(Exhibit I).**

Without the potential impacts to protected/special-status avian/raptor species, the justification for allowing an increased turbine height and the ordinance, for this portion of the project site can be made and supported. The increased height allowed by the Amendment will only apply to the portion of the parcel proposed by this development, and will not apply to the remainder of the parcel. Should the property owner desire to construct additional turbines in the future, to this same height, additional discretionary permits and environmental review shall be required for any such development.

Environmental Review

An Initial Study/Negative Declaration (State Clearinghouse No. 2012121016) was prepared and circulated for a period of 30 days (December 6, 2012 through January 7, 2013). Issues that were analyzed in the Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, greenhouse gas emissions, hazards/hazardous materials, land use/planning, and noise (**Exhibit I).** In particular, the major environmental concerns associated with the project are a) Aesthetics and b) Biology. These two potential impacts are explained further below.

Aesthetics

From an aesthetic perspective, the proposed height of the turbines (approximately 400 feet) will be taller than the adjacent neighboring industrial business center; however the wind facility is an industrial feature consistent with the visual character of the immediate surrounding area. The lower portions of the turbines will be screen in all directions except the west by the existing Vista de Santa Lucia Gonzales Agricultural Business Park development. While the upper portions (above 50-60 feet) of the turbines will be visible across some of the flat lands of the Salinas Valley, this is not anticipated to result in a *potentially significant impact* to aesthetics, as the turbines will not be constructed on lands at a raised elevation, on a valley bluff, or involve ridgeline development. Additionally, the project is not located along an existing or proposed scenic highway, road or corridor within the Central Salinas Valley Area Plan and does not involve the degradation or removal of scenic resources (trees, rock outcroppings, or historic

structures). Additionally, the turbines are designed in accordance with Federal Aviation Administration (FAA) requirements for color (bright white) and markings (i.e. flashing red lights). Any required security lighting will be consistent with existing security lighting within the existing industrial area.

Biology

Relative to biology, no natural vegetation communities were found on the project site or within 0.5 miles of the site. The project site and surrounding areas are primarily composed of agricultural fields, planted trees, and developed habitat, with the exception on one four-acre area adjacent to the site, which contained a winter stormwater drainage basin that is dry during the summer and early fall periods. Plan species found or observed on the project site include one cultivated plant species and five additional common plant species; seven wildlife species, all birds, and included one CDFG Watch List (WL) species were observed. No bats were observed. Although there are no trees on the project site, trees suitable for raptor nesting were observed within 0.4 mile from the site; however no raptor nests were found within 1.0 mile of the site, and no roosting or nesting owls or roosting bats were found in structures on or adjacent to the site.

The California Natural Diversity Database (CNDDB) included occurrences for 2 invertebrate species, 5 amphibian species, 4 reptile species, 16 bird species, and 7 mammal species (see Table 4 in the Biological Assessment – **Exhibit J**). Several of these species have at least a "low potential" to occur on or near the project site. On species in particular, the California horned-lark, a CDFG Watch List (WL) species was observed on the site during surveys taken in May of 2012. However, no species listed as state- or federally-Threatened or Endangered are expected to occur on or immediately adjacent to the project site.

Due to their susceptibility to impacts with wind turbines, the following species are addressed in more detail in the initial study/negative declaration: California Condor, Golden Eagle, Burrowing Owl, California horned-lark, Ferruginous hawk, Northern harrier, while-tailed kite, and bats (as a whole). None of these species is anticipated to experience impacts related to the developed of the wind turbines, and the according to the CNDDB the nearest occurrence for any of these species is 2.0-2.5 miles, however as noted above a single horned lark was spotted passing through the site in May 2012.

The project is not anticipated to pose any substantial adverse impacts, either directly or through habitat modifications, on any species identified as a candidate, special, or sensitive species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or United States Fish and Wildlife Service. There have been no recorded/documented occurrences of the California Condor in, near or adjacent to the project site, and only occurrence of this species flying below 200 meters (600 feet) in the last six years, and this occurrence was substantially south near the City of King. Additionally, the California horned lark, Ferruginous hawk, marline, and Northern harrier have not been documented in the CNDDB database within 10.0 miles of the project site. Routine and on-going agricultural activities including tilling of the site continue to act as habitat and foraging deterrence for these species. Therefore the impact to species within the project area will be *less than significant.*

Public Review/Comment

A total of three letters was received during the public comment period, all of which indicated that no comments were being submitted on the project. "No comment" letters were submitted from" 1) the State of California Clearinghouse and Planning Unit; 2) County of Monterey Health

Department; and 3) Monterey Bay Unified Air Pollution Control District. These letters are attached for review in **Exhibit L**.

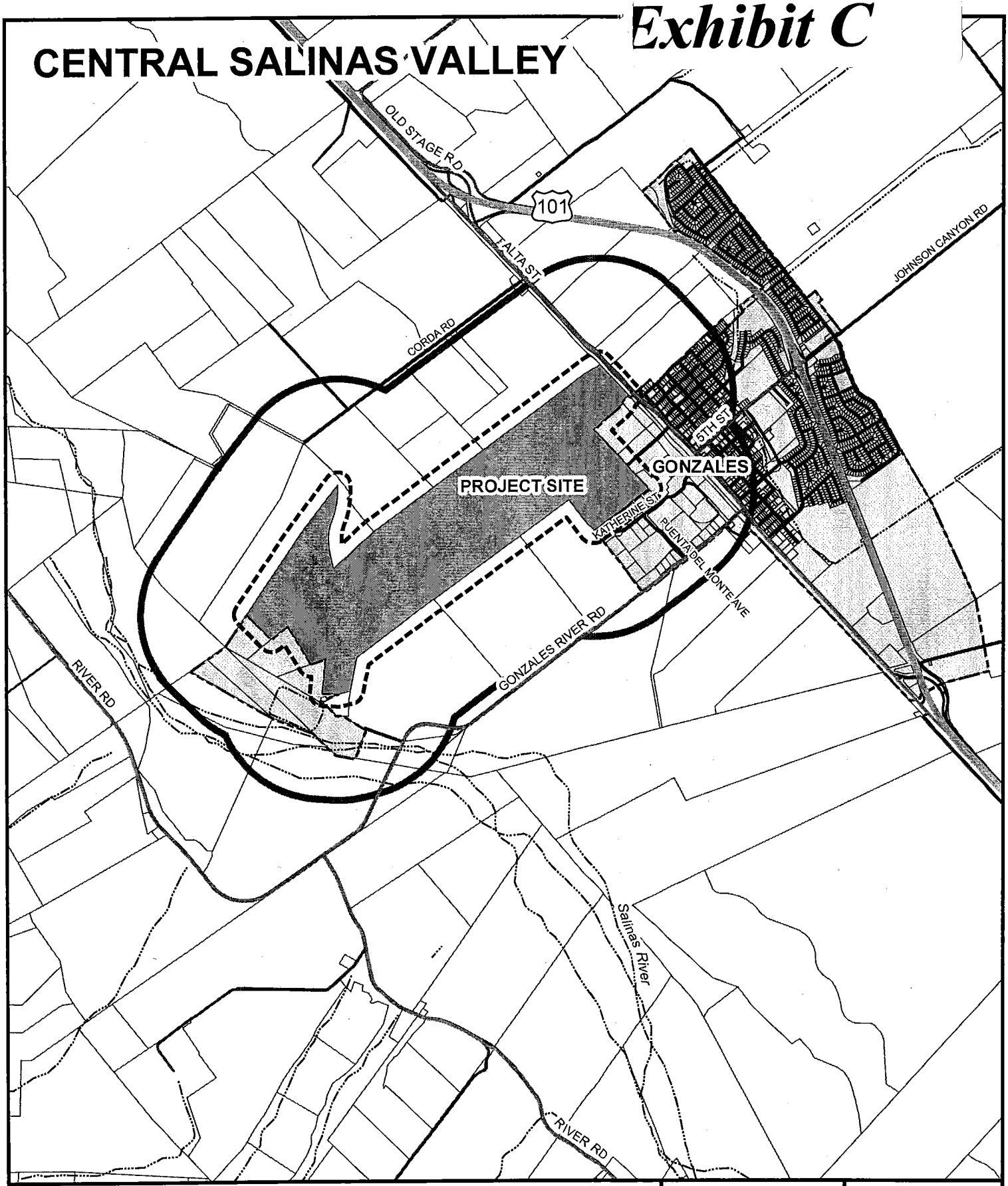
Recommendation

Staff recommends that the Planning Commission:

1) Adopt the Negative Declaration; and
2) Recommend the Board of Supervisors adopt a Ordinance to allow wind turbines to a maximum height of 396.5 feet on parcel 223-061-015-000; and
3) Approve the Use Permit subject to adoption of a Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road.

Exhibit C

CENTRAL SALINAS VALLEY



APPLICANT: MEYER

APN: 223-061-015-000 **FILE #** PLN120376

Water | 2500' Limit | 300' Limit | City Limits

N

0 2,000 Feet

MONTEREY COUNTY CALIFORNIA 1850

PLANNER: KINISON BROWN

EXHIBIT D

(DRAFT) ORDINANCE NO. _____

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, TO AMEND SECTION 21.64.120 OF THE MONTEREY COUNTY CODE RELATING TO REGULATIONS FOR COMMERICAL AND NONCOMMERICAL WIND ENERGY CONVERSION SYSTEMS

County Counsel Summary

This ordinance amends Section 21.64.120(c)(3)(b) of the Monterey County Code to allow an increase in height from 200 feet to a maximum height of 396.5 feet, for the construction of wind turbine on a portion of a parcel which has been found not to pose a significant environmental impact to biological species, including but not limited to the California Condor.

The Board of Supervisors of Monterey County ordains as follows:

SECTION 1. Declarations and Findings of Fact.

A. Pursuant to Section 21.88.010.B of Title 21 (Inland Zoning Ordinance) of the Monterey County Code, Title 21 may be amended by modification, change, deletion, addition or similar changes to the text of any portion or portions.

B. Pursuant to Section 21.88.020.B of Title 21, amendments to Title 21 may be initiated by application by an individual. On August 21, 2012, the property owner of parcel 223-061-015-000 submitted a development application, which contained a request to amend the zoning to allow an increase in wind turbine height from 200 feet to 396.5 feet.

C. Monterey County 2010 General Plan Policy OS-9.1 requires the use of solar, wind, and other renewable resources for agricultural, residential, commercial, industrial, and/or public building applications to be encouraged. The proposed code text amendment would allow an increased maximum height for the development of two wind energy conversion system (WECS) turbines. The development of the wind turbines would provide renewable power to the adjacent agricultural industrial business park, which complies with the objective of 2010 General Plan Policy OS-9.1.

D. Monterey County 2010 General Plan Policy OS-10.13 requires the County to adopt an Alternative Energy Promotion ordinance that will identify possible sites for production of energy using local renewable resources such as solar, wind, small hydro, and/or biogas. The development of the new Renewable Energy ordinance is been begun; however this particular application preceded the ordinance. The proposed code text would allow for the development of renewable energy on a site that has been identified has suitable for renewable energy production; and will comply with the objective of 2010 General Plan Policy OS-10.13.

E. Central Salinas Valley Area Plan Policy CSV-3.2 (contained within the 2010 General Plan), encourages the development and utilization of renewable energy

sources such as solar, wind generation, and biomass technologies. The proposed code text amendment would allow the development of renewable energy (wind) within the Central Salinas Area Plan.

F. This ordinance is subject to California Environmental Quality Act (CEQA) review, and an Initial Study/Negative Declaration (State Clearinghouse No. 2012121016) was prepared and circulated for a period of 30 days (December 6, 2012 through January 7, 2013). Issues that were analyzed in the Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, greenhouse gas emissions, hazards/hazardous materials, land use/planning, and noise. No significant adverse impacts were identified as a result from the code text amendment, or the development of the project (wind turbines). Additional future development renewable energy projects will continue to be evaluated pursuant to the requirements of CEQA.

G. The height exception made by this ordinance is justified in this case because it fulfills the General Plan policies, is adjacent to and is intended to serve an agricultural industrial business park, and in this particular location, will have less than significant biological and aesthetic impacts.

SECTION 2. Subsection (b) of subsection (3) of subsection (c) of Section 21.64.120 of the Monterey County Code is amended to read as follows:

b. Commercial Wind Energy Conversion Systems shall not exceed a total height of two hundred (200) feet <u>except as listed below:</u>

1. <u>A maximum turbine height of up to 396.5 feet shall be allowed as approved in that certain Use Permit (Resolution No. XXX) dated January 30, 2013 on the property that was the subject of the application at the location specified by the Use Permit.</u>

SECTION 3. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 4. EFFECTIVE DATE. This ordinance shall become effective on the 31st day following its adoption.

PASSED AND ADOPTED on this ___ day of _____, 2013, by the following vote:

AYES:
NOES:

EXHIBIT D

ABSENT:
ABSTAIN:

Fernando Armenta, Chair
Monterey County Board of Supervisors

A T T E S T :

GAIL T. BORKOWSKI
Clerk of the Board of Supervisors

By: _____
Deputy

APPROVED AS TO FORM:

Wendy S. Strimling, Senior Deputy
County Counsel

EXHIBIT E
DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:
MEYER (PLN120471)
RESOLUTION NO. ----
Resolution by the Monterey County Hearing Body:

1) Adopt a Negative Declaration; and
2) Approve the Use Permit subject to adoption of a Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road, based on the findings and evidence and subject to the conditions of approval.

[PLN120471, Meyer, Katherine Street and Puente del Monte Avenue, Central Salinas Area Plan (APN: 223-061-015-000 (PORTION)]

The Meyer application (PLN120471) came on for public hearing before the Monterey County Planning Commission on January 9, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, will be consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 2010 Monterey County General Plan;
- Central Salinas Area Plan;
- Monterey County Zoning Ordinance (Title 21);

The project has been designed to be consistent with the regulations within Monterey County Code (MCC) Section 21.64.120 (Regulations for Wind Energy Conversion Systems), with one exception, height, which is limited to 200 feet for commercial WECS. To remedy this conflict, a parcel specific Code Text Amendment has been included in the project application to allow the project to exceed the allowed height and construct the turbines to the height needed to harness the maximum amount of wind possible.

No communications were received during the course of review of the project indicating any other inconsistencies with the text, policies, and

regulations in these documents.

b) The property is located at Katherine Street and Puente del Monte Avenue, Gonzales (Assessor's Parcel Number 223-061-015-000 (PORTION)), Central Salinas Area Plan. The parcel is zoned F/40 (Farmland, 40 acre minimum), which allows commercial and non-commercial wind energy conversion systems pursuant to the granting of a Use Permit and in compliance with the regulations contained in Section 21.64.120 "Regulations for Commercial and Non-Commercial Wind Energy Conversion Systems." Therefore, the project is an allowed land use for this site.

c) The project planner conducted a site inspection on September 5, 2012 to verify that the project on the subject parcel conforms to the plans listed above.

d) The project has been designed to be consistent with and/or is supported by the Land Use, Conservation/Open Space, Safety, and Agriculture Elements of the 2010 General Plan to the maximum extent feasible. Because WECS do not create demand for public services (such as water or wastewater treatment or schools), the policies of the Public Services Element relevant to public services do not apply.

Land Use Element:

- LU-1.5: Land Use shall be designed to achieve compatibility with adjacent uses.

The project will provide renewable wind power to the adjacent agricultural business park on the adjacent property, within the City of Gonzales.

Conservation/Open Space Element:

- OS-5.16: A biological study shall be required for any development project requiring a discretionary permit and having the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or endangered species.
- OS-6.4: Development proposed in low sensitivity zones are not required to have an archaeological survey unless there is specific additional information that suggests archaeological resources are present.
- OS-7.4: Development proposed in low sensitivity zones are not required to have a paleontological survey unless there is specific additional information that suggests paleontological resources are present.
- OS-9.1: The use of solar, wind or other renewable resources for agricultural, residential, commercial, industrial, and public building applications shall be encouraged.

A biological study was prepared for the project and evaluated the potential impacts to a variety of plant and animal species. That report was used in the preparation of the Initial Study/Negative Declaration, and has been attached (Exhibit J of the January 30, 2013 Planning

Commission Staff Report). The project is located within a low sensitivity zone for both archaeological and paleontological resources. No additional information exists to suggests that either an archaeological nor paleontological report is required for this project. The project involves the installation of renewable wind resources for a commercial and agricultural business park.

Safety Element:

- S-5.13: Utilities serving new development shall be sited and constructed to minimize the risks from hazards to the greatest extent feasible.

The project has been designed to maintain appropriate setbacks between turbines as well as to the adjacent property lines.

Agricultural Element:

- AG-1.1: Land uses that interfere with routine and ongoing agricultural operations on viable farmlands designated as Prime, of Statewide Importance, Unique, or of Local Importance shall be prohibited.
- AG-1.8: Development projects on lands designated for agricultural use that require a discretionary permit shall be referred to the County's Agricultural Advisory Committee (AAC) for their review and recommendation to the decision-making body.
- AG-2.4: Agriculture-related enterprises and agricultural support uses shall be sited and designed to minimize the loss of productive agricultural lands to minimize impacts on surrounding land uses.

The project is not located on lands designated as Prime, of Statewide Importance, Unique or of Local Importance. Additionally the project will not alter or interfere wit the routine and/or ongoing agricultural operations of the parcel. The project was referred to the AAC (see Evidence (g) below. The project has been designed to utilize the smallest footprint possible minimize the los of productive agricultural lands and impacts to surrounding properties.

e) The project has been designed to be consistent with and/or is supported by the Central Salinas Area Plan, which sets forth supplemental land use policies to the General Plan. In specific, the project is not located within an area designated as sensitive or highly sensitive for visual resources in the Area Plan; therefore is does not conflict with Policy CSV-3.1. Additionally, the project involves the construction and utilization of a renewable energy source (wind); therefore the project is consistent with Policy CSV-3.2

Central Salinas Area Plan

- CSV-3.1: Within areas designated as "sensitive" and "highly sensitive" on the Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed in such a manner that public views are not disrupted.

- CSV-3.2: The development and utilization of renewable energy sources such as solar, wind generation, and biomass technologies in the Central Salinas Valley are encouraged.

f) The project was not referred to a Land Use Advisory Committee (LUAC) for review. The Central Salinas Valley Area Plan does not have a LUAC established for its area.

g) The project was referred to the Agricultural Advisory Committee (AAC) for review on October 25, 2012. The AAC recommended approval of the project by a unanimous vote.

h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120471.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE:

a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Gonzales Rural Fire Protection District, Public Works, Environmental Health Bureau, RMA – Building Department, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

b) Staff identified potential impacts to Biological Resources and Noise. The following reports have been prepared:

- "Preliminary Acoustic Analysis" (LIB120462) prepared by Foundation Windpower (Kevin Hauck), California, August 13, 2012.
- "Biological Assessment for the Vista de Santa Lucia Wind Generation Project" (LIB120463), DUDEK Consulting (Keith Babcock), Auburn, California, July 2012.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

c) Staff conducted a site inspection on September 5, 2012 to verify that the site is suitable for this use.

d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120471.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to

property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE:

a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Gonzales Rural Fire Protection District, Public Works, Environmental Health Bureau, RMA – Building Department, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Necessary public facilities will be provided. The project does not require water or waste (sewer) service.

c) The Environmental Health Bureau (EHB) reviewed the project and associated Negative Declaration and find the project acceptable without comment.

d) Staff conducted a site inspection on September 5, 2012 to verify that the site is suitable for this use.

e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120471.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

EVIDENCE:

a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

b) Staff conducted a site inspection on September 5, 2012 and researched County records to assess if any violation exists on the subject property.

c) There are no known violations on the subject parcel.

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN120471.

5. **FINDING:** **CEQA (Negative Declaration)** - On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed or conditioned will have a significant effect on the environment. The Negative Declaration reflects the independent judgment and analysis of the County.

EVIDENCE:

a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.

b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference

(PLN120471).

c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Negative Declaration.

d) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation, and is hereby incorporated herein by reference.

e) The Draft Negative Declaration ("ND") for PLN120471 was prepared in accordance with CEQA and circulated for public review from December 6, 2012 through January 7, 2013 (SCH#: 2012121016).

f) Issues that were analyzed in the Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, greenhouse gas emissions, hazards/hazardous materials, land use/planning, and noise.

g) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 2/Site Suitability), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings. These documents are on file in the RMA-Planning Department (PLN120471) and are hereby incorporated herein by reference.

h) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the California Department of Fish and Game (CDFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.
The site has the potential to support one cultivated plant species and fice additional plant species; seven wildlife species (all birds) and one CDFG Watch List (WL) species. For purposes of the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. The Initial Study was sent to the California Department of Fish and Game for review, comment, and to recommend necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD).

i) No comments from the public were received and no comments were submitted to the State Clearinghouse from state agencies. On January 10, 2013, the RMA – Planning Department received a letter from the State Clearinghouse acknowledging that the project has complied with state clearinghouse requirements and that no comments had been submitted from reviewing state agencies. (Exhibit I of the January 30, 2012 Planning Commission Staff Report)

j) The Monterey County Planning Department, located at 168 W. Alisal, 2nd Floor, Salinas, California, 93901, is the custodian of documents and

other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.74.050.D and 21.80.040.D of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

1) Adopt a Negative Declaration; and
2) Approve the Use Permit subject to adoption of a Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road, in general conformance with the site plan attached hereto and incorporated herein by reference and subject to the conditions of approval.

PASSED AND ADOPTED this _____ day of _____, 2013 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mike Novo, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

   Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or

until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 05-09-2012

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN120471

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit (PLN120471) allows the installation of two (2) wind turbines with a maximum height of 396.5 feet and the construction of a gravel access road. The property is located at the near the corner of Katherine Street and Puente del Monte Avenue in the City of Gonzales. [Assessor's Parcel Number: 223-061-015-000 (portion)]This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Use Permit (Resoultion No. XXX) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 223-061-015-000 (portion) on January 30, 2013. The permit was granted subject to 14 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered." When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or 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 this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

5. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

6. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

7. PD035 - UTILITIES UNDERGROUND

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground.
(RMA - Planning Department; Public Works)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

8. PDSP01 - MAXIMUM TURBINE HEIGHT (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The maximum turbine height shall not exceed 396.5 feet in height. (Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the agent/owner/applicant shall submit 3 copies of an elevation plan which shall indicate the maximum height of the turbine(s) to the RMA - Planning Department for review and approval.

9. PDSP02 - WIND TURBINE FACILITIES (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall agree in writing that if future technological advances allow for reducing the visual impacts of the wind turbines, the applicant shall make modifications to the facility accordingly to reduce the visual impact as part of the facility's normal replacement/maintenance schedule. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading or building permits, the owner/applicant/agent shall submit, in writing, a declaration agreeing to comply with the terms of this condition to the RMA-Planning Department for review and approval.

10. PDSP03 - WIND TURBINE ABANDONMENT (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: If the applicant abandons the facility or terminates the use, the applicant or property owner shall remove the turbine, generator, transformer, switch gear, metering panel, and associated security fencing. Upon such termination or abandonment, the applicant shall enter into a site restoration agreement subject to the approval of the Director of the RMA-Planning Department and County Counsel. The site shall be restored to its natural or prior existing state/use within 6 months of the termination of use or abandonment of the site. (RMA-Planning Deparment)

Compliance or Monitoring Action to be Performed: If the applicant abandons the facility or terminates the use, a site restoration agreement shall be submitted to the RMA-Planning Department subject to the approval of the RMA-Director of Planning and County Counsel, within 30 days of the termination of use or abandonment of the site.

Within 6 months of termination of use or abandonment of site, the property owner and/or applicant shall restore the site to its natural or prior existing state/use.

11. PDSP04 - WIND TURBINE FAA REQUIREMENTS (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The facility must comply with Federal Aviation Administration (FAA) standards and requirements for color and markings. If the facility is in violation of the FAA standards and requirements, the Director of the RMA-Planning Department shall set a public hearing before the Appropriate Authority whereupon the Appropriate Authority may, upon a finding based on substantial evidence that is facility is in violation of the then existing FAA standards and requirements, revoke the permit or modify the conditions of the permit. (RMA-Planning Department)

Compliance or Monitoring Action to be Performed: If the facility is in violation of FAA standards and/or requirements, the Director of the RMA-Planning Department shall set a public hearing before the Appropriate Authority to consider revocation or modification of the permit.

12. PDSP05 - ZONING CODE TEXT AMENDMENT (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit shall not take effect unless and until the Monterey County Board of Supervisors adopts an ordinance amending the zoning to allow an increase in the maximum height for Wind Energy Conversion Systems, and the ordinance goes into effect.

The increased height allowed by the ordinance will only apply to the portion of the parcel approved and defined by this entitlement, and will not apply to the remainder of the parcel. Should the property owner desire to construct additional turbines over 200 feet in the future, additional discretionary permits and environmental review shall be required for any such development.

In the event that the ordinance amending the zoning is not adopted by the Monterey County Board of Supervisors, or does not go into effect, the Use Permit shall be of no force and effect.

Compliance or Monitoring Action to be Performed: The RMA-Planning Department shall prepare and present the ordinance amending the zoning to the Board of Supervisors for consideration.

13. PDSP06 - LOCATION OF TURBINES (NON-STANDARD)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The development area and placement of the turbines shall take place only on the portion of the parcel approved and defined by this entitlement and shown on the site plan. Turbines shall not be sited, developed, or construction on any other portion or remainder of the property. Should the property owner desire to construct turbines over 200 feet in any other portion of the property, additional discretionary permits and environmental review shall be required for any such development.

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the applicant/owner/agent shall construction drawings/plan depicting the location of the turbines to the Director of the RMA-Planning Department for review and approval.

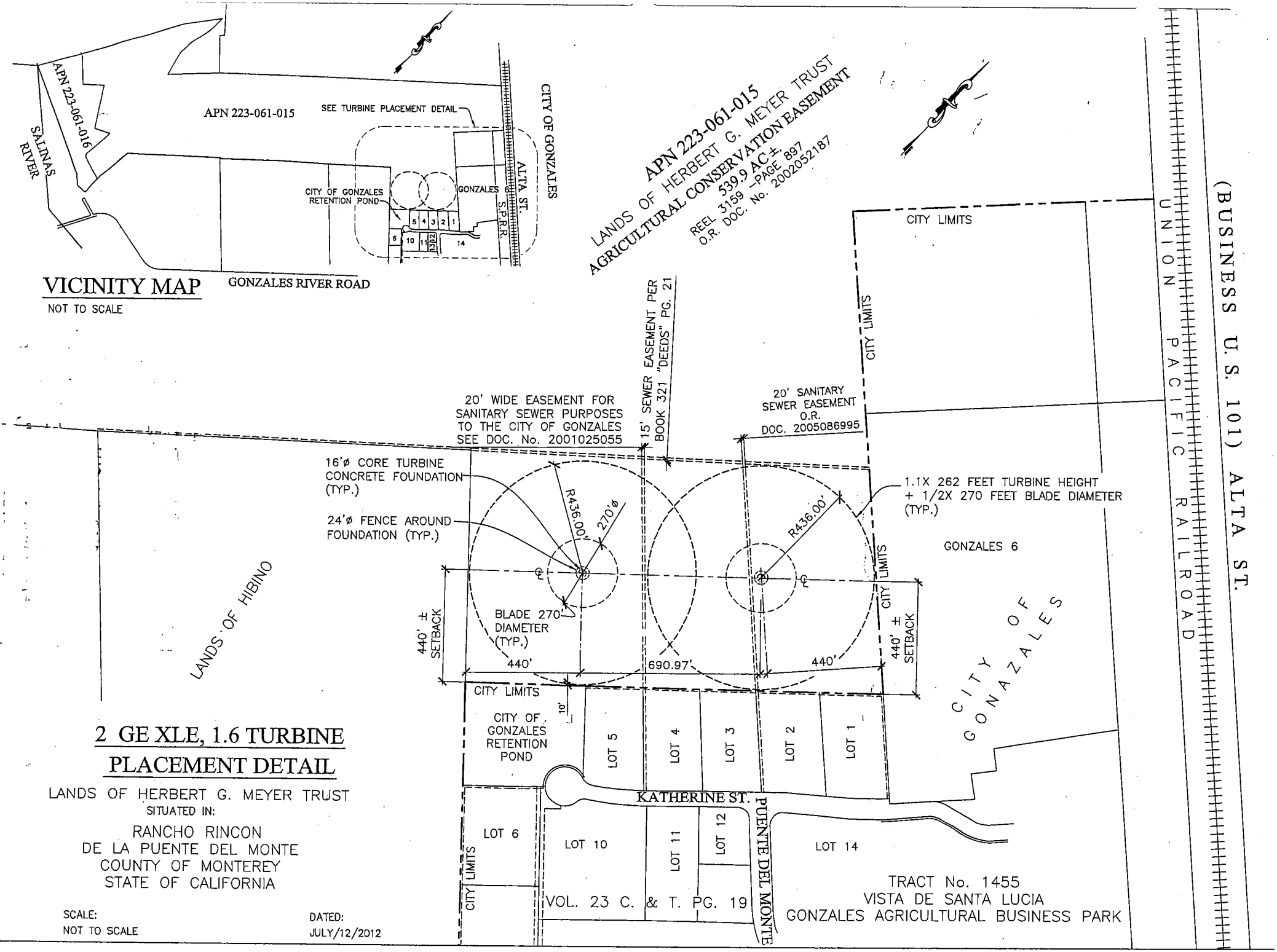
14. WR031 - FLOODPLAIN NOTICE

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a recorded floodplain notice stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval. When approved, the applicant shall record the notice.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.



2 GE XLE, 1.6 TURBINE PLACEMENT DETAIL

LANDS OF HERBERT G. MEYER TRUST

SITUATED IN:

RANCHO RINCON
DE LA PUENTE DEL MONTE
COUNTY OF MONTEREY
STATE OF CALIFORNIA

SCALE:
NOT TO SCALE

DATED:
JULY/12/2012

EXHIBIT F
DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:
MEYER (PLN120471)
RESOLUTION NO. ----
Resolution by the Monterey County Planning Commission:
Recommending the Board of Supervisors adopt a Ordinance to amend section 21.64.120(c)(3)(b) to allow an increase in wind turbine height from 200 feet to 396.5 feet on parcel 223-061-015-000.

[PLN120471, Meyer, Katherine Street and Puente del Monte Avenue, Central Salinas Area Plan (APN: 223-061-015-000 (PORTION)]

The Meyer application (PLN120471) came on for public hearing before the Monterey County Planning Commission on January 9, 2012. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CODE TEXT AMENDMENT – An Ordinance to amend section 21.64.120(C)(3)(b) to allow an increase in wind turbine height from 200 feet to 396.5 feet on parcel 223-061-015-000.**

EVIDENCE:

a) Pursuant to Section 21.88.010.B of Title 21 (Inland Zoning Ordinance) of the Monterey County Code, Title 21 maybe amended by modification, change, deletion, addition or similar change to the text of any portion or portions.

b) Pursuant to Section 21.88.020.B of Title 21, amendments to Title 21 may be initiated by application by an individual. On August 21, 2012, the property owner of parcel 223-061-015-000 submitted a development application, which contained a request to amend the zoning to allow an increase in wind turbine height from 200 feet to 396.5 feet.

c) Monterey County 2010 General Plan Policy OS-9.1 requires the use of solar, wind, and other renewable resources for agricultural, residential, commercial, industrial, and/or public building applications to be encouraged. The proposed ordinance would allow an increased maximum height for the development of two wind energy conversion system (WECS) turbines. The development of the wind turbines would provide renewable power to the adjacent agricultural industrial business park, which complies with the objective of 2010 General Plan Policy OS-9.1.

d) Monterey County 2010 General Plan Policy OS-10.13 requires the

County to adopt an Alternative Energy Promotion ordinance that will identify possible sites for production of energy using local renewable resources such as solar, wind, small hydro, and/or biogas. The development of the new Renewable Energy ordinance has begun; however this particular application preceded Alternative Energy Promotion Ordinance. The ordinance proposed for this application would allow for the development of renewable energy on a site that has been identified has suitable for renewable energy production; and will comply with the objective of 2010 General Plan Policy OS-10.13.

e) Central Salinas Valley Area Plan Policy CSV-3.2 (contained within the 2010 General Plan), encourages the development and utilization of renewable energy sources such as solar, wind generation, and biomass technologies. The proposed ordinance would allow the development of renewable energy (wind) within the Central Salinas Area Plan.

f) This ordinance is subject to California Environmental Quality Act (CEQA) review, and an Initial Study/Negative Declaration (State Clearinghouse No. 2012121016) was prepared and circulated for a period of 30 days (December 6, 2012 through January 7, 2013). Issues that were analyzed in the Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, greenhouse gas emissions, hazards/hazardous materials, land use/planning, and noise. No significant adverse impacts were identified as a result from the code text amendment, or the development of the project (wind turbines). Additional future development renewable energy projects will continue to be evaluated pursuant to the requirements of CEQA.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

Recommend the Board of Supervisors adopt a Ordinance to amend section 21.64.120(c)(3)(b) to allow an increase in wind turbine height from 200 feet to 396.5 feet on parcel 223-061-015-000.

PASSED AND ADOPTED this _____ day of _____, 2013 upon motion of _____, seconded by _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Mike Novo, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE [DATE]

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

Form Rev. 05-09-2012

Exhibit G

MONTEREY COUNTY
AGRICULTURAL ADVISORY COMMITTEE (AAC)
Agricultural Center Conference Room
1428 Abbott Street

October 25, 2012; 2:30 p.m.

MINUTES

Members	Present	Guests & Staff	Affiliation
Tom Am Rhein	-	David Mack	Planning Department
David Costa	-	Craig Spencer	Planning Department
Steve de Lorimier	✓	Joe Sidor	Planning Department
Alexandra Eastman	✓	Tom Truszkowski	City of Gonzales, Planning Manager
Kurt Gollnick	✓	Eric Lauritzen	Agricultural Commissioner
Bill Hammond	-	Bob Roach	Agricultural Commissioner's Office
Bill Lipe	✓	Mary Grace Perry	Office of the County Counsel
Mike Manfre	-		
Steve McIntyre	✓		
Manuel Morales	✓		
Steve Ray	✓		
Scott Violini	✓		
Ridge Watson	✓		

I. Call to Order
The meeting was called to order at 2:30 p.m.

II. Approvals
The meeting minutes of September 27, 2012, were approved without revision.

III. Public Comments (items not on the agenda)
There were no public comments.

IV. Agricultural Commissioner's Update
Bob Roach, Assistant Agricultural Commissioner
I attended a meeting regarding Hoop Houses with Paul Robins of the Resource Conservation District (RCD) to reach out to industry. Paul has taken the lead with this issue and expects to set up field visits and start discussion to develop Best Management Practices for hoop houses. There was good representation and cooperation from the growers at this meeting.

Please welcome Bill Lipe who will be representing the Farm Bureau while Chris Bunn is on leave.

V. Planning Department

A. Vista de Santa Lucia, LLC

David Mack, Associate Planner – Advanced Planning Team
Tom Truszkowski, City of Gonzales Planning Manager
Informational item related to wind turbines and agricultural land. The Planning Department is processing an application for a Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and Monterey County Code (MCC) Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road on agricultural land located adjacent to the City of Gonzales near Katherine Street and Puente Del Monte.

- Lighting will comply with all FAA requirements;
- Have not received any negative feedback from the community;
- Life span of about 40-45 years if properly maintained;
- A biological survey was provided to the County's Planning Department about potential impact on bird species, raptors in particular. Ventana Wildlife Society (VWS) has begun a study that will continue after the turbines are built. This project will be used as a pilot site for documenting any bird incidents;
- VWS has stated they believe there will be very negligible impact to condors.

Public Comment: None

Motion: A motion was made by Kurt Gollnick and seconded by Steve DeLorimier recommending that the Planning Department support and approve the Vista de Santa Lucia wind turbine project.

AYES:	9
NOES:	0
ABSENT:	5
RECUSED:	0

B. Solar Ordinance Development

Craig Spencer, Associate Planner
The RMA-Planning Department is starting development of a new Solar Energy Facility Ordinance to implement the 2010 General Plan (Policy OS-10.13). In order to aid in making important policy decisions potentially affecting agricultural lands, the Planning Department would like to hear the concerns and comments of the Agricultural Advisory Committee on the issues related to agriculture.

Action: Feedback from the Ag Advisory Committee is requested with regard to the following points:

- Type of ag buffers to put in place between a solar energy facility and ag land?
- Should the Right to Farm Act or other mechanism be considered?
- How should prime ag land not under a Williamson Act contract be treated?

Committee Comments

- Ensure ability of ranchers to easily maneuver horses/ATVs when herding stock;
- Does grass grow under the panels?
- Proximity to power lines;
- Mindfulness of scenic easements;

- What about removal of the panels when they have reached the end of their useful life or a better form of green energy is developed?
- Do the panels leak any toxic substance? ***Other than battery replacement, it is believed that there is no danger of leaking.***
- What about water runoff and erosion control?
- Install panels over parking lots, maintenance yards, etc. and keep in mind that farm properties are a business enterprise;
- Consider glare from the panel.

Public Comment:

- *Norm Groot, Executive Director, Monterey County Farm Bureau*
  - Caution was emphasized with the definition of prime and marginal land;
  - There are new technological advances with regard to panel size and reduction of glare;
  - This is something that does not need buffers;
  - How much water is involved in maintaining panels during non-rainy season;
  - Are the restrictions on placement the same as for wind turbines?
- *Manual Amaral* – Concerned regarding buffers and increased use of water to maintain panels' efficiency.

C. Pinnacle Wine Company

Joe Sidor, Associate Planner

Administrative Permit to allow the construction and operation of an agricultural processing plant (winery) in the Agricultural and Winery Corridor Plan area, under Land Conservation contract 68-56b, designed to process a maximum of 20,000 tons and produce a maximum of 300,000 cases per year. The agricultural processing plant would consist of approximately 107,900 square feet of enclosed processing area, approximately 39,320 square feet of covered canopy area, approximately 118,670 square feet of access road and hardscape, approximately 19,950 square feet of landscaped area, approximately 158,700 square feet of wastewater treatment and storage pond area, and pond and site grading (approximately 39,500 cubic yards of cut, 40,600 cubic yards of fill, and net import of 1,100 cubic yards of fill). The property is located at 40410 Arroyo Seco Road, Greenfield (Assessor's Parcel Number 111-021-019-000), Central/Arroyo Seco/River Road Segment of the Agricultural and Winery Corridor Plan, Central Salinas Valley Area Plan.

Committee Comments

- How will the winery deal with wastewater? ***A wastewater facility and ponds will be utilized and drainage ponds proposed for the site. The total area of ponds with the winery facility would encompass 13 of the 40 acres.***
- Traffic issues. ***This is under review.***

Public Comment: None

Motion: A motion was made by Scott Violini and seconded by Bill Lipe recommending the Planning Department support and approve the project.

AYES: 8
NOES: 0
ABSENT: 5
ABSTAIN: 1 (McIntyre)

V. Administrative Matters

None

VI. Adjournment

There being no further business before the Committee, the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Monterey County Agricultural Commissioner's Office

Exhibit H

Mailing Address:
P.O. Box 3737
Salinas, CA 93912

Physical Address:
180 Katherine Street
Gonzales, California

Pure Pacific Organics, LLC

Michael Novo
Director of Planning
County of Monterey
168 West Alisal Street
Salinas, California 93901

David Black
Pure Pacific Organics, LLC
740 Airport Boulevard
Salinas, CA 93901

Subject: Vista de Santa Lucia wind turbines
August 14, 2012

Please be advised that Pure Pacific Organic, LLC is a produce processing company located in the Vista de Santa Lucia Agricultural business park located in Gonzales, CA. We are aware of the two proposed turbines that are being installed to provide clean sustainable energy for the users located in the park. We have engaged in preliminary discussions regarding acquiring power from one of the turbines under a power purchase agreement (PPA).

We support the City's clean renewable energy initiatives with the objective of obtaining both immediate and significant long term savings. We support the City of Gonzales in their various green initiatives. We look forward to hopefully concluding these discussions and seeing Gonzales reach their goals.

If you have any questions please feel free to contact me.

Sincerely,

David Black
Pure Pacific Organics, LLC

August 10, 2012

Michael Novo
Director of Planning
County of Monterey
168 West Alisal Street
Salinas, California 93901

Travis Pendleton
Green Gate Fresh, LLLP
Chief Operating Officer
PO Box 849
Salinas, California 93901

Subject: Vista de Santa Lucia wind turbines
August 19, 2012

Please be advised that Green Gate Fresh, LLLP is a prospective produce processing tenant for the Vista de Santa Lucia Agricultural business park located in Gonzales, CA. We are aware of the two proposed turbines that are being installed to provide clean sustainable energy for the users located in the park. We have engaged in preliminary discussions regarding acquiring power from one of the turbines under a power purchase agreement (PPA).
We support clean renewable energy initiatives with the objective of obtaining both immediate and significant long term savings. We support the City of Gonzales in their various green initiatives. We look forward to hopefully concluding these discussions and seeing Gonzales reach their goals.
If you have any questions please feel free to contact me.

Sincerely,

Travis Pendleton
Green Gate Fresh, LLLP

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Taylor Farms Retail, Inc.

Michael Novo
Director of Planning
County of Monterey
168 West Alisal Street
Salinas, California 93901

Nicholas DaCosta
Chief Operating Officer
Taylor Farms Retail, Inc.
911 Blanco Circle Suite B
Salinas, California 93901

Subject: Vista de Santa Lucia wind turbines
August 6, 2012

Please be advised that Taylor Farms has a Fresh Vegetables processing plant located in the Gonzales Agricultural business park. We are aware of the two turbines that are being installed to provide clean sustainable energy for the users located in the park. We have been in discussions regarding acquiring power from one of the turbines under a power purchase agreement (PPA).

We support clean renewable energy initiatives with the objective of obtaining both immediate and significant long term savings. We support the City of Gonzales in their various green initiatives. We look forward to hopefully concluding these discussions and seeing Gonzales reach their goals.

If you have any questions please feel free to contact me.

Sincerely,

Nicholas DaCosta

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

AMERICAN COOLING
INCORPORATED
Salinas • Castroville • Huron • Yuma

RECEIVED
AUG 15 2012
MONTEREY COUNTY
PLANNING DEPARTMENT

Michael Novo
Director of Planning
County of Monterey
168 West Alisal Street
Salinas, California 93901

Michael Azzopardi/David Sanders
American Cooling
PO Box 7696
Spreckels, CA 93962
(831) 424-1282

Subject: Vista de Santa Lucia wind turbines
August 6, 2012

Please be advised that American Cooling has significant property holdings located in the Gonzales Agricultural business park. American Cooling has multiple customers in the park that have expressed an interest in acquiring power from the referenced turbine project. We are aware of the two turbines that are being installed to provide clean sustainable energy for the users located in the park. We have been in discussions regarding acquiring power from one of the turbines under a power purchase agreement (PPA).

We support clean renewable energy initiatives with the objective of obtaining both immediate and significant long term savings. We support the City of Gonzales in their various green initiatives. We look forward to hopefully concluding these discussions and seeing Gonzales reach their goals.

If you have any questions please feel free to contact me.

Sincerely,

Michael Azzopardi/David Sanders

VENTANA WILDLIFE SOCIETY

Conserving Native Wildlife and their Habitats

19045 Portola Dr., Ste. F-1
Salinas, CA 93908
P 831-455-9514
F 831-455-2846
www.ventanaws.org

August 3, 2012

RECEIVED
AUG 07 2012
MONTEREY COUNTY
PLANNING DEPARTMENT

Mike Novo
Planning Director
County of Monterey
168 W. Alisal St., 2nd Floor
Salinas, California 93901

Dear Mike,

This letter is to inform the County of Monterey that Ventana Wildlife Society is conducting bird and bat monitoring for the Herbert Meyer Land Trust as part of the Vista de Santa Lucia Wind Energy Generation Project in Gonzales. Our monitoring builds on a biological assessment of the site conducted by Dudek in 2012, with the objectives of measuring bird use of the site (particularly at rotor height), identifying bats, investigating seasonal presence of birds and bats, and documenting species of special concern. Pre-construction monitoring is intended for one year, and we hope to continue monitoring to evaluate levels of mortality after turbines are in place.

Ventana Wildlife Society appreciates the opportunity of monitoring for the Herbert Meyer Land Trust in Gonzales, and we would consider other opportunities for contributing to the future visitor's center, provided those opportunities coincide with our mission of conserving native wildlife and their habitats.

Feel free to contact me anytime if you have questions or would like to further discuss this project.

Sincerely,

Mike Stake
Senior Wildlife Biologist
Ventana Wildlife Society
19045 Portola Dr., Ste. F-1
Salinas, California 93908
(831) 455-9514
mikestake@ventanaws.org

Vista de Santa Lucia

David J. R. Mack
Associate Planner - Advanced Planning Team
RMA - Planning Department
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

Subject: PLN120471 – Vista de Santa Lucia wind turbine project (Gonzales, CA)

Date: 7-30-12

Dear Mr. Mack:

The purpose of this correspondence is to make you aware that the above-referenced project is being proposed as a Private Public Partnership (PPP) between Herbert G. Meyer, the Vista de Santa Lucia development and the City of Gonzales. The Vista de Santa Lucia wind turbine project involves the use of clean energy generated by the proposed two wind turbines to power existing and future industrial users in the City's Agricultural Business Industrial Park. The wind turbine project is also directly tied to an Agri-Tourism visitor center and artisan winery complex that will showcase clean sustainable wind energy along with the history of agriculture and wine in the Salinas Valley.

The City of Gonzales will be the ultimate beneficiary of the turbine project through a long term utility annexation lease. The applicant Herbert Meyer is not the planned beneficiary of the Vista de Santa Lucia wind turbine project. Mr. Meyer is working with the City of Gonzales in a (PPP) to assist the City in acquiring the two turbine tower land sites via a long term land lease, unspecified easement rights and an eventual utility annexation. The Vista de Santa Lucia wind turbine project is not being pursued as a for profit development by Herbert G. Meyer the land owner. The Vista de Santa Lucia wind turbine project is for the benefit of the City of Gonzales in promoting clean sustainable energy, supporting and promoting local agriculture and the Monterey wine industry.

Accordingly Herbert G. Meyer and the Vista de Santa Lucia development have authorized City Manager Rene Mendez and Community Development Director Thomas Truszkowski to act on behalf of (PPP) in decisions regarding project permitting and the relevant task connected to this process.

Sincerely,

John Handel
Project coordinator and agent.

Thomas Truszkowski
Community Development Director
City of Gonzales

Herbert G. Meyer, Trustee

Mack, David x5096

From: nbeety@netzero.net
Sent: Monday, January 07, 2013 4:43 PM
To: Mack, David x5096
Subject: RE: Meyer wnd turbine project

Thank you for the information.

I repeat my request fthat the environmental review period be extended. Scheduling a review period during the holiday season is not appropriate for a project with this size and potential impact.

Thank you.

Nina Beety

---------- Original Message ----------
From: "Mack, David x5096" <MackD@co.monterey.ca.us>
To: "'nbeety@netzero.net'" <nbeety@netzero.net>
Subject: RE: Meyer wnd turbine project
Date: Mon, 7 Jan 2013 15:40:23 -0800

Nina:

The project number is PLN120471 (Meyer/Vista de Santa Lucia LLP).

The environmental review period ran from December 6, 2012 through January 7, 2013 (33 days).

The Planning Commission hearing is scheduled for January 30, 2013.

David J. R. Mack

Associate Planner - Advanced Planning Team

RMA - Planning Department

168 W. Alisal Street, 2nd Floor

Salinas, CA 93901

831-755-5096

831-757-9516 (fax)

mackd@co.monterey.ca.us

To view your project online via Accela Citizen Access, please use the following link:
https://aca.accela.com/monterey/Default.aspx

From: nbeety@netzero.net [mailto:nbeety@netzero.net]
Sent: Monday, January 07, 2013 3:30 PM
To: Mack, David x5096
Subject: Meyer wnd turbine project

Dear Mr. Mack:

The Meyer wind turbine project information below was posted on the AMBAG agenda for Wednesday night.

There is no project number, so I do not have any information about it.

Since the public review period has occurred during the always busy holiday season, I request that the public review period be extended for another 30 days at least to allow the public an opportunity to weigh in on this very important project.

Since the Planning Commission meeting for 1/9/13 has been cancelled, when is this project scheduled to appear before the public.

Sincerely,

Nina Beety

Exhibit I

County of Monterey
State of California
NEGATIVE DECLARATION

FILED
DEC 0 5 2012
STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
_____DEPUTY

Project Title:	MEYER (Vista de Santa Lucia, LLP)
File Number:	PLN120471
Owner:	Herbert G. Meyer
Project Location:	Katherine Street and Puente Del Monte, Gonzales, CA
Primary APN:	223-061-015-000 (portion)
Project Planner:	MACK, David J. R.
Permit Type:	Use Permit and Code Text Amendment
Project Description:	Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road. Each turbine consists of a three-bladed wind turbine on a tubular steel tower with a height range of 327.5 to 396.5 feet maximum to the rotor tip. Each turbine would include a 16 foot diameter by 30 foot deep pier type foundation. The project is proposed to be constructed in two phases: Phase 1 is site preparation and foundation construction; Phase 2 involves the delivery and assembly of the tower, rotor, nacelle, transformer, and gravel access road of approximately 12 feet in width.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

a) That said project will not have the potential to significantly degrade the quality of the environment.

b) That said project will have no significant impact on long-term environmental goals.

c) That said project will have no significant cumulative effect upon the environment.

d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Monterey County Planning Commission
Responsible Agency:	County of Monterey
Review Period Begins:	December 6, 2012
Review Period Ends:	January 7, 2013

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901 (831) 755-5025

Date Printed: 3/12/2002

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT
168 WEST ALISAL, 2ND FLOOR, SALINAS, CA 93901
(831) 755-5025 FAX: (831) 757-9516

NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION
MONTEREY COUNTY PLANNING COMMISSION

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Negative Declaration, pursuant to the requirements of CEQA, for a Use Permit and Code Text Amendment (MEYER/Vista de Santa Lucia, File No. PLN120471) at Katherine Street and Puente Del Monte, Gonzales, CA [APN: 223-061-015-000 (portion)] (see description below).

The Negative Declaration and Initial Study, as well as referenced documents, are available for review at the: **Monterey County Resource Management Agency – Planning Department**, 168 West Alisal, 2nd Floor, Salinas, California; **Gonzales Branch Library**, 851 5th Street, Gonzales, California; **Soledad Branch Library**, 401 Gabilan Drive, Soledad, California; and **Steinbeck Library**, 350 Lincoln Ave, Salinas, California. The Negative Declaration and Initial Study are also available for review in an electronic format by following the instructions at the following link: *http://www.co.monterey.ca.us/planning/docs/environmental/circulating.htm.*

The Planning Commission will consider this proposal at a meeting on **January 9, 2013 at 9:30a.m.** in the Monterey County Board of Supervisors Chambers, 168 West Alisal, 2nd Floor, Salinas, California. Written comments on this Negative Declaration will be accepted from **December 6, 2012** to **January 7, 2013**. Comments can also be made during the public hearing.

Project Description:
Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road. Each turbine consists of a three-bladed wind turbine on a tubular steel tower with a height range of 327.5 to 396.5 feet maximum to the rotor tip. Each turbine would include a 16 foot diameter by 30 foot deep pier type foundation. The project is proposed to be constructed in two phases: Phase 1 is site preparation and foundation construction; Phase 2 involves the delivery and assembly of the tower, rotor, nacelle, transformer, and gravel access road of approximately 12 feet in width. The property is located adjacent to the City of Gonzales near Katherine Street and Puente Del Monte in the Vista de Santa Lucia Agricultural Business Park (Assessor's Parcel Number 223-061-015-000), Central Salinas Valley Area Plan.

We welcome your comments during the **30-day** public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@co.monterey.ca.us

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then

please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at **(831) 757-9516**. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

For reviewing agencies: The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey
Resource Management Agency – Planning Department
Attn: David J. R. Mack, Associate Planner
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: Meyer (Vista de Santa Lucia, LLP); File Number PLN120471

From: Agency Name: _____
Contact Person: _____
Phone Number: _____

____ No Comments provided
____ Comments noted below
____ Comments provided in separate letter

COMMENTS: _____

DISTRIBUTION

1. State Clearinghouse (15 CD copies + 1 hard copy of the Executive Summary) – include the Notice of Completion
2. County Clerk's Office
3. Association of Monterey Bay Area Governments
4. Monterey Bay Unified Air Pollution Control District
5. City of Gonzales
6. Gonzales Rural Fire Protection District
7. Monterey County Agricultural Commissioner
8. Monterey County Water Resources Agency
9. Monterey County Public Works Department
10. Monterey County Environmental Health Bureau
11. Monterey County Sheriff's Office, Dave Crozier
12. Monterey County Free Libraries, Gonzales Branch
13. Monterey County Free Libraries, Soledad Branch
14. John Steinbeck Library
15. Herbert G. Meyer, Owner
16. John Handel (Vista de Santa Lucia, LLP), Applicant
17. Thomas Truszkowski, Agent
18. The Open Monterey Project
19. LandWatch
20. Pacific Gas & Electric, Wendy Abbott Sarsfield
21. Property Owners within 300 feet (Notice of Intent only)

Revised 02-02-2012

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: PLN120471

Lead Agency: County of Monterey - RMA Planning Department | Contact Person: David J. R. Mack
Mailing Address: 168 W. Alisal Street, 2nd Floor | Phone: 831-755-5096
City: Salinas | Zip: 93901 | County: Monterey

Project Location: County: Monterey | City/Nearest Community: Gonzales
Cross Streets: Katherine Street and Puente Del Monte | Zip Code: 93926
Longitude/Latitude (degrees, minutes and seconds): ____° ____ ' ____ " N / ____° ____ ' ____ " W | Total Acres: 539.9
Assessor's Parcel No.: 223-061-015-000 (portion) | Section: ____ | Twp.: ____ | Range: ____ | Base: ____
Within 2 Miles: State Hwy #: 101 | Waterways: N/A
Airports: N/A | Railways: Union Pacific | Schools: N/A

Document Type:

CEQA: ☐ NOP ☐ Early Cons ☑ Neg Dec ☐ Mit Neg Dec | ☐ Draft EIR ☐ Supplement/Subsequent EIR (Prior SCH No.) ____ Other: ____
NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI
Other: ☐ Joint Document ☐ Final Document ☐ Other: ____

Local Action Type:

☐ General Plan Update ☐ General Plan Amendment ☐ General Plan Element ☐ Community Plan
☐ Specific Plan ☐ Master Plan ☐ Planned Unit Development ☐ Site Plan
☐ Rezone ☐ Prezone ☑ Use Permit ☐ Land Division (Subdivision, etc.)
☐ Annexation ☐ Redevelopment ☐ Coastal Permit ☑ Other: Code Text Amen

Development Type:

☐ Residential: Units ____ Acres ____
☐ Office: Sq.ft. ____ Acres ____ Employees ____
☐ Commercial: Sq.ft. ____ Acres ____ Employees ____
☐ Industrial: Sq.ft. ____ Acres ____ Employees ____
☐ Educational: ____
☐ Recreational: ____
☐ Water Facilities: Type ____ MGD ____
☐ Transportation: Type ____
☐ Mining: Mineral ____
☑ Power: Type WIND MW ____
☐ Waste Treatment: Type ____ MGD ____
☐ Hazardous Waste: Type ____
☐ Other: ____

Project Issues Discussed in Document:

☑ Aesthetic/Visual
☑ Agricultural Land
☑ Air Quality
☐ Archeological/Historical
☑ Biological Resources
☐ Coastal Zone
☐ Drainage/Absorption
☐ Economic/Jobs
☐ Fiscal
☐ Flood Plain/Flooding
☑ Forest Land/Fire Hazard
☐ Geologic/Seismic
☐ Minerals
☑ Noise
☐ Population/Housing Balance
☐ Public Services/Facilities
☐ Recreation/Parks
☐ Schools/Universities
☐ Septic Systems
☐ Sewer Capacity
☐ Soil Erosion/Compaction/Grading
☐ Solid Waste
☑ Toxic/Hazardous
☐ Traffic/Circulation
☐ Vegetation
☐ Water Quality
☐ Water Supply/Groundwater
☐ Wetland/Riparian
☐ Growth Inducement
☑ Land Use
☐ Cumulative Effects
☑ Other: Greenhouse Gases

Present Land Use/Zoning/General Plan Designation:

"F/40" or Farmlands, 40 acre minimum

Project Description: *(please use a separate page if necessary)*

Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road. Each turbine consists of a three-bladed wind turbine on a tubular steel tower with a height range of 327.5 to 396.5 feet maximum to the rotor tip. Each turbine would include a 16 foot diameter by 30 foot deep pier type foundation. The project is proposed to be constructed in two phases: Phase 1 is site preparation and foundation construction; Phase 2 involves the delivery and assembly of the tower, rotor, nacelle, transformer, and gravel access road of approximately 12 feet in width. The property is located adjacent to the City of Gonzales near Katherine Street and Puente Del Monte in the Vista de Santa Lucia Agricultural Business Park, Central Salinas Area Plan.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

X	Air Resources Board	____	Office of Emergency Services
____	Boating & Waterways, Department of	____	Office of Historic Preservation
____	California Highway Patrol	____	Office of Public School Construction
____	Caltrans District # ____	____	Parks & Recreation, Department of
____	Caltrans Division of Aeronautics	____	Pesticide Regulation, Department of
____	Caltrans Planning	X	Public Utilities Commission
____	Central Valley Flood Protection Board	____	Regional WQCB # ____
____	Coachella Valley Mtns. Conservancy	____	Resources Agency
____	Coastal Commission	____	S.F. Bay Conservation & Development Comm.
____	Colorado River Board	____	San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
____	Conservation, Department of	____	San Joaquin River Conservancy
____	Corrections, Department of	____	Santa Monica Mtns. Conservancy
____	Delta Protection Commission	____	State Lands Commission
____	Education, Department of	____	SWRCB: Clean Water Grants
X	Energy Commission	____	SWRCB: Water Quality
X	Fish & Game Region # 5	____	SWRCB: Water Rights
____	Food & Agriculture, Department of	____	Tahoe Regional Planning Agency
____	Forestry and Fire Protection, Department of	X	Toxic Substances Control, Department of
____	General Services, Department of	____	Water Resources, Department of
____	Health Services, Department of		
____	Housing & Community Development	____	Other: ____
____	Integrated Waste Management Board	____	Other: ____
____	Native American Heritage Commission		

Local Public Review Period (to be filled in by lead agency)

Starting Date December 6, 2012 Ending Date January 7, 2013

Lead Agency (Complete if applicable):

Consulting Firm: N/A
Address: ____
City/State/Zip: ____
Contact: ____
Phone: ____

Applicant: Vista de Santa Lucia (John Handel)
Address: P.O. Box 341
City/State/Zip: Gonzales, California 93926
Phone: (775) 742-0410

Signature of Lead Agency Representative: ____ **Date:** 12/04/12

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT
168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901
PHONE: (831) 755-5025 FAX: (831) 757-9516

INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title:	MEYER (Gonzales Wind Turbines)
File No.:	PLN120471
Project Location:	Katherine Street and Puente Del Monte, Gonzales, CA
Name of Property Owner:	MEYER, Hebert G.
Name of Applicant:	VISTA DE SANTA LUCIA (John Handel)
Assessor's Parcel Number(s):	223-061-015 (portion)
Acreage of Property:	539.9 Acres
General Plan Designation:	Farmlands
Zoning District:	"F/40" or Farmlands, 40 Acre minimum
Lead Agency:	Monterey County RMA – Planning Department
Prepared By:	David J. R. Mack, Associate Planner
Date Prepared:	November 29, 2012
Contact Person:	David J. R. Mack, Associate Planner
Phone Number:	831-755-5096

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The project consists of: 1) Use Permit to allow the installation of two (2) wind turbines and the construction of a gravel access road; and 2) Code Text Amendment (parcel specific) to allow the turbines to exceed the maximum height allowed for Wind Energy Conversion Systems (WECS).

The Project is being proposed to provide wind turbine power to serve the proposed Vista de Santa Lucia Agricultural Business Park and Visitor Center to be located on the Project site in the City of Gonzales.

Each of the two proposed wind turbines will consist of a three-bladed turbine on a tubular steel tower with a hub height range of approximately 262 feet. Rotor diameter of the proposed turbines is approximately 270 feet and the radius is half that amount (135 feet). [The total height range (hub height plus rotor radius) is 327.5 to 396.5 feet maximum to the rotor tip.] Each structure will be mounted on a concrete foundation 16 feet in diameter that will be surrounded by a security fence 4 feet out from the foundation. The area within the fence surrounding each turbine will occupy approximately 0.01 acre, or 452 square feet. A 440-foot setback will be included between each turbine and adjacent parcels. Farming will continue to the edge of the fenced areas. Other elements of the Project design include:

- One generator, transformer, switch gear, and metering panel for each turbine.
- Underground lines connecting the transformers to an existing substation.
- A gravel road connecting existing roads to the base of the turbines.
- Perimeter fence to remain in place during construction.

The Project will include no site clearing and minimal grading. Excavation to a depth of approximately 30 feet will be necessary to construct the turbine foundations.

B. Surrounding Land Uses and Environmental Setting:

The Project site is located in the Salinas Valley, Monterey County, California, adjacent to the limits of the City of Gonzales. The site is bounded by Fermin Lane on the northwest, unnamed farm roads on the northeast and southwest, and farm fields and a City of Gonzales industrial park winter stormwater drainage basin on the southeast. Katherine Street is approximately 0.1 mile to the southeast, and the City of Gonzales is opposite the unnamed farm road to the northeast. Alta Street is approximately 0.25 mile to the northeast, and the U.S. Highway 101 is approximately 0.8 mile to the east of the project site. The Salinas River is approximately 1.25 miles to the southwest. The urban center of Salinas is approximately 13.4 miles to the northwest.

The project site consists of active agricultural land, except for a small developed area occupied mostly by farm structures and equipment. The proposed turbines are located in an agricultural preservation easement. The surround area also consists of agricultural land (under cultivation for asparagus and other crops) to the west and south and developed areas in the City of Gonzales to the east and north. Several single-family farm residences are also located within one mile of the

site. The Salinas River, which includes extensive riparian habitat but is often dry in the summer months, is approximately 1.25 miles southwest of the site. Immediately west of the river is an area dominated by vineyards at the foot of the Sierra de Salinas Mountains. Large areas of natural habitat are found in the mountains. The Santa Lucia Mountains are located still further west. Gonzales Slough which meanders through the City of Gonzales and the area west of the city, provides some wetland and riparian habitat 0.5 mile eat of the site, although it is typically dry during the summer months. Additional agricultural land lie east of U.S. Highway 101. Approximately 2.5 miles northeast of the site, near the Johnson Canyon Landfill, is grassland habitat associated with the foothill of the Gabilan Range. Located within the Gabilan Range is the Pinnacles National Monument, approximately 11.3 miles east of the site.

C. Other public agencies whose approval is required: No additional permits required from outside agencies.

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	☒	Air Quality Mgmt. Plan	☒
Specific Plan	☐	Airport Land Use Plans	☒
Water Quality Control Plan	☐	Local Coastal Program-LUP	☐

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

☒ Aesthetics	☒ Agriculture and Forest Resources	☒ Air Quality
☒ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☒ Greenhouse Gas Emissions	☒ Hazards/Hazardous Materials	☐ Hydrology/Water Quality
☒ Land Use/Planning	☐ Mineral Resources	☒ Noise
☐ Population/Housing	☐ Public Services	☐ Recreation

☐ Transportation/Traffic ☐ Utilities/Service Systems ☒ Mandatory Findings of Significance

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

☐ Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE:

1. Cultural Resources – The proposed project will not cause a substantial adverse change in the significance of either a historical or archaeological resource; will not destroy a unique paleontological resource, sit or unique geologic feature; and is not anticipated to disturb any human remains. The site has been the subject of prolonged agricultural use and has experienced repeated tilling and previous sustained ground disturbance. Therefore there is no impact to cultural resources.

2. Geology/Soils – Standard erosion control practices (a.k.a. Best Management Practices) are required in order to comply with the requirements of the County's Grading and Erosion Control Ordinances (Chapters 16.08 and 16.12 MCC). Development of the proposed project can be placed in areas where there are no steep slopes with no tree removal and minimal disturbance to sensitive plants or environments. As such, geotechnical conditions of the site are suitable for development and no geological hazard exists relative to CEQA.

3. Hydrology/Water Quality – Construction of the proposed project will not involve construction in any rivers, streams, or wetlands, nor construction within 100 feet of any rivers, streams or wetlands. Due to the relatively small footprints of each wind turbine and limited excavation and grading required for each turbine there is no potential for construction erosion and sedimentation of watercourses and the project will not result in blocking stormwater infiltration; impacts local wells; in the alteration of drainage patterns or on or off-site flooding; nor result in the concentration or redirecting of pollutants. In addition, the project will not result in loss, injury or death from flooding or levee failure; and the loss of the WECS structure due to tsunami is considered a relatively low order of probability.

4. Mineral Resources – The proposed project will not result in the loss of availability of a known mineral resource, or the loss of availability of a locally important mineral resource recovery site. The site has been the subject of prolonged agricultural use and has experienced repeated tilling and previous sustained ground disturbance. Therefore this is no impact to mineral resources.

5. Population/Housing – Construction of the proposed project would not directly or indirectly induce population growth in the County or surrounding areas because the project does not involve or result in the need for new homes or business and would not result in the expansion or extension of new roads or other infrastructure. In addition, construction of the project would not displace existing houses or people.

6. Public Services – The proposed Wind Energy Conversion System (WECS) would be constructed as an alterative power source on adjacent lands to an existing commercial/industrial center where public services are already in place and would not create a need for the provision of additional public services.

7. Recreation – The proposed project will not increase population or the demand and use of recreational areas. The project would not result in physical impacts to the environment related to an increase in recreational facilities or in degradation of recreational facilities.

8. Transportation/Traffic – The proposed project will not require the development or extension of road ways, and therefore will not increase hazards due to design features or incompatible uses. The project would require a minimal amount of traffic during the construction and grading phases, however the anticipated traffic will not conflict with an applicable plan, ordinance, policy, or effectiveness measure for the performance of the surrounding circulation systems. In addition the minimal amount of construction traffic will not conflict the goals, objectives, and policies of the 2010 Regional Traffic Plan for Monterey County, and will decrease or affect the level of service standards in the immediate or surrounding roadways. Since no additional roadways are required for the development of the proposed project, the project will not result in inadequate emergency access.

9. Utilities/Service Systems – The proposed project will not require water or wastewater facilities or water entitlements and would not produce solid waste.

B. DETERMINATION

On the basis of this initial evaluation:

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

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

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

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

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

Signature — Date: 11/29/12

David J. R. Mack — *November 29, 2012*

V. EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.
   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and
   b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect on a scenic vista? (Source: 1,2,3)	☐	☐	☐	☒
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1,2,3)	☐	☐	☐	☒
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1,2,3)	☐	☐	☒	☐
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1,2,3)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

1.a) The proposed project is located on the flat lands of the Salinas Valley within the Central Salinas Valley Area plan, and will not involved development on lands at a raised elevation, on a valley bluff, or involved ridgeline development. The project is not located within an area mapped as "sensitive, highly sensitive, or critical viewshed" by Figure 13 of the Central Salinas Valley Area plan; and is not located within the vicinity or adjacent to an existing or proposed scenic highway, road or corridor and conforms to Policy CSV-3.1. Additionally, the project is not in direct line of sight from any designated scenic vista. Therefore the project will not have a substantial adverse effect on a scenic vista; ***no impact.***

1.b) The project is not located along an existing or proposed scenic highway, road or corridor within the Central Salinas Area Plan and does not involved the degradation or removal of scenic resources (trees, rock outcroppings, or historic structures). See discussion in item "1a" above. However, the project site will be visible from both directions of travel along River Road, a portion of which (within the Toro Area Plan) is proposed to be a scenic roadway in the future. The project site is located between 6 and 8 miles from the portion proposed for future designation, and no plans for designation of the portion of River Road within the Central Salinas Valley Area Plan exist. Additionally, the project site is located on flat lands on the western side of Highway 101, which is not a scenic highway, and the valley foothills and Mount Toro, and the project will not result in any ridgeline development. ***No impact.***

1.c) The project is located adjacent to an existing commercial/industrial agricultural processing business park (Vista de Santa Lucia) in the jurisdiction of the City of Gonzales, and will provide renewable energy to the business park. The proposed Wind Energy Conversion System (WECS) will be constructed to a height taller than the

surrounding business center; however the wind facility is an industrial feature consistent with the visual character of the surrounding area. The bulk of the WECS towers will be screened in all directions except the west by the existing Vista de Santa Lucia Gonzales Agricultural Business Park development. While the upper portions of the WECS turbines will be visible this is a ***less than significant impact*** to the visual character or quality of the site and its immediate surroundings because it will be placed where development exists.

1.d) The proposed WECS will consist of two (2) three-bladed wind turbine on tubular steel towers with a height range of 327.5 to 396.5 feet maximum to the rotor tip. The wind turbines will be designed in accordance with the Federal Aviation Administration (FAA) requirements for color (bright white) and markings (e.g. flashing red lights). Any required security lighting will be consistent with existing security lighting within the existing industrial area. this will be a ***less than significant impact.***

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1,2,3)	☐	☐	☒	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1,2,3,4)	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source:1,2,3,4)	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source:1)	☐	☐	☐	☒

2. AGRICULTURAL AND FOREST RESOURCES

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source: 1)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

2.a) The subject project is located on lands that have been used for agricultural purposes, however these lands are not designated in the County database as being lands of "important farmland", and not considered to be Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Additionally, only a minute portion, 500-800 square feet or 0.018 acres, of the approximately 540 acre parcel will be developed for the turbines) foundational areas. Therefore although some agricultural land will be developed, no "important farmlands" will be converted to non-agricultural use and therefore the impact to agricultural lands will be ***less than significant.***

2.b) The Project site is zoned Farmlands, 40 acre minimum or "F/40", which allows the installation of Wind Energy Conversion Systems (WECS) subject to the issuance of a Use Permit. The project, as proposed, does not conflict with the agricultural zoning of the property. The subject parcel is not under a recorded Williamson Act contract. However, the property does have an Agricultural Conservation Easement recorded upon it (Reel 3159 – Pages 897-907) which allows all listed uses permitted or secured with an entitlement, as permitted by the Zoning Ordinance of Monterey County. Therefore, the project will not conflict with the existing agricultural zoning or a Williamson Act contract if the entitlement is granted. ***No impact.***

2.c-d) No forestland or timberland exists on the subject parcel. The project will present a conflict with property zoned for forestland or timberland and will not result in the loss of forest land or conversion of forest land to non-forest use. ***No impact.***

2.e) The Project will not involve other changes in the environment which, due to their location or nature, could result in the conversion of farmland, to a non-agricultural use or conversion of forest land to non-forest use, as not forest land is adjacent to the property

site, and the remainder of the parcel will remain under the regulation of the Agricultural Conservation Easement. The adjacent property, in the jurisdiction of the City of Gonzales, is an existing approved and developed industrial park. ***No impact.***

3. AIR QUALITY

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

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1,5)	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1,5)	☐	☐	☒	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1,5)	☐	☐	☒	☐
d) Result in significant construction-related air quality impacts? (Source: 1,5)	☐	☐	☒	☐
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1,5)	☐	☐	☒	☐
f) Create objectionable odors affecting a substantial number of people? (Source: 1,5)	☐	☐	☒	☐

Discussion/Conclusion/Mitigation:

3.a) The most recent clean air plan is the Monterey Bay Unified Air Pollution Control District's (MBUAPCD) 2008 Air Quality Management Plan (AQMP) (Monterey Bay Unified Air Pollution Control District 2008a).

New WECS would not generate operational air emissions and would partially offset the need for electricity from fossil fuel plants, which may help regional air quality by reducing the need for fossil-fuel generation (electricity). Thus, the proposed project would not impact the clean air planning efforts. In addition, construction of the Proposed Project would not result in a population increase (proposed to serve an existing commercial/industrial center), so it would not exceed any population projects use for the AQMP. ***Therefore, there is no impact.***

3.b) Construction:
Ground disturbing construction activities associated with wind turbine construction are typically limited to a minimal amount of excavation for placing the WECS. Equipment pieces used to construct WECS typically consist of an excavator, a cement truck and a crane.

The MBUAPCD's construction-related pollutant of concern is PM10 (Particulate Matter 10 micrometers in diameter or smaller), and the MBUAPCD threshold for PM10 is 82 pounds (lbs)/day. The MBUAPCD provides screening thresholds to determine if construction activities could result in an exceedance of this threshold. Construction projects that fall below these screening thresholds are assumed to be below the MBUAPCD's 82 lbs/day threshold (Monterey Bay Unified Air Pollution Control District 2008b). The screening thresholds are summarized in Table 1.

Table 1. MBUAPCD Construction Screening Thresholds for PM10

Activity	Potential Threshold (acres/day)[a]
Construction site with minimal earthmoving.	**8.1**
Construction site with earthmoving (grading, excavation)	**2.2**
[a] Assumes 21.75 working weekdays per month and daily watering of site. **Source: Monterey Bay Unified Air Pollution Control District 2008b**	

Construction of WECS requires very little earth-moving activity and far less than 2.2 acres/day. There may be limited grading for the foundation area (estimated as up to 100 square feet/0.002 acres). Construction equipment activity would have some emissions but on a limited scale that would not adversely affect criteria pollutant concentrations. Because the WECS areas of disturbance are so limited, construction would not result in exceedance of MBUAPCD thresholds for PM10, and construction emissions would be less than significant.

Operation:
The purpose of WECS is to produce emissions-free energy. By nature WECS do not produce air pollutant emissions; they reduce emissions by decreasing the need for energy from power plants, which is considered a beneficial impact, regionally or statewide.

Operations and maintenance (O&M) activities associated with upkeep of WECS under the Ordinance would be limited and infrequent. O&M activities would likely be limited to a maintenance worker driving to the property where the WECS are located. Any emissions associated with O&M activities would more than likely be offset by the emissions reductions provided by the WECS. ***Therefore, no significant operational impacts would occur, and no mitigation is required.***

3.c) Monterey County resides in the North Central Coast Air Basin (NCCAB), which is non-attainment for the ozone (0_3) and PM10 California Ambient Air Quality Standards

(CAAQS) (California Air Resources Board 2011). There are no pollutants for which the NCCAB is non-attainment for the National Ambient Air Quality Standards (NAAQS) (Environmental Protection Agency 2012). Since the Project is consistent with the AQMP (see discussion for impact "a"), it would not contribute to cumulatively considerable ozone emissions. Since construction and operational PM10 emissions under the Project would be well below the 82 lbs/day threshold (see discussion under impact "b"), it would not contribute cumulatively considerable PM10 emissions. ***This is a less than significant impact, and no mitigation is required.***

3.d) Refer to the construction discussion for impact "b." Construction of WECS relative to the Project would not result in significant construction-related air quality impacts. ***This is a less than significant impact, and no mitigation is required.***

3.e) Refer to the discussion for impact "b." Construction of the WECS could generate localized emissions of diesel exhaust during construction equipment operation, but these emissions would be localized, short-term, and temporary that would not substantially affect sensitive receptors. During operation, there would be highly limited diesel-related emissions. Thus construction and operation of the proposed project would not expose sensitive receptors to substantial pollutant concentrations. ***This is a less than significant impact, and no mitigation is required.***

3.f) Pollutants typically associated with objectionable odors include sulfur compounds and methane (Monterey Bay Unified Air Pollution Control District 2008b). Construction of the proposed project could generate localize emissions of diesel exhaust during construction equipment operation, but these emissions would be localized, short-term, and temporary. In addition, operation of the proposed project would not result in objectionable odors. Therefore, they would not create nuisance odors. ***This is a less than significant impact, and no mitigation is required.***

4. BIOLOGICAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1,7)	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1,7)	☐	☐	☐	☒

4. BIOLOGICAL RESOURCES Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1,7)	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1,7)	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1,2,3,7)	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1,2,3,7)	☐	☐	☐	☒

Discussion

No natural vegetation communities were observed on the Project site or within 0.5 mile of the site. Agricultural fields, planted trees, and developed habitat accounted for all areas within approximately 0.5 mile of the site, except for a four-acre area adjacent to the site that includes a winter stormwater drainage basin that is dry during the summer and early fall periods. Plant species found or observed on the Project site included one cultivated plant species and five additional common plant species; seven wildlife species, all birds and included one CDFG Watch List (WL) species were observed. Additional bird (raptor) species observed near the site include the northern harrier, red-tailed hawks, and a single red-shouldered hawk approximately 0.5 mile from the site. No bats were observed. Although there are no trees on the site, trees suitable for raptor nested were observed in clusters as near as 0.4 miles from the site; however no raptor nests were found within 1.0 mile of the site, and no roosting or nesting owls or roosting bats were found in structures on or adjacent to the site.

The CNDDB included occurrences for 2 invertebrate species, 5 amphibian species, 4 reptile species, 16 bird species, and 7 mammal species (see Table 4 in the Biological Assessment – Reference 7). Several of these species have at least a "low potential" to occur on or near the project site. One species in particular, the California horned lark, a CDFG Watch List (WL) species was observed on the site during surveys taken in May of 2012. However, no species listed as state- or federally-Threatened or Endangered are expected to occur on or immediately adjacent to the project site.

Due to their susceptibility to impacts with wind turbines, the following species are addressed in more detail: California Condor, Golden Eagle, Burrowing Owl, California horned lark, Ferruginous hawk, Northern harrier, white-tailed kite, and bats (as a whole).

California Condor

California condors (*Gymnogyps californianus)* are a state- and federally-listed Endangered species (and Fully Protected under state Fish and Game Code), which typically nest in mountainous area along cliff and rock faces, giant Sequoia and coast redwood trees. California condors are opportunistic predators which often forage in open habitat such as grasslands, oak savannahs, and open scrublands in foothills and mountainous regions, and locally along the Big Sur coastline. Because of their large size, condors rely on updrafts and consistent winds for flight and foraging and are therefore most often found in mountainous areas rather than the open flat lands of the agricultural areas. According to the Biological Assessment, "in six years of GPS monitoring of condors in the region, only one detection point occurred below 200 meters [600 feet] along the narrow strip north of King City to just south of Gonzales (Sorenson et al 2009). No condors were observed during any of the Project site or vicinity surveys."

Golden Eagle

Golden Eagles (*Aquilia chrysaetos*) nest on cliff faces and in large trees with numerous dense branches. In general this species is found in more mountainous areas rather than flat, low-lying terrain. Golden Eagles tend to forage for their food in open such areas such as oak savannahs, grasslands, and scrublands. The nearest CNDDB occurrence is from the vicinity of the Pinnacles National Monument, approximately 11 miles southeast of the project site. No golden eagles were observed during surveys of the project site in May 2012, nor during surveys along the Sierra de Salinas mountains, approximately 3.0 miles west of the project site.

Burrowing Owl

The Burrowing owl (*Athene cunicularia) is* a California Species of Concern (CSC) which nests and roosts in abandoned ground squirrel burrows. Due to the routine and ongoing tilling of the project site, this species has a very low probability of nesting or roosting within the site, or other adjacent active agricultural lands within the vicinity. The only feasible area near the project site that burrowing owls could nest or roost is within the fenced area of the adjacent City of Gonzales stormwater drainage basin, however this property is also tilled once per year and mowed regularly; therefore this area is also unsuitable for nesting or roosting. The nearest CNDDB occurrence for burrowing owls is approximately 2.5 miles northeast of the site, near Johnson Canyon Landfill.

California Horned Lark

The California horned lark (*Eremophila alpestris actia)* is a CDFG Watch List (WL) species, which seems finds suitable habitat within agricultural lands, regardless of regular and on-going tilling. The CNNDB includes no occurrences for the California horned lark within 10.0 miles of the project site, however at least one individual was heard during the survey of the site in May 2012.

Ferruginous Hawk and merlin

Both the ferruginous hawk (*Buteo regalis)* and merlin (*Falco columbarius)* are designed Watch List (WL) species by the CDFG for the wintering period, and both have some potential to occur on or near the Project site during the migration and wintering periods. However, regular tilling of the property limits the prey base for both these species, as they prefer large prey (rabbits and squirrels) which were not observed in the area due the agricultural operation of the property and surrounding properties. The CNDDB includes no occurrences of either species within 10.0 miles of the project site and both species have a very low probability to exist in the area.

Northern Harrier

One northern harrier (*Circus cyaneus)*, a California Species of Concern (CSC) was observed adjacent to the project site during surveys conducted in May 2012. This individual bird was although observed did not linger on site, and the CNDDB database includes no occurrences of this species within 10.0 miles. No nesting habitat (tall grasslands, wetlands) occur within 2.0 miles of the site, and regular and on-going tilling of the site and surrounding agricultural properties limit the value of these areas as foraging habitat for this species; therefore there is a very low probability for this species to exist on or near the project site.

Bats

Three special status bat species, the pallid bat (*Antrozous pallidus)*, western red bat (*Lasiurus blossevillii)*, and long-legged myotis (*Myotis volans)* have the potential to roost near the project site and forage or travel over the site. The pallid and long-legged myotis have some potential to roost near the site and move through the site. The western red bat and long-legged myotis have the potential to roost in trees at Gonzales Slough or the Salinas River and move through the site. However, no bats were detected during a survey of the project site perimeter at dusk on May 16, 2012 and the CNDDB includes no occurrences of any of these species within 10.0 miles of the site.

Conclusion(s):

4.a) The project will not have a substantial adverse impact, either directly or though habitat modifications, on any species identified as a candidate, special, or sensitive species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S Fish and Wildlife Service. There have been no recorded/documented occurrences of the California Condor in, near, or adjacent to the Project site, and only one occurrence of this species flying below 200 meters (600 feet) in the last six years, and this occurrence was substantially south near the City of King. Additionally, the California horned lark, Ferruginous hawk, merlin, and Northern harrier are have not been been documented in the CNNDB database within 10.0 miles of the project site. Routine and on-going agricultural activities including tilling of the site continue to act as habitat and foraging deterrence for these species. Although three special status bat species have a slight potential to roost near or move through the project site, due to the proximity of the adjacent City of Gonzales stormwater retention basin, normal and on-going maintenance (consistent mowing and pest/insect control measures and sprays) of the retention basin discourage foraging for these bats within and near the project site. Finally, normal agricultural practices of preventing bats from establishing roosts in the surrounding structure within the project site diminish and prevent their ability to form maternal

colonies within the project site. ***Therefore the impact to species within with area will be less than significant.***

4.b-c) The project site does not contain any riparian habitat or federally protected wetlands, as defined by Section 404 of the Clean Water Act. The location of the proposed turbines is existing agricultural lands and the project site located 2.0 miles away or further from the nearest wetland areas and riparian habitat (Salinas River). ***No impact.***

4.d) The project will not interfere with the movement of any native resident or migratory fish or wildlife species or with established resident or wildlife corridors, or impede the use of native wildlife nursery sites. The Project is proposed on existing active agricultural lands, immediately adjacent to the urbanized industrial area of the City of Gonzales. No wildlife corridor is established on the project site and the Project will not restrict species movement of any kind. Only the foundation, transformer, and electrical panel areas, a total of 500 to 800 square feet (0.018 acres), will be fenced. ***No impact.***

4.e) The project does not involve the removal of trees or biological resources, and therefore does not conflict with any local policies or ordinances protecting such resources as outlined in the Central Salinas Valley Area Plan. Further information on Central Salinas Valley Area Plan policies can be found within the Land Use/Planning Section of this document. ***No impact.***

4.f) There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or state habitat conservation plan recorded on the project site. ***No impact.***

5. **CULTURAL RESOURCES** **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1,2,3)	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1,2,3)	☐	☐	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1,2,3)	☐	☐	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1,2,3)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

6. GEOLOGY AND SOILS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1,3,4,6) Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking? (Source: 1,2,3,6)	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction? (Source: 1,2,3,6)	☐	☐	☐	☒
iv) Landslides? (Source: 1,2,3,6)	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1,2,3,6)	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1,2,3,6)	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 1,2,3,6)	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

7. GREENHOUSE GAS EMISSIONS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1,5)	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1,5)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

7.a) Construction activities associated with the construction of Wind Energy Conversion Systems (WECS) are typically limited to a small amount of excavation for the placing the WECS and foundation. Equipment pieces used to construct WECS consist of an excavator, a cement truck, and a crane. Construction activities themselves would emit greenhouse gases (GHGs); however the amount of GHGs would be relatively small because of the limited amount of construction activity associated with WECS construction.

Although GHGs would be emitted during construction, operation of the WECS does not contribute to GHG emissions. In addition, WECS reduce GHG emissions by providing an alternative to carbon-based energy sources, which is considered a beneficial impact. GHG reduction realized by operation of WECS would more than offset GHG emissions associated with WECS construction. ***Therefore, since the WECS would reduce GHG emissions overall, there would be a less than significant impact.***

7.b) California has adopted several policies and regulations for the purpose of reducing GHG emissions. The most stringent of these is Assembly Bill (AB) 32, which is designed to reduce statewide GHG emissions to 1990 levels by 2020. As discussed for impact "a", development of WECS would not generate any long-term operation GHG emissions and would actually reduce GHG emissions. Also, wind-derived energy is a component of meeting the Renewable Portfolio Standard (RPS), and the RPS is a recommended reduction measure from the Climate Change Scoping Plan (Scoping Plan). The Scoping Plan is a comprehensive set of actions designed to reduce overall GHG emissions in California to meet AB 32. Thus construction of the proposed project would not conflict with the State goals listed in AB 32 or in any preceding State policies adopted to reduce GHG emissions.

In addition, the construction of the proposed project is consistent with goals and policies of the General Plan for energy resources, which include encouraging the use of wind resources for agricultural, residential, commercial, industrial and public building

applications (County of Monterey 2010a). ***Because the proposed project would reduce GHG emissions overall, there would be no impact.***

8. HAZARDS AND HAZARDOUS MATERIALS **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1)	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1)	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1)	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1)	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1,2,3,6)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1,2,3,6)	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1,2,6)	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (Source: 1,2,3,6,9)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

8.a-b) The project site is a minute portion (0.018 acres) of routinely used agricultural lands, located adjacent to an approved and developing ag-industrial park within the jurisdiction

of the City of Gonzales. The construction and operation of Wind Energy Conversion Systems (WECS) do not involve the use, transport, or disposal of hazardous materials, and there is no foreseeable conditions that might give rise to a release of hazardous materials. Therefore, the proposed project would not create a hazard to the public or the environment involving the release of hazardous materials. ***No impact.***

8.c-d) The project is not located within one-quarter mile of an existing or proposed school, and is not located on a site which is on a list of hazardous materials sites pursuant to Government Code Section 65962.5. ***No impact.***

8.e-f) The Project is not located within the coverage area of either the Salinas Municipal Airport or the Mesa Del Rey Municipal Airport (King City) and will not be located within two miles of any other public use airport or any private airstrips. The project will be conditioned to comply with all Federal Aviation Administration (FAA) requirements, including markings, color and lighting beacons; therefore will not result in a safety hazard for people residing or working in the project area. ***No impact.***

8.g) The project will not impair or physically interfere with an adopted emergency response plan or emergency evacuation plan. ***Therefore, there will be no impact.***

8.h) Construction and operation of the project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires, as the project is located on routinely used agricultural lands which is not within a very high fire hazard zone area of local or State responsibility. ***Therefore, there would be no impact.***

9. **HYDROLOGY AND WATER QUALITY** **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 1,2,6)	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: 1,2,6)	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1,2,6)	☐	☐	☐	☒

9. HYDROLOGY AND WATER QUALITY **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1,2,6)	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Source: 1,2,6)	☐	☐	☐	☒
f) Otherwise substantially degrade water quality? (Source: 1,2,6)	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: 1,2,6)	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows? (Source: 1,2,6)	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (Source: 1,2,6)	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow? (Source: 1,2,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

10. LAND USE AND PLANNING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1,2,3,6)	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Source: 1,2,3,4,6)	☐	☐	☒	☐
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source: 1,2,3,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

10.a) The project would facilitate the construction and installation of 2 wind turbines for commercial wind energy generation. Installation of the turbines and their associated foundations will occupy only a limited footprint and thus not result in the physical division of an established community. ***Therefore, there would be no impact.***

10.b) 2010 Monterey County General Plan

The proposed project has been designed to be consistent with and/or is supported by the Land Use, Conservation/Open Space, Safety, and Agriculture Element to the maximum extent feasible. Because WECS do create demand for public services (such as water or wastewater treatment or schools), the policies of the Public Services Element relevant to public services do not apply.

The project has been designed to be specifically consistent with the following policies in the Land Use Element:

LU-1.5: Land use shall be designed to achieve compatibility with adjacent uses.

The project has been designed to be specifically consistent with the following policies in the Conservation and Open Space Element:

OS-5.16: A biological study shall be required for any development project requiring a discretionary permit and having the potential to substantially reduce the habitat of a dish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of an endangered, rare, or threatened species.

OS-6.4: Development proposed in low sensitivity zones are not required to have an archaeological survey unless there is specific additional information that suggests archaeological resources are present.

OS-7.4: Development proposed in low sensitivity zones are not required to have an paleontological survey unless there is specific additional information that suggests paleontological resources are present.

OS-9.1: The use of solar, wind, or other renewable resources for agricultural, residential, commercial, industrial, and public building applications shall be encouraged.

The project has been designed to be specifically consistent with the following policies in the Safety Element:

S-5.13: Utilities serving new development shall be sited and constructed to minimize the risks from hazards to the greatest extent feasible.

The project has been designed to be specifically consistent with the following policies in the Agricultural Element:

AG-1.1: Land uses that interfere with routine and ongoing agricultural operations on viable farmlands designated as Prime, of Statewide Importance, Unique, or of Local Importance shall be prohibited.

AG-1.8: Development projects on lands designated for agricultural use that require a discretionary permit shall be referred to the County's Agricultural Advisory Committee (AAC) for their review and recommendation to the decision-making body.

AG-2.4: Agriculture-related enterprises and agricultural support uses shall be sited and designed to minimize the loss of productive agricultural lands to minimize impacts on surrounding land uses.

The Project has been designed to be consistent with the County's Noise Ordiance.

Central Salinas Valley Area Plan:

The Central Salinas Valley Area Plan sets forth supplemental land use policies to the General Plan. The project has been designed to be consistent with relevant policies within the CSV Area Plan. In specific, the project is not located within an area designated as sensitive or highly sensitive for visual resources in the Area Plan; therefore is does not conflict with Policy CSV-3.1. Additionally, the project involves the construction and utilization of a renewable energy source (wind); therefore the project is consistent with Policy CSV-3.2

CSV-3.1: Within areas designated as "sensitive" or "highly sensitive" on the Scenic Highway Corridors and Visual Sensitivity Map, landscaping or new development may be permitted if the development is located and designed in such a manner that public views are not disrupted.

CSV-3.2: The development and utilization of renewable energy sources such as solar, wind generation, and biomass technologies in the Central Salinas Valley are encouraged.

Inland Zoning Ordinance – Title 21

The Inland Zoning Ordinance sets forth regulations for development within specific zoning designations for the Inland (non-coastal) portions of the County of Monterey. The project has been designed to be consistent with the applicable zoning designation, Farmlands ("F"), for the subject parcel, which allows the development of commercial wind energy conversion systems subject to a discretionary permit (Use Permit), and subject to the regulations in Section 21.64.120 (Regulations for Wind Energy Conversion Systems). The project has been designed to be consistent with the regulations within Section 21.64.120, with one exception, height, which is limited to 200 feet for commercial WECS. To remedy this conflict, a parcel specific Code Text Amendment has been included in the project application to allow the project to exceed the allowed height and construct the turbines to the height needed to harness the maximum amount of wind possible.

Should the parcel specific Code Text Amendment be approved, the project would not be in conflict with any applicable land use plan, policy, or regulation, including but not limited to the general plan and zoning ordinance; ***therefore the project would have a less than significant impact.***

10.c) As discussed above under Biological Resources, the project area does not include any existing Habitat Conservation Plans and/or Natural Communities Conservation Plans. ***No impact.***

11. MINERAL RESOURCES **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1,2,6)	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1,2,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

12. NOISE **Would the project result in:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1,2,6,8)	☐	☐	☒	☐
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source:1,2,6,8)	☐	☐	☒	☐
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,6,8)	☐	☐	☒	☐
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1,2,6,8,10)	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1,2,6,8)	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1,2,6,8,10)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
The following is a summary of Monterey County noise standards.

Noise Control Ordinance 10.60.030 – Operation of noise-producing devises restricted.
No person shall, within the unincorporated limits of the County of Monterey, operate any machine, mechanism, device, or contrivance which produces a noise level exceeding eighty-five (85) dbA measured fifty (50) feet thereform. The prohibition in this Section shall not apply to aircraft nor to any such machine, mechanism, device or contrivance which is operated in excess of two thousand five hundred (2500) feet from any occupied dwelling unit (County of Monterey 2012).

2010 Monterey County General Plan Noise Element

Policy S-7.8 states that all discretionary projects that propose to use heavy construction equipment that has the potential to create vibrations that could cause structural damage to adjacent structures within 100 feet shall be required to submit a pre-construction vibration study prior to the approval of a building permit. Projects shall be required to incorporate specified measures and monitoring identified to reduce impacts. Pile driving or blasting are illustrative of the type of equipment that could be subject to this policy.

Policy S-7.9 states no construction activities pursuant to a County permit that exceed "acceptable" levels listed in Policy S-7.1 (60 L_{dn} for residential uses) shall be allowed within 500 feet of a noise sensitive land use during the evening hours of Monday through Saturday, or anytime on Sunday or holidays, prior to completion of a noise mitigation study. Noise protection measures, in the event of any identified impact, may include but not be limited to:

- Construction temporary barriers, or
- Using quieter equipment than normal

Policy S-7.10 states that construction projects shall include the following standard noise protection measures:

- Construction shall occur only during times allowed by ordinance/code unless such limits are waived for public convenience;
- All equipment shall have properly operating mufflers; and
- Lay-down yards and semi-stationary equipment such as pumps or generators shall be located as far from noise-sensitive land uses as practical.

Impact Discussion:

12.a) Under the Noise Control Ordinance, the project would have restricted noise levels at the property line to the lesser of 60 dBA for the noise level established in the Noise Element of the General Plan for neighboring land uses, except during short-term events, such as utility outages and severe windstorms. A "Preliminary Acoustic Analysis" was prepared for the project identifies the noise output (in dBA) that would be generated with both turbines in production to be approximately 58.0 dBA at the property line (472ft), and would diminish with greater distance; 51.0 dBA at 1000 feet and 45.0 dBA at 2000 feet.

This impact is considered to be ***less than significant*** because wind turbine noise levels will be limited such that noise will not exceed applicable local noise standards. No mitigation is required.

12.b) Excessive groundborne vibration is typically generated by heavy construction activities and equipment such as blasting, pile-driving, and heavy earth-moving equipment. Constriction activities associated with the installation of the wind turbines is typically limited to excavation for the foundation. Equipment pieces used to construct the foundation of wind turbines will consist of an excavator, a cement truck, and a crane. Construction of the project would not utilize heavy construction equipment or require heavy construction activity. ***Therefore, this is a less than significant impact and no mitigation is required.***

12.c) Under the Noise Control Ordinance, the project would have restricted noise levels at the property line to the lesser of 60 dBA for the noise level established in the Noise Element of the General Plan for neighboring land uses, except during short-term events, such as utility outages and severe windstorms. A "Preliminary Acoustic Analysis" was prepared for the project identifies the noise output (in dBA) that would be generated with both turbines in production to be approximately 58.0 dBA at the property line (472ft), and would diminish with greater distance; 51.0 dBA at 1000 feet and 45.0 dBA at 2000 feet.

Increases in noise that do not result in exceedance of applicable County noise standards are not considered to be substantial. This impact is therefore considered to be ***less than significant*** because wind turbine noise levels will be limited such that noise does not exceed applicable local noise standards. No mitigation is required.

12.d) Temporary construction noise associated with typical installation of the WECS assumes that the three loudest pieces of construction equipment (an excavator, a crane, and a cement mixing truck) would operate concurrently. At a distance of approximately 50 feet the maximum noise generation level would be 80 dBA (based upon Federal Highway Administration Roadway Noise Construction Model User's Guide). Noise from a point source such as construction equipment typically decreases at a rate of 6 dB per doubling of distance over hard surfaces and 7.5 dB per doubling of distance of acoustically soft surfaces such as grass, vegetation, or plowed ground. The project site is located on entirely plowed ground in an agricultural field and the nearest property line is 472 feet away. This level of noise does not exceed 85 dBA and is in compliance with Noise Control Ordinance 10.60.030. ***Therefore, this impact is considered to be less than significant and no mitigation is required.***

12.e-f) The project is not located with an airport land use plan, within two miles of a public airport or public use airport, nor within the vicinity of private airstrip. The project itself will not exposes either construction workers, or people residing or working in the area to excessive noise levels. ***Therefore there is no impact.***

13. POPULATION AND HOUSING **Would the project:**	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1,6)	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1,6)	☐	☐	☐	☒

13. POPULATION AND HOUSING Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

14. PUBLIC SERVICES Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection? (Source: 1,6,9)	☐	☐	☐	☒
b) Police protection? (Source:1,6)	☐	☐	☐	☒
c) Schools? (Source: 1,6)	☐	☐	☐	☒
d) Parks? (Source: 1,6)	☐	☐	☐	☒
e) Other public facilities? (Source: 1,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

15. RECREATION Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: 1,6)	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

16. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 1,2,6)	☐	☐	☐	☒
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? (Source: 1,2,6)	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks? (Source: 1,2,6)	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1,2,6)	☐	☐	☐	☒

16. TRANSPORTATION/TRAFFIC Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Result in inadequate emergency access? (Source: 1,2,6)	☐	☐	☐	☒
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1,2,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

17. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1,6)	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1,6)	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source:1,6)	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1,6)	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1,6)	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1,6)	☐	☐	☐	☒

17. UTILITIES AND SERVICE SYSTEMS Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 1,6)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:
See Section IV.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source:)	☐	☐	☒	☐
b) Have impacts that are individually limited, but cumulatively considerable? (Source:) ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source:)	☐	☐	☐	☒
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source:)	☐	☐	☐	☒

Discussion/Conclusion/Mitigation:

a) The project will have a less than significant impact on Agricultural/Forest Resources (Section VI – No. 2) and Biological Resources (Section VI – No. 4) and will have no impact on Cultural Resources (Section VI – No. 5) as discussed in each particular section; and therefore will not degrade the quality of the environment, substantially reduce the

habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

b) The project site is an existing agricultural property adjacent to the City of Gonzales's previously approved Vista de Santa Lucia Agricultural Business Park, which is in the processing of developing to maximum build-out. The project will not result in short-term or long-term substantial impacts to: noise, greenhouse gases, biology, air quality, agricultural/forest resources, cultural resources, public services, transportation/traffic, population/housing, recreation, geology/soils, hazards/hazardous materials, hydrology/water quality, utilities/service systems, mineral resources, or land use/planning. The project will result in long-term changes to aesthetics, however the project will not create a substantial adverse visual impact on a scenic vista; damage scenic resources such as trees, rock outcroppings, or historic buildings within a state scenic highway; degrade the visual character or quality of the site or surroundings; and will not produce a substantial sources of light or glare (See Section VI – No. 1).

c) The project will not have an environmental effect which will cause substantial adverse effects on human beings, either directly or indirectly. The project involves the construction of two large wind turbines on agricultural zoned property, with ample setbacks from existing industrial businesses, and no is not located within the vicinity of a residential community/area. The anticipated production of electricity from wind power can be considered a net benefit to the community and humans within the area.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a "de minimis" (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a "de minimis" effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of "de minimis" effect by the lead agency; consequently, all land development projects that are subject to environmental review are

now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of "no effect" on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department's website at www.dfg.ca.gov.

Conclusion: The project will be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN120471 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application/Plans – Planning File PLN120471 (Meyer)
2. Monterey County 2010 General Plan Available:http://www.co.monterey.ca.us/planning/gpu/GPU_2007/2010_Mo_Co_General_Plan_Adopted_102610/2010_Mo_Co_General_Plan_Adopted_102610.htm Accessed: November 2, 2012
3. Central Salinas Valley Area Plan (contained within the 2010 General Plan) Available: http://www.co.monterey.ca.us/planning/pgu/2010_Draft_Monterey_Co_General_Plan/Area-Master%20Plans/09C_Central_Salinas_Valley_AP_03_2010.pdf Accessed: November 2, 2012
4. Title 21 of the Monterey County Code (Inland Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008 Available: http://www.mbuapcd.org/mbuapcd/pdf/mbuapcd/pdf/CEQA_full.pdf Accessed October 25, 2012
6. Site Visit conducted by the project planner on August 22, 2012.
7. Biological Assessment for the Vista de Santa Lucia Wind Energy Generation Project, Gonzales, California, Dudek Consulting (Attn: Keith Babcock), July 2012.
8. County of Monterey. 2012 Chapter 10.60 Noise Control. Available: http://library.municode.com/index.aspx?clientID=16111&stateID=5&statename=California Accessed November 2, 2012.
9. Department of Forestry and Fire Protection. 2008. Monterey County FHSZ Map. Available: http://frap.cdf.ca.gov/webdata/maps/monterey/fhszl_map.27.pdf Accessed November 1, 2012.

10. Federal Highway Administration. 2006. FHWA roadway construction noise model user's guide. Washington, D.C.

LIB120463

Exhibit J

BIOLOGICAL ASSESSMENT
for the
VISTA DE SANTA LUCIA
WIND ENERGY GENERATION PROJECT
Gonzales, California

Prepared for:

Herbert G. Meyer
400 Camino Aguajito
Monterey, California 93940

Project Contact:

Vista de Santa Lucia Wine Center, LLC
Attn: John Handel
P.O. Box 341
Gonzales, California 93926
775.742.0410
jhandel3usa@aol.com

Prepared by:

DUDEK
11641 Blocker Drive, Suite 240
Auburn, California 95603
530.885.8232
Contact: Keith Babcock

JULY 2012

RECEIVED
JUL 17 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

PLN120741

Printed on 30% post-consumer recycled material.

TABLE OF CONTENTS

TABLE OF CONTENTS (Continued)

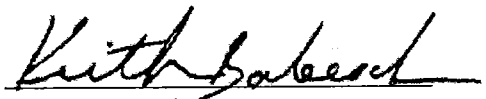
Section **Page No.**

LIST OF FIGURES

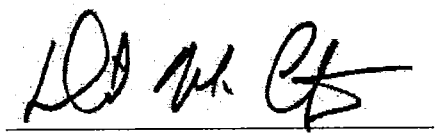
LIST OF TABLES

APPENDICES

Dudek hereby certifies that this report was prepared according to standard biological reporting guidelines and that the statements furnished in the report and associated figures are true and correct to the best of our knowledge and belief. We further certify that all field surveys associated with this report were performed by Dudek using standards accepted by the County and state and federal resource agencies. Resumes for the biologists are found in Appendix A.



Keith Babcock
Principal/Senior Biologist



Dave Compton
Ornithologist/Wildlife Biologist

INTENTIONALLY LEFT BLANK

1.0 INTRODUCTION

Dudek has prepared this Biological Assessment for Vista de Santa Lucia Wine Center, LLC, to document sensitive biological resources observed or expected to occur on the Vista de Santa Lucia Wind Energy Generation Project (Project) site. This report consists of literature and field survey results and analysis of potential biological constraints to the Project. This report is intended for submittal to the County of Monterey (County) as part of the applicant's California Environmental Quality Act (CEQA) documentation and review process for the proposed wind energy Project. This report is also intended to support environmental review, if applicable, by other regulatory resource agencies, specifically the California Department of Fish and Game (CDFG) and the U.S. Fish and Wildlife Service (USFWS).

1.1 Project Location

The Project site is located in the Salinas Valley, Monterey County, California, adjacent to the limits of the City of Gonzales (Figure 1). It is bounded by Fermin Lane on the northwest, unnamed farm roads on the northeast and southwest, and farm fields and a City of Gonzales industrial park winter stormwater drainage basin on the southeast. Katherine Street is approximately 0.1 mile to the southeast, and the City of Gonzales is opposite the unnamed farm road to the northeast. Alta Street is approximately 0.25 mile to the northeast, and U.S. Highway 101 is approximately 0.8 mile to the east of the Project site. The Salinas River is approximately 1.25 miles to the southwest. The urban center of Salinas is approximately 13.4 miles to the northwest.

1.2 Project Description

The Project is being proposed to provide wind turbine power to serve the proposed Vista de Santa Lucia Agricultural Business Park and Visitor Center to be located on the Project site in the City of Gonzales, Monterey County, California. This Biological Assessment focuses solely on the proposed wind turbines that would ultimately provide power to the business park and visitor center.

Each of the two proposed wind turbines will consist of a three-bladed turbine on a tubular steel tower with a hub height of approximately 80 meters (approximately 262 feet). Rotor diameter of the proposed structures is 71 meters (approximately 270 feet), and the radius is half that amount. Each structure will be mounted on a concrete foundation 16 feet in diameter that will be surrounded by a security fence 4 feet out from the foundation. The area within the fence surrounding each turbine will occupy approximately 0.01 acre, or 452 square feet. A 440-foot setback will be included between each turbine and adjacent parcels. Farming will continue to the edge of the fenced areas. Other elements of the Project design include:

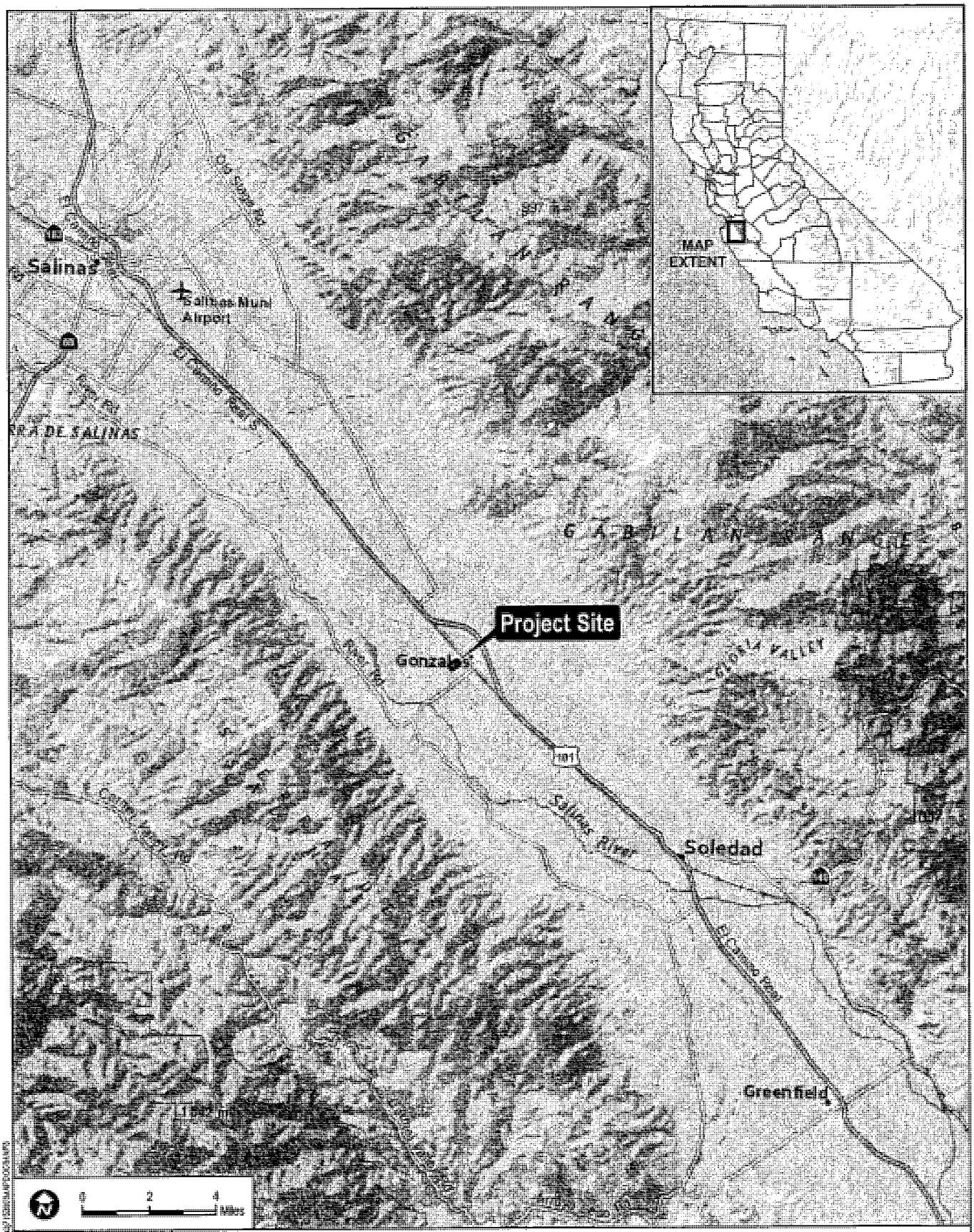
Hub 262
blade 135
397

- One generator, transformer, switch gear, and metering panel for each turbine.
- Underground lines connecting the transformers to an existing substation.
- Potentially, a gravel road connecting existing roads to the base of the turbines.
- Potentially, a perimeter fence to remain in place during construction.

The Project will include no site clearing and minimal grading. Excavation to a depth of approximately 30 feet will be necessary to construct the turbine foundations.

1.3 Biological Setting

The project site consists entirely of active agricultural land, except for a small developed area occupied mostly by farm structures and equipment. The proposed turbines are located in an agricultural preservation easement. The surrounding area also consists of agricultural lands (under cultivation for asparagus and other crops) to the west and south and developed areas in the City of Gonzales to the east and north. Several single-family farm residences are also located within one mile of the site. The Salinas River, which includes extensive riparian habitat but is often dry in the summer months, is approximately 1.25 miles southwest of the site (Figure 2). Immediately west of the river is an area dominated by vineyards at the foot of the Sierra de Salinas Mountains. Large areas of natural habitat are found in the mountains. The Santa Lucia Mountains are located still further west. Gonzales Slough, which meanders through the City of Gonzales and the area west of the city, provides some wetland and riparian habitat 0.5 mile east of the site, although it is typically dry during the summer months. Additional agricultural lands lie east of U.S. Highway 101. Approximately 2.5 miles northeast of the site, near the Johnson Canyon Landfill, is grassland habitat associated with the foothills of the Gabilan Range. Located within the Gabilan Range is the Pinnacles National Monument, approximately 11.3 miles east of the site. Biological resources associated with the project site and vicinity, including special-status plant and animal species known to occur, or potentially occurring, in the region, are addressed in Section 3.0 below.



DUDEK

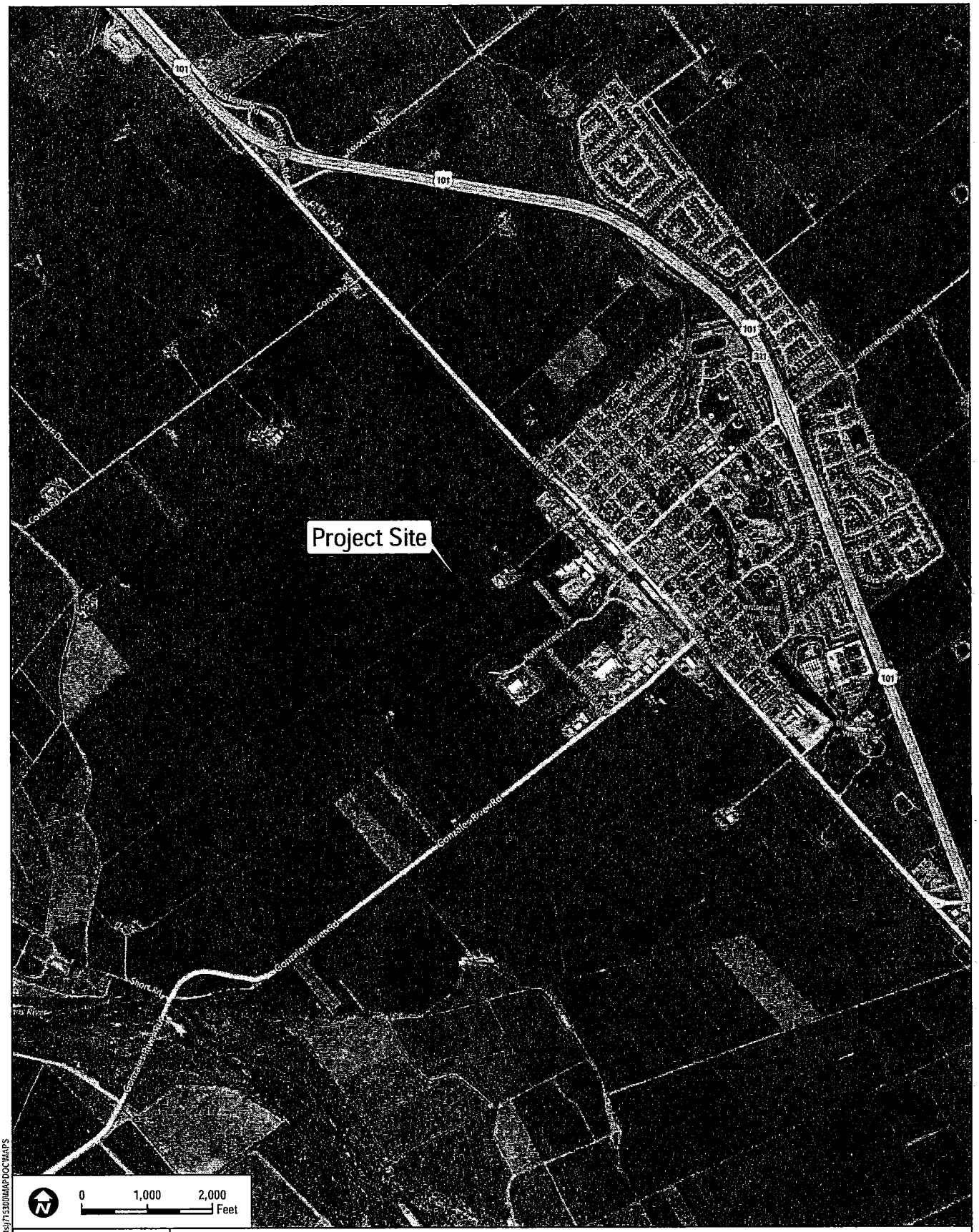
SOURCE: ESRI On-Line National Geographic Basemap

FIGURE 1
Project Site Region

7163-01
JULY 2012

VISTA DE SANTA LUCIA WIND GENERATION PROJECT

INTENTIONALLY LEFT BLANK



\\HQTR-DATA1\GIS-data\Projects\7153\00\MAPDOC\MAPS

DUDEK

7153-01

JULY 2012

SOURCE: BING imagery

FIGURE 2

Project Site Vicinity

VISTA DE SANTA LUCIA WIND ENERGY GENERATION PROJECT

INTENTIONALLY LEFT BLANK

2.0 METHODS

This biological assessment is based on the results of field surveys, a CDFG database query, and a review of additional available literature on sensitive resources in the Project site vicinity. This assessment considers all biological resources, including vegetation, hydrological resources, common and special-status plants, and common and special-status wildlife. However, as bird and bat issues are of particular concern for wind turbine projects (CEC and CDFG 2007, NWCC 2010, USFWS 2011), data collection associated with this assessment emphasized issues related to birds (especially birds of prey, or raptors) and bats.

2.1 CNDDB

Dudek conducted a query of the California Natural Diversity Database (CNDDB; CDFG 2011) for records of special-status plant and wildlife species occurring in the Project region. The list of species was then consulted in light of the literature review and field surveys to determine the potential for special-status plant and wildlife species to occur on or in the vicinity of the Project site.

2.2 Literature Review

In addition to the CNDDB query, Dudek consulted occurrence and habitat information summarized in Appendix F of the Gonzales 2010 General Plan (City 2011), which is based on the CNDDB. Dudek also conducted a search of the California Native Plant Society (CNPS) Online Inventory of Rare Plants Database (CNPS 2010) and the online database Calflora (2011) for information on rare plant occurrences. Literature was reviewed concerning information on occurrences of California condors in the Salinas Valley (Ventana Wildlife Society 2009), and Dudek also met with representatives from both the USFWS (Ventura on February 15, 2012) and CDFG (San Luis Obispo on March 5, 2012) to discuss potential issues with condors in association with the proposed Project. The results of these agency meetings are discussed in Section 4.1.1.

2.3 Field Survey Methods

Dudek biologist Dave Compton conducted biological surveys of the Project site and vicinity on May 16 and 17, 2012. Biological surveys included a habitat assessment for raptors and special-status bird and bat species in the project vicinity, as well as a habitat assessment for all special-status plant and animal species on the Project site. The surveys consisted of driving and walking the site perimeter and portions of the site that were not under active cultivation, as well as the site vicinity within approximately one mile. These areas were investigated during early to late morning, early afternoon, and evening, to maximize the potential to observe wildlife activity that

may occur at different times of day (including peak times for raptor activity and general bird activity, as well as times when bats might be active). Locations of suitable nesting trees for raptors, and of structures with the potential to host roosting bats, were noted.

In addition, Dudek visited areas of special interest that were greater than one mile from the site, including the Salinas River, the foothills of the Sierra de Salinas Mountains, and grasslands at the base of the Gabilan Range, east of Gonzales. Dudek spent more than one hour during mid-morning on May 17, 2012, using a spotting scope and binoculars to observe raptor activity in the Sierra de Salinas Mountains, and approximately one hour beginning at sunset watching for bat and owl activity from the site perimeter on May 16, 2012.

3.0 RESULTS

No natural vegetation communities were observed on the Project site or within 0.5 mile of the site. Agricultural fields, planted trees, and developed habitat accounted for all areas within approximately 0.5 mile of the site, except for a four-acre area adjacent to the site that includes a winter stormwater drainage basin that was dry on May 16–17, 2012. Plant species found or observed on the Project site included one cultivated plant species and five additional common plant species; seven wildlife species, all birds and including one CDFG Watch List (WL) species, the California horned lark (*Eremophila alpestris actia*), were observed. An additional special-status bird (raptor) species, the northern harrier (*Circus cyaneus*), a California Species of Concern (CSC), was observed adjacent to the site. Other raptor species observed in the site vicinity during biological surveys were red-tailed hawks (*Buteo jamaicensis*), including one immediately adjacent to the site, and a single red-shouldered hawk (*Buteo lineatus*) approximately 0.5 mile east of the site. No bats were observed. Although no trees are on the Project site, trees suitable for raptor nesting were observed in clusters as near as 0.4 mile from the site. No raptor nests were found within 1.0 mile of the site, and no roosting or nesting owls or roosting bats were found in structures examined on or adjacent to the site. Several structures within 1.0 mile of the site may have potential to host roosting bats.

3.1 Habitat Types

Figure 3 shows vegetation communities and wildlife habitat types within approximately 1.0 mile of the Project site. Two anthropogenic habitat types were observed on the Project site during the May 2012 surveys: agriculture-lettuce field and developed. The latter is limited to an area of approximately 3.0 acres in the northern portion of the site.

The vegetation communities and their extent and location on the Project site are described below. Dominant plant species are also listed for each vegetation community. Plant species observed on the site are listed in Table 1 below. Because of the dominance of the agricultural crops on the site, these plants were only observed in small numbers.

Table 1
Plant Species Observed on the Vista de Santa Lucia Wind Energy Generation Project Site

Scientific Name	Common Name	Legal Status	
Asteraceae			
Sonchus sp.	Sowthistle	None	
Brassicaceae			
Brassica nigra	Black mustard	None	
Chenopodiaceae			
Salsola tragus[3]	Russian thistle	None	

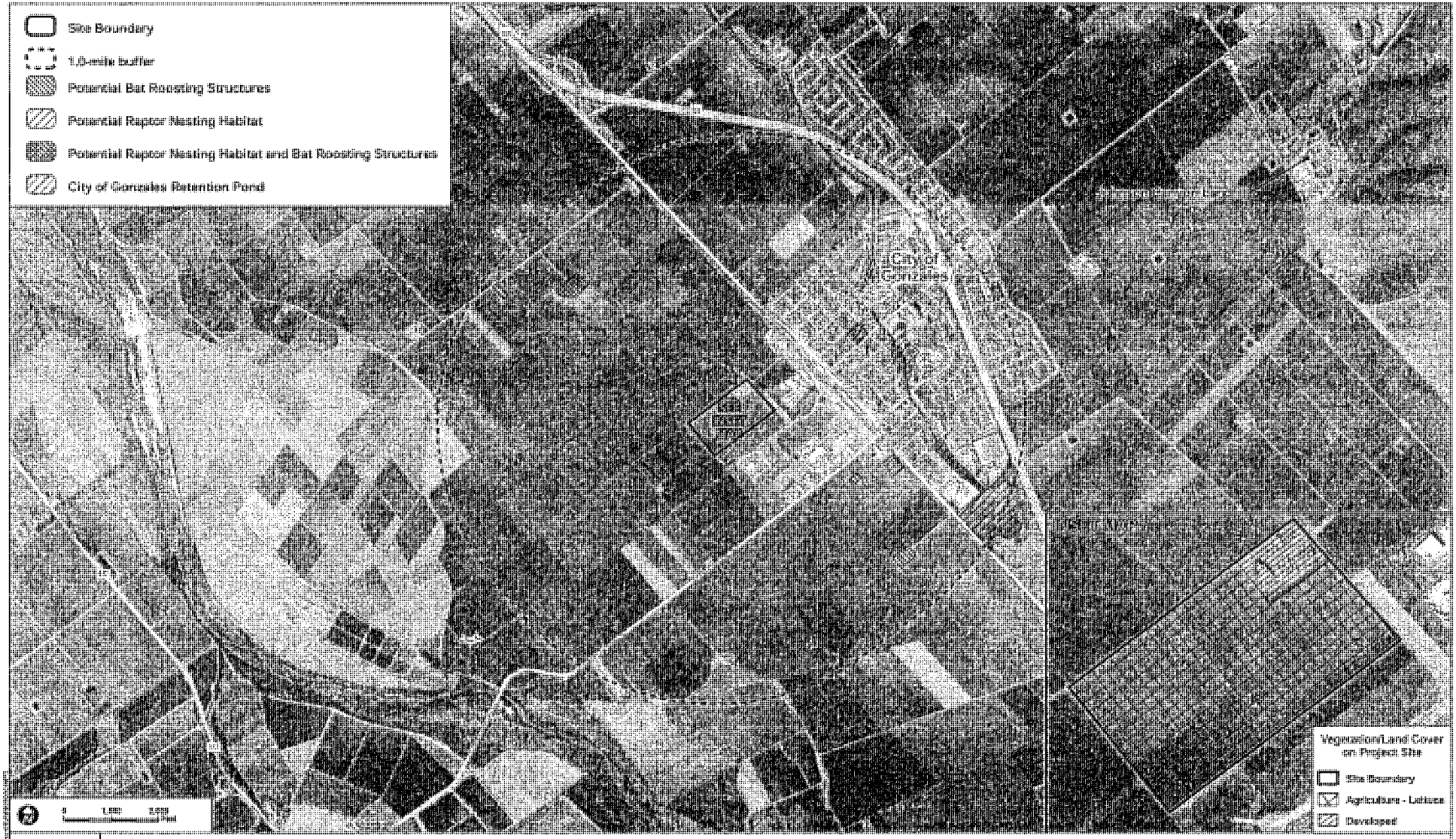
Table 1
Plant Species Observed on the Vista de Santa Lucia Wind Energy Generation Project Site

Scientific Name	Common Name	Legal Status	
Convolvulaceae			
Convolvulus arvensis	Field bindweed	None	
Malvaceae			
Malva parviflora	Cheeseweed	None	
Poaceae			
Hordeum murinum	Hare barley	None	

3.1.1 Agriculture – Lettuce Fields

The dominant habitat type on-site was agriculture-lettuce field (asparagus had recently been cultivated at the time of the field surveys). Agriculture habitat is an anthropogenic habitat and is not described in the *Manual of California Vegetation*, 2nd ed. (Sawyer, Keeler-Wolf, and Evens 2009) or the *Natural Communities List* (CDFG 2010). Within the Project site, agriculture in May 2012 consisted of newly sprouting, cultivated lettuce, occupying more than 90 percent of the site. On-site farming practices include soil discing/tilling with crops being rotated every 120 days (J. Handel pers. comm.), and herbicide application, which greatly reduce the opportunity for native plants, including special-status plant species, to occur within this habitat. Herbicide application on the site is consistent with valley-wide agricultural practices, in which weeds growing within or adjacent to row crops are removed as contamination hazards. Any plants remaining despite these practices are plants highly adapted to frequent disturbance that primarily consist of ruderal plants or crop weeds. These species were the only ones present on the site in May 2012, except for cultivated lettuce.

The lettuce fields on the site provide habitat for relatively few wildlife species in the area. Common species observed included killdeer (*Charadrius vociferus*), and California horned lark (*Eremophila alpestris actia*) were recorded singing. Common ravens (*Corvus corax*), American crows (*Corvus brachyrhynchos*), and red-winged blackbirds (*Agelaius phoeniceus*), also common species, forage in these areas. When the fields are briefly fallow or bare in fall and winter, bird species such as killdeer and American pipit (*Anthus rubescens*) may be present. Regular soils disturbances related to agricultural practices likely restrict the ability of small mammals such as California voles (*Microtus californicus*) as well as most other wildlife species to establish themselves or otherwise breed on the site. This in turn limits the area's usefulness to foraging birds of prey.



DUDEK

FIGURE 3

Biological Resources in the Site Vicinity

VISTA DE SANTA LUCIA WIND ENERGY GENERATION PROJECT

7150-01

JULY 2012

INTENTIONALLY LEFT BLANK

Some special-status wildlife species may occur here, despite the suboptimal habitat. A northern harrier (CSC) was observed near the fields on May 17, 2012, and CDFG Watch List raptor species, such as ferruginous hawk (*Buteo regalis*) and merlin (*Falco columbarius*), may occur here on occasion in winter. Special-status species potentially occurring on or near the site, and the extent to which they could occur based on site conditions, are discussed further in Section 3.4 Wildlife below.

3.1.2 Developed

The developed habitat type observed within the Project site is an anthropogenic habitat not described by Sawyer, Keeler-Wolf, and Evens (2009) or CDFG (2010). This habitat type is located in the northern portion of the Project site and consists of several agricultural structures, a single residence, and storage for agricultural equipment. The only plants observed within this area were several small ornamental trees.

Several common bird species, such as house finches (*Carpodacus mexicanus*) and the non-native house sparrow (*Passer domesticus*), nest around the farm structures and residences. Farm structures also have the potential to provide habitat for roosting owls and bats. All structures on site except for the residence were examined for roosting owls and bats during the May 2012 surveys, and no owls or bats were found.

3.1.3 Habitat in the Project Vicinity

Agriculture and developed habitats also dominate the areas surrounding the Project site (Figure 3). In addition, these areas include tree clusters that are suitable for raptor nesting, structures that may be suitable for roosting bats, and several hydrological features that may attract foraging bats and birds. Tree clusters are widely spaced in the project vicinity as trees adjacent to row crops are typically removed to minimize attractants to birds and other animals near active crop fields. In addition, barns are monitored for control of pests, including bats. These habitat features are discussed in detail in Section 3.4 Wildlife.

3.2 Hydrology

No hydrological features were observed on the Project site. An area of approximately 4 acres in size adjacent to the southeastern boundary of the site includes a small industrial park winter stormwater drainage basin that was dry during the surveys conducted on May 16-17, 2012. The basin is part of the City's Agricultural Industrial Business Park and contains four 70-foot wells to accelerate percolation which limits the potential for the accumulation of standing water. While some wetland vegetation including cattails (*Typha* sp.) and bulrushes (*Schoenoplectus* sp.) were observed in association with the basin at the time of the surveys, vegetation in this basin is

routinely removed to minimize the potential for water blockages and to enhance stormwater drainage. In addition, the area surrounding the basin is regularly mowed and is tilled approximately once per year. No other hydrological features were observed within approximately 0.5 mile of the site.

3.3 Plants

This section addresses common plant species occurring on the Project site, and potentially occurring special-status plant species known to occur in the region.

3.3.1 Common Plant Species

In addition to the cultivated lettuce, only five common plant species were found within the agricultural fields on the Project site (Table 1). Several small ornamental trees in the northern portion of the site were not identified to species. No native plant species of any type were identified.

3.3.2 Special-Status Plant Species

The CNDDB query and the City General Plan (2011) identified 22 special-status plant species potentially occurring in the vicinity (Table 2, Figure 4). Table 2 discusses each species, including regulatory status, habitat requirements, and potential to occur on the Project site. As the site is composed entirely of cultivated agriculture and developed areas, no special-status plants are determined to have the potential to occur on the site.

For the purposes of this analysis, special-status plant species are defined as those that:

- Have been designated as either rare, threatened, or endangered by CDFG or the U.S. Fish and Wildlife Service (USFWS) and are protected under either the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 et seq.) or federal Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.), or meet the California Environmental Quality Act (CEQA) definition for endangered, rare, or threatened (Cal. Code Regs., tit. 14, § 15380(b),(d));
- Are candidate species being considered or proposed for listing under these same acts; or
- Are of expressed concern to resource/regulatory agencies or local jurisdictions. This includes plants included on the CDFG Special Plants List (2011) as well as species with a California Rare Plant Ranking (CRPR) of 1, 2, 3, or 4 in the CNPS Inventory of Rare and Endangered Plants of California (CNPS Inventory). Plants included on the CNPS Inventory are classified as follows:
  - List 1A: plants presumed extinct in California;
  - List 1B: plants rare, threatened, or endangered in California and elsewhere;

- List 2: plants rare, threatened, or endangered in California, but more common elsewhere;
- List 3: plants about which more information is needed;
- List 4: plants of limited distribution.

Species of CRPR 3 or 4 do not generally qualify for protection. However, they are addressed here due to their inclusion in the City General Plan. Findings related to special-status plants were later cross-reference against habitat conditions, elevation, and soil types to determine the potential for occurrence.

Table 2
Potentially Occurring Special-Status Plant Species

Scientific Name	Common Name	Regulatory Status	Primary Habitat Associations/ Life Form/ Blooming Period	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Project Site
Abies bracteata	Bristlecone fir	CRPR 1B.3	Broadleafed upland forest, chaparral, lower montane coniferous forest at 183 to 1,600 meters (approx. 595 – 5,200 ft.) elevation. Perennial evergreen tree.	Nearest CNDDB record approximately 9.0 miles south of the site, in the Sierra de Salinas Mountains. Suitable habitat is not present on the site or in the vicinity.	Unlikely
Arctostaphylos montereyensis	Gabilan Mountains manzanita	CRPR 1B.2	Maritime chaparral, cismontane woodland, coastal scrub at 30 to 730 meters (approx. 98 to 2,394 ft.) elevation. Perennial evergreen shrub/February – March	The nearest CNDDB occurrences are approximately 4.5 miles west of the site, in the Sierra de Salinas, and 7.0 miles east of the site, in the Gabilan Range. However, suitable habitat is not present on the site or in the vicinity.	Unlikely
Atriplex coronata var. *coronata*	Crownscale	CRPR 4.2	Chenopod scrub, valley and foothill grassland, vernal pools in mesic areas and alkaline soils, at 1 to 590 meters (approx. 3 to 1,936 ft.) elevation. Annual herb/March – October.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Centromadia parryi ssp. *congdonii*	Congdon's tarplant	CRPR 1B.2	Valley and foothill grassland in alkaline soils at 0 to 230 meters (approx. 0 to 754 feet) elevation. Annual herb/May – October (November)	Several CNDDB records from within 10.0 miles of the site. However, suitable habitat is not present on the site or in the vicinity.	Unlikely
Chorizanthe palmeri	Palmer's spineflower	CRPR 4.2	Chaparral, cismontane woodland, valley and foothill grassland in rocky and usually serpentinite soils at Alkaline and sandy soils; chenopod scrub; playas; valley and foothill grassland from 60 to 700 meters (approx.	Suitable habitat is not present on the site or in the vicinity.	Unlikely

Table 2
Potentially Occurring Special-Status Plant Species

Scientific Name	Common Name	Regulatory Status	Primary Habitat Associations/ Life Form/ Blooming Period	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Project Site
			197 to 2,296 feet) elevation. Annual herb/April - August		
Chorizanthe pungens var. *pungens*	Monterey spineflower	FT, CRPR 1B.2	Chaparral, cismontane woodland, coastal dunes, coastal scrub, valley and foothill grassland at 3 to 450 meters (approx. 10 to 1,476 feet) elevation. Annual herb/April – June.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Chorizanthe robusta var. *robusta*	Robust spineflower	CRPR 1B.1	Maritime chaparral, openings in cismontane woodlands, coastal dunes, and coastal scrub in sandy or gravelly soil at 3 to 300 meters (approx.. 10 to 984 ft.) elevation. Annual herb/April – September.	The nearest CNDDB occurrence is from near Soledad, approximately 8.5 miles southeast of the site, in 1881. However, suitable habitat is not present on the site or in the vicinity.	Unlikely
Clarkia jolonensis	Jolon clarkia	CRPR 1B.2	Chaparral, cismontane woodland, coastal scrub, and riparian woodland at 20 to 660 meters (approx. 656 to 2,145 ft.) elevation. Annual herb/April-June	The nearest CNDDB occurrence is approximately 9.7 miles southeast of the site. Suitable habitat may be present in Gonzales Slough, 0.5 miles east of the site, or the Salinas River, 1.25 miles southwest of the site. But no suitable habitat occurs on or adjacent to the site.	Unlikely
Eriogonum nortonii	Pinnacles buckwheat	CRPR 1B.3	Chaparral, valley and foothill grassland in sandy and often recently burned areas at 300 to 975 meters (approx. 984 to 3,198 feet) elevation. Annual herb/May – August (September).	The nearest CNDDB occurrence is from approximately 8.5 miles east of the site. Habitat and elevation on the Project site and vicinity are unsuitable.	Unlikely

Table 2
Potentially Occurring Special-Status Plant Species

Scientific Name	Common Name	Regulatory Status	Primary Habitat Associations/ Life Form/ Blooming Period	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Project Site
Fritillaria agrestis	Stinkbells	CRPR 4.2	Chaparral, cismontane woodland, pinyon and juniper woodland, valley and foothill grassland in clay, sometimes serpentinite soils at 10 to 1,555 meters (approx. 33 to 5,100 feet) elevation. Perennial bulbiferous herb/March – June.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Fritillaria liliaceae	Fragrant fritillary	CRPR 1B.2	Cismontane woodland, coastal prairie, coastal scrub, valley and foothill grassland, often in serpentinite soils, at 3 to 410 meters (approx. 10 to 1,344 feet) elevation. Perennial bulbiferous herb/February – April.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Hesperevax caulescens	Hogwallow starfish	CRPR 4.2	Valley and foothill grassland, shallow vernal pools in mesic situations and clay soils at 0 to 505 meters (approx. 0 to 1,656 feet) elevation. Annual herb/March – June.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Lasthenia leptalea	Salinas Valley goldfields	CRPR 4.3	Cismontane woodland, valley and foothill grassland at 60 to 1,065 meters (approx. 197 to 3,493 feet) elevation. Annual herb/February – April.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Leptosiphon grandiflorus	Large-flowered leptosiphon	CRPR 4.2	Coastal bluff scrub, close-cone coniferous forest, cismontane woodland, coastal dunes, coastal prairie, coastal scrub, valley and foothill grassland, usually in sandy soils at 5 to 1,220 meters (approx.. 16 to 4,001 ft.) elevation. Annual herb/April – August.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Lotus formosissimus	Harlequin lotus	CRPR 4.2	Broad-leaved upland forest, coastal bluff scrub, close-cone coniferous forest, cismontane woodland, coastal prairie,	Suitable habitat is not present on the site or in the vicinity.	Unlikely

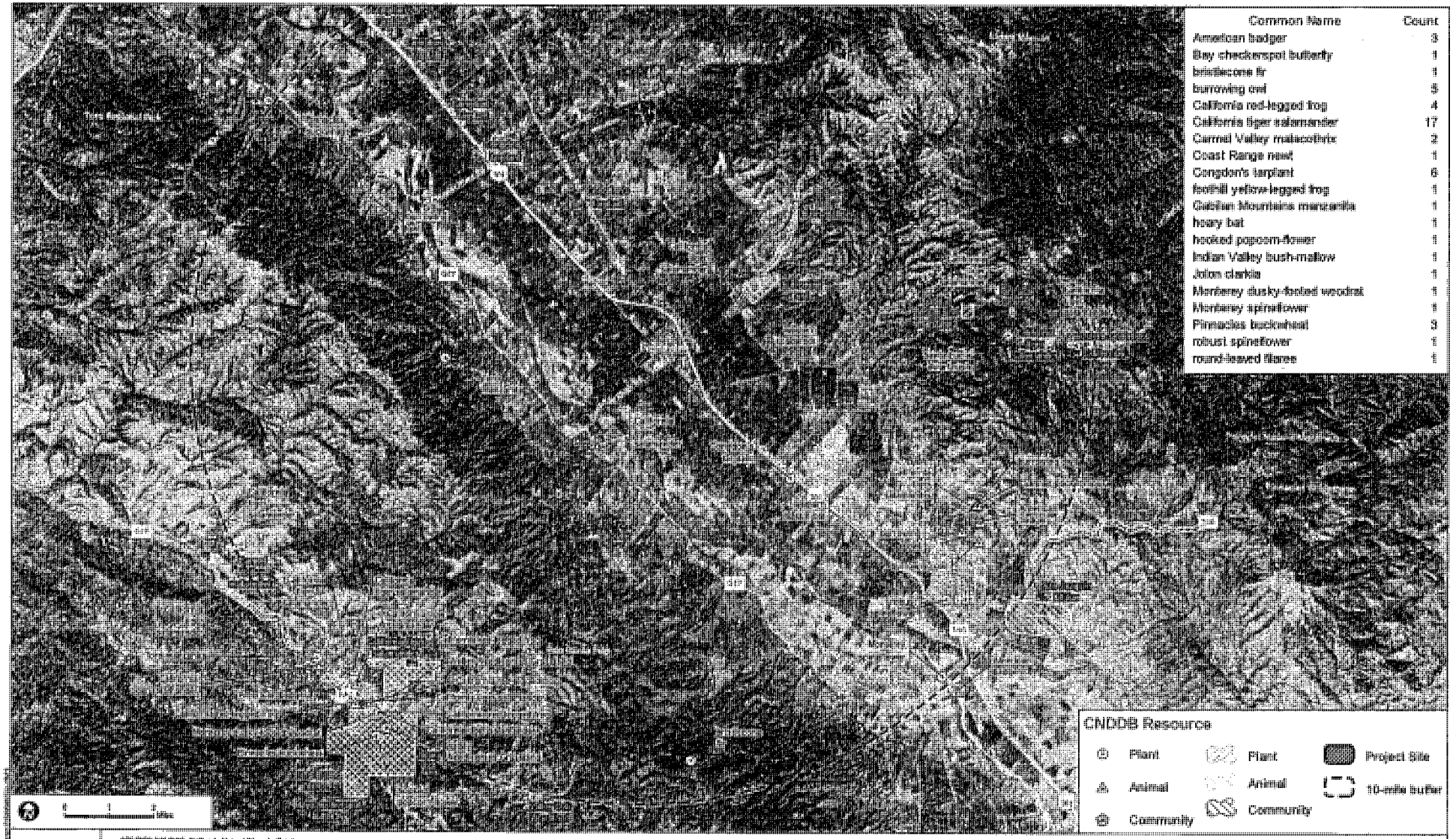
Table 2
Potentially Occurring Special-Status Plant Species

Scientific Name	Common Name	Regulatory Status	Primary Habitat Associations/ Life Form/ Blooming Period	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Project Site
			coastal scrub, meadows and seeps, marshes and swamps, valley and foothill grassland, wetlands and roadsides at 0 to 700 meters (approx. 0 to 2,296 feet) elevation. Perennial rhizomatous shrub/March – July		
Malocothamus aboriginum	Indian Valley bush-mallow	CRPR 1B.2	Chaparral, cismontane woodland, often in recently burned areas at 150 to 1,700 meters (approx. 492 to 5,576 ft.) elevation. Perennial deciduous herb/April – October	Habitat and elevation on the Project site and vicinity are unsuitable.	Unlikely
Malocothamus palmeri var. *involucratus*	Carmel Valley bush mallow	CRPR 1B.2	Chaparral, cismontane woodland, coastal scrub at 30 to 1,100 meters (approx. 98 to 3,608 ft.). Perennial deciduous shrub/May – August (October)	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Malacothrix saxatalis var. *arachnoidea*	Carmel Valley malacothrix	CRPR 1B.2	Chaparral in rocky soil and coastal sage scrub at 25 to 1,036 meters (82-3,398 ft.) elevation. Perennial herb/ March – August	The nearest CNDDB occurrence is approximately 9.5 miles southwest of the site. Suitable habitat is not present on the site or in the vicinity.	Unlikely
Mucronea californica	California spineflower	CRPR 4.2	Chaparral, cismontane woodland, coastal scrub, at 0-1,400 meters (0-4,592 ft.) elevation. Annual herb/March – July (August).	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Plagiobothrys uncinatus	Hooked popcorn flower	CRPR 1B.2	Chaparral, cismontane woodland, valley and foothill grassland in sandy soils at 300 to 760 meters (approx. 984 to 2,493 ft.) elevation. Annual herb/April – May.	The nearest CNDDB occurrence is from approximately 10.0 miles southwest of the site, on the western side of the Sierra de	Unlikely

Table 2
Potentially Occurring Special-Status Plant Species

Scientific Name	Common Name	Regulatory Status	Primary Habitat Associations/ Life Form/ Blooming Period	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Project Site
				Salinas. Habitat and elevation on the Project site and vicinity are unsuitable.	
Sidalcea malachroides	Maple-leaved checkerbloom	CRPR 4.2	Broad-leaved upland forest, coastal prairie, coastal scrub, North Coast coniferous forest, riparian woodland, often in disturbed areas, at 0 to 730 meters (approx. 0 to 2,394 ft.) elevation. Perennial herb/April – August.	Suitable habitat is not present on the site or in the vicinity.	Unlikely
Toxicoscordian fontanus	Marsh zigadenus	CRPR 4.2	Chaparral, cismontane woodland, lower montane coniferous forest, meadows and seeps, marshes and swamps, in vernally mesic, often serpentinite soils at 15-1,000 meters (49-3,280 ft.) elevation. Perennial bulbiferous herb/April – July.	Suitable habitat is not present on the site or in the vicinity.	Unlikely

Status Definitions:
FE = Federally Threatened.
CRPR = California Rare Plant Rank
1B = Plants that are rare, threatened, or endangered in California and elsewhere.
2 = Plants that are rare, threatened, or endangered in California, but more common elsewhere.
4 = A watch list of plants of limited distribution.
0.1: Seriously endangered in California.
0.2: Fairly endangered in California.
0.3: Not very threatened in California.


Common Name Count
American badger 3
Bay checkerspot butterfly 1
bristlecone fir 1
burrowing owl 5
California red-legged frog 4
California tiger salamander 17
Carmel Valley malacothrix 2
Coast Range newt 1
Congdon's tarplant 6
foothill yellow-legged frog 1
Gabilan Mountains manzanita 1
hoary bat 1
hooked popcorn-flower 1
Indian Valley bush-mallow 1
Jolon clarkia 1
Monterey dusky-footed woodrat 1
Monterey spineflower 1
Pinnacles buckwheat 3
robust spineflower 1
round-leaved filaree 1
CNDDB Resource
Plant
Animal
Community
Plant
Animal
Community
Project Site
10-mile buffer
0 1 2 Miles
DUDEK
DRAWN SOURCE: California Natural Diversity Database
AERIAL SOURCE: NAIP
FIGURE 4
California Natural Diversity Database Results
VISTA DE SANTA LUCIA WIND ENERGY GENERATION PROJECT

INTENTIONALLY LEFT BLANK

3.4 Wildlife

The section discusses wildlife species observed on the Project site and vicinity during the May 16-17, 2012, field surveys, the potential for occurrence of special-status wildlife species, as well as the potential for occurrence by common raptor and bat species in general.

3.4.1 Common Wildlife Species

During the May surveys, 17 wildlife species were observed on or adjacent to the site, including 6 bird species observed flying over the Project site. Of the 17 wildlife species observed on or adjacent to the site, 16 were birds. Wildlife species observed on or adjacent to the site are listed in Table 3. Due to development and regular tilling of the site, little habitat is available to support most common mammal, amphibian, or reptile species. A winter stormwater drainage basin is adjacent to the southeastern portion of the site, but this area is regularly mowed and the surrounding area is tilled approximately once a year, so it provides little habitat value for most species.

Table 3
Wildlife Species Observed on or Adjacent to the Vista de Santa Lucia Wind Energy Generation Project Site

Scientific Name	Common Name	Observed on Site	Legal Status
Amphibians			
Hylidae (Treefrogs)			
Pseudacris sierra	Sierran treefrog		None
*Birds**			
Accipitridae (Hawks)			
Circus cyaneus	Northern harrier		CSC (nesting)
Buteo jamaicensis	Red-tailed hawk		None
Alaudidae (Larks)			
Eremophila alpestris	Horned lark	X	WL
Ardeidae (Herons)			
Butorides virescens	Green heron		None
Charadriidae (Plovers)			
Charadrius vociferus	Killdeer	X	None
Columbidae (Pigeons and Doves)			
Columba livia	Rock pigeon		None
Streptopelia decaocto	Eurasian collared-dove		None
Zenaida macroura	Mourning dove		None
Corvidae (Crows)			
Corvus brachyrhynchos	American crow		None

Table 3
Wildlife Species Observed on or Adjacent to the Vista de Santa Lucia Wind Energy Generation Project Site

Scientific Name	Common Name	Observed on Site	Legal Status
Corvus corax	Common raven	X	None
Fringillidae (Finches)			
Carpodacus mexicanus	House finch		None
Hirundinidae (Swallows)			
Hirundo rustica	Barn swallow	X	None
Icteridae (Blackbirds and Orioles)			
Agelaius phoeniceus	Red-winged blackbird	X	None
Euphagus cyanocephalus	Brewer's blackbird	X	None
Passeridae			
Passer domesticus	House sparrow	X	None
Turdidae (Thrushes)			
Turdus migratorius	American robin		None
Mammals			
Sciuridae (Squirrels)			
Spermophilus beecheyi	California ground squirrel		None

*Includes birds observed actively foraging/hunting over the site or perched on the ground.

3.4.1.1 Raptors/Birds

Common bird species observed during the surveys included house sparrows and house finches nesting in the developed northern portion of the site, American crows and barn swallows (*Hirundo rustica*) foraging on or over the site, and red-winged blackbirds moving over the site in transit to other areas. As previously noted, American pipits are among other common bird species that may occur on the site in winter.

The only common raptor species observed on or adjacent to the site during the surveys was red-tailed hawk, one of which was observed foraging over the drainage basin near the southeastern portion of the site on May 16.

No raptor nesting habitat was found within 0.4 mile of the site, although numerous clusters of trees suitable for raptor species were observed between 0.4 and 1.0 mile of the site (Figure 3). Raptors that have the potential to nest in these trees include the Cooper's hawk (*Accipiter cooperi*), red-tailed hawk, red-shouldered hawk (*Buteo lineatus*), American kestrel (*Falco sparverius*), and great horned owl (*Bubo virginianus*). Although one red-shouldered hawk was seen in trees in Central Park in Gonzales, nearly 0.5 mile east of the site, no raptor nests were observed at any location during the May surveys, despite a focused search in suitable areas.

The site likely provides foraging habitat for some raptors. However, regular tilling limits the prey base for raptor species such as red-tailed hawks, northern harriers, and wintering ferruginous hawks that rely heavily on mammalian prey. Because of the lack of nearby woodland habitat, raptors such as Cooper's hawks and red-shouldered hawks are unlikely to forage on the site.

Most of the surrounding area is similar to that of the Project site and probably of limited value as raptor foraging habitat. The area surrounding the drainage basin adjacent to the southeastern portion of the Project site may provide some habitat for prey species, but its value is also limited by maintenance practices, including tilling approximately once a year. Some species of water birds, such as ducks, herons, and egrets, that could also serve as prey items for raptors, may be attracted to this location when water is present, although the basin is normally dry. In addition, the relatively small size of this area (approximately 4 acres) limits its value to these species and, therefore, to raptors.

3.4.1.2 Bats

No bat activity was observed during a brief survey of the site perimeter after dusk on May 16. However, insect-eating bats may forage over the site on occasion. Common species that may potentially occur in the Project vicinity are the Brazilian free-tailed bat (*Tadarida brasiliensis*), California myotis (*Myotis californicus*), hoary bat (*Lasiurus cinereus*), and Yuma myotis (*Myotis yumanensis*). (Note that CNDDB includes occurrences for hoary bat, but this bat is not considered a special status species here since it is not considered of high priority by the Western Bat Working Group.) Although an inspection of potential day-roosting habitat on the Project site resulted in no observations of roosting bats, several structures were observed west of Gonzales and within 1.0 mile of the site that may be suitable bat roosting habitat (Figure 4). In addition, some bat species use different roosts at night that are closer to foraging habitat.

Other potentially important roosting habitat in the vicinity of the site may be found at various buildings and bridges in the City of Gonzales and in the riparian woodland along the Salinas River, more than 1.2 miles southwest and west of the site.

The agricultural habitat on and surrounding the site, as well as the wetland habitat in the drainage basin just southeast of the site, may attract insects that provide prey for common bat species. However, as previously noted, water accumulation typically does not occur, due to the high percolation rate of the basin.

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
Invertebrates						
Branchinecta lynchii	Vernal pool fairy shrimp	FT	Late December – Mid-May	Vernal pools and swales in grasslands of central coast mountains, the Central Valley, and south coast mountains.	The nearest record and potentially suitable habitat is near the Johnson Canyon Landfill, 2.5 miles northeast of the site (City 2011).	Unlikely
Euphydryas editha bayensis	Bay checkerspot butterfly	FT	Spring (mating)	Habitats in shallow, serpentine-derived soils with dwarf plantain (*Plantago erecta*), as well as paintbrush and purple owl's clover (*Castilleja* spp.).	The nearest known location for this species is on the west side of the Sierra de Salinas, approximately 8.5 miles southwest of the site. No serpentine derived soils supporting the species' host plants are found near the site.	Unlikely
Fish						
Oncorhynchus mykiss	Steelhead – South/Central Coast DPS	FT, CSC	Winter	In streams from the Pajaro River in Santa Cruz County south to, but not including, the Santa Maria in San Luis Obispo and Santa Barbara Counties. Requires silt-free gravel for spawning; spends the first several years of life in fresh water, before migrating to the ocean. Adults later return to natal streams to spawn.	The nearest designated critical habitat, and the nearest suitable habitat, is in the Salinas River, 1.2 miles southwest of the site.	Unlikely
Amphibians						
Ambystoma californiense	California tiger salamander	FT, CSC	November - February	Breeds and lays eggs in vernal pools and other temporary rainwater ponds. Spends the rest of the year in subterranean refugia, especially California ground squirrel (*Spermophilus beecheyi*) burrows.	Nearest CNDDB occurrences are from just west of the Salinas River 2.2 miles southwest of the site and the Johnson Canyon Landfill, 2.5 miles northeast of the site. Drainage basins such as the one adjacent to the site on the	Unlikely

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
					southeast may provide suitable aquatic habitat, but suitable upland habitat is lacking in the vicinity because of extensive agricultural and urban development.	
Taricha torosa torosa	Coast Range newt	CSC	December – April	Present in wet forests, oak forests, chaparral, and rolling grasslands.	The agricultural and urban environment of the site and vicinity are not suitable habitat.	Unlikely
Rana boylii	Foothill yellow-legged frog	CSC	March – May	Rocky streams in a variety of habitats, with exposed rocks for basking and rocks for shelter within or near the streambed.	The nearest CNDDB occurrence is from approximately 10.0 miles southwest of the site, on the west side of the Sierra de Salinas Mountains. Suitable habitat is absent near the site.	Unlikely
Rana draytonii	California red-legged frog	FT, CSC		Dense shrubby or emergent riparian vegetation, such as arroyo willow (*Salix lasiolepis*), cattails (*Typha* spp.), and bulrushes (*Schoenoplectus* spp.), associated with still or slow-moving water greater than 2 feet deep. Also travel in riparian corridors, blackberry thickets, nonnative annual grasslands, and oak savannas.	The nearest CNDDB occurrences are from approximately 10 miles southwest of the site. Low potential for occurrence in Gonzales Slough, 0.5 miles east of the site. No suitable habitat adjacent to the site.	Unlikely
Spea hammondii	Western spadefoot	CSC	November – March (pending rainfall)	Breeding and egg laying occur almost exclusively in shallow, temporary pools formed by heavy winter rains. Most of the year is spent in underground burrows, where it covers itself with sandy, friable soils. Primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands.	CNDDB records from the Johnson Canyon Landfill area, 2.5 miles northeast of the site. Drainage basins such as the one adjacent to the site on the southeast may provide suitable aquatic habitat, but the site and surrounding areas do not provide refuge because of regular tilling.	Unlikely

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
				Reptiles		
Emys marmorata	Western pond turtle	CSC	April–August	Permanent ponds, lakes, streams, and irrigation ditches with basking sites such as partially submerged logs, rocks, mats of floating vegetation, or mud banks; also woodland, grassland, or open forest. Females lay eggs in nests constructed on dry land as far as 100 meters (325 feet) from water. Feeds on aquatic plant material, beetles, aquatic invertebrates, fishes, and frogs. Permanent ponds, lakes, streams, and irrigation ditches with basking sites such as partially submerged logs, rocks, mats of floating vegetation, or mud banks; also woodland, grassland, or open forest	Suitable foraging habitat occurs on the Known from CNDDB occurrences along the Salinas River, and some potential for occurrence at Gonzales Slough, 0.5 miles east of the site. The drainage basin adjacent to the site on the southeast, which is normally dry, including in May 2012, does not provide suitable habitat.	Unlikely
Phrynosoma blainvillii	Coast horned lizard	CSC	May – September	Wide variety of habitats, most commonly found in lowlands and coastal scrub communities, along sandy scattered low bushes in washes. Requires open areas for sunning, shrubs for cover, patches of loose soil for burial, and an abundant supply of ants and other insects.	The nearest suitable habitat is along the Salinas River, 1.2 miles southwest of the site, and in the foothills of the Gabilan Range, 2.5 miles northeast of the site.	Unlikely
Anniella pulchra pulchra	Silvery legless lizard	CSC	Late spring – October	Moist, warm loose soils with plant cover. Found in vegetated beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, stream terraces, leaf litter, and often under surface objects (e.g., rocks, boards, logs, etc.).	Potentially suitable habitat along Gonzales Slough, 0.5 miles east of the site, and the Salinas River, 1.2 miles southwest of the site, but agricultural and urban environments nearer the site do not provide suitable habitat.	Unlikely

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
Anniella pulchra nigra	Black legless lizard	CSC	Late spring – October	Found along drainages with loose friable soils or sand with scattered vegetation for cover. Sometimes found in suburban gardens near drainages.	Potentially suitable habitat along Gonzales Slough, 0.5 miles east of the site, and the Salinas River, 1.2 miles southwest of the site, but agricultural and urban environments nearer the site do not provide suitable habitat.	Unlikely
				Birds		
Accipiter cooperi	Cooper's hawk	WL (nesting)	March – August	Most frequently nests in dense stands of live oak, riparian deciduous, or other forest habitats near water. Winters and forages in similar habitats.	The nearest suitable habitat is along Gonzales Slough, 0.5 miles east of the site.	Unlikely
Agelaius tricolor	Tricolored blackbird	CSC (nesting colonies)	April – July	Breeds near fresh water, preferably in emergent wetlands with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, and tall herbs.	A maximum 50 individuals countywide have been detected nesting in surveys in 2005, 2008, and 2011. The nearest known nesting location is approximately 8.0 miles southeast of the site, near Soledad (TBWG 2012). The drainage basin adjacent to the site to the southeast supports a small red-winged blackbird colony and only limited habitat for that species.	Unlikely
Aquila chrysaetos	Golden eagle	FP, BGEPA	Late January – August	Nests on secluded cliffs of all heights and in large trees in open areas. Ranges from sea level up to 11,500 feet, typically in rolling foothills, mountain areas, sage-juniper flats, and desert.	Confirmed nesting records from the Gabilan Range and the Santa Lucia Mountains, with observations regularly from the foothills surrounding the Salinas Valley from about Soledad south (Roberson and Tenney 1993, Roberson 2002). May occur on the valley floor in winter.	Unlikely

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
					None were observed during surveys in May 2012.	
Asio flammeus	Short-eared owl	CSC (nesting)	March – July	Usually found in open areas with few trees, such as annual and perennial grasslands, prairies, dunes, meadows, irrigated lands, and saline and fresh water wetlands with emergents. Requires dense vegetation, often near wetlands, for nesting and roosting.	The nearest potentially suitable habitat is near the Johnson Canyon Landfill, approximately 2.5 miles northeast of the site.	Unlikely
Athene cunicularia	Burrowing owl	CSC	February – August	Nests in the abandoned burrows of ground squirrels, badgers, or other small mammals, although they may dig their own burrow in soft soil. Their prey consists mostly of insects, small mammals, reptiles, birds, and carrion. Open, dry, annual or perennial grasslands, deserts and scrublands characterized by low-growing vegetation.	CNNDB includes records from the Johnson Canyon Landfill area and near Soledad. Regular tilling limits the value of on-site and surrounding habitats for this species.	Unlikely
Buteo regalis	Ferruginous hawk	WL (wintering)	Winters, October – March	Not known to nest in the state. Winters in open grasslands and fallow agricultural areas.	Ag fields typically can serve as suitable winter foraging habitat but close proximity to human activities and regular tilling limits the value of on-site habitats for this species.	Low potential (winter foraging only)
Circus cyaneus	Northern harrier	CSC (nesting)	March – August	Roosts and nests on the ground, usually in tall grasses and forbs, but sometimes in croplands (including alfalfa, grains, sugar beets, tomatoes, and melons). Found in meadows, grasslands, open rangelands, desert sinks, and fresh and saltwater	Nesting habitat not present on or near the site, although Roberson and Tenney (1993) include a record of confirmed breeding approximately 5.0 miles west of the site. The site is poor foraging habitat because of regular tilling, but	Low potential (foraging only)

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
				emergent wetlands. Males may hunt more than six miles from the nest.	one individual as observed flying north near the site on May 1, 2012.	
Elanus leucurus	White-tailed kite	FP	February – August	Nests in treetops with dense foliage and forages in open grasslands, meadows, farmlands, and emergent wetlands. Ranges farther from roosting/nesting habitat in winter.	No suitable nesting or roosting habitat within 0.5 mile of the site. Regular tilling limits the value of onsite habitats for this species. May occur on occasion in transit.	Low potential (foraging only)
Empidonax traillii	Willow flycatcher	SE	May – August	Nests in dense riparian woodland near surface water or saturated soil.	Occurs as migrant in region, but only one nesting record along Salinas River, near Spreckels in 1972 (Roberson 2002), since 1950. No habitat near the Project site.	Unlikely
Eremophila alpestris actia	California horned lark	WL (nesting)	March – July	Occupies a variety of open habitats, including agricultural, usually where trees and large shrubs are absent. Nests on the ground in open depressions.	Nests in the Salinas Valley. At least one individual heard singing on site in May 2012.	Potential
Falco columbarius	Merlin	WL (wintering)	Winters, September – early April	Present in a variety of habitats, including grasslands, open or fallow agriculture, open brushlands, and open forest. Requires dense stands of trees for roosting and feeds primarily on small birds.	Regular tilling limits the value of onsite habitats for this species, although since small birds are prey for this species, may occasionally forage on birds over the site during the winter/migratory months.	Low potential (winter foraging only)
Gymnogyps californianus	California condor	FE, SE, FP	Year-round	Nests in caves, in crevices, behind rock slabs, or on large ledges on high sandstone cliffs. Prefers mountains, gorges, and hillsides, which create updrafts favorable for soaring. Feeds on large and medium-sized carrion.	Release sites and supplemental feeding sites occur southwest of the site along the Big Sur coast and to the southeast at Pinnacles National Monument. Condors inhabit the mountainous areas of these two regions up to and	Unlikely

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
					bordering the Salinas Valley. Based on GPS data, most condors appear to cross the Valley at high elevations; the only low level flights across the Valley appear to be south of King City where the Valley narrows. Because of the active agricultural use of the site and immediate vicinity, and lack of cattle grazing or other large mammals on or near the site, condors are not expected to be attracted to the site.	
Icteria virens	Yellow-breasted chat	CSC (nesting)	May – early August	Riparian thickets of willow and other brushy tangles near watercourses. Normally places nest in dense shrubs near streams or rivers. Feeds mainly on small insects and spiders.	Gonzales Slough, approximately 0.5 mile east of the site, provides the near potentially suitable habitat. No habitat is found on or adjacent to the site.	Unlikely
Lanius ludovicianus	Loggerhead shrike	CSC (nesting)	February – July	Nests in densely foliated shrubs or trees. Prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches, and requires impaling sites, such as thorns, sharp twigs, or barbed wire, for skewering and manipulating its prey.	The site is outside the "normal" range of the species, per Roberson (2002), but shrikes have the potential to occur in the project vicinity, particularly in migration and winter. No nesting habitat is present on or adjacent to the site and the regular tilling limits the value of onsite habitat for this species.	Unlikely
Setophaga petechia	Yellow warbler	CSC (nesting)	April – early July	Primarily found in deciduous riparian woodlands. Places nest in the upright fork of a shrub, sapling, or tree and feeds on insects and spiders.	Gonzales Slough, approximately 0.5 mile east of the site, provides the nearest potentially suitable habitat. A presumed migrant was observed 0.5 mile northeast of the site, in Central	Unlikely

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
					Park in Gonzales, on May 17, 2012. No suitable habitat is found on or adjacent to the site.	
Vireo bellii pusillus	Least Bell's vireo	FE, SE	April – August	Nests in structurally diverse woodlands along watercourses, including cottonwood-willow forests, oaks woodlands, and mulefat scrub. Forages in adjacent habitats.	The nearest potentially suitable habitat is in the Salinas River, approximately 1.2 miles southwest of the site. No habitat is present on the site or immediate vicinity.	Unlikely
				Mammals		
Antrozous pallidus	Pallid bat	CSC, HP	October – June	Day roosts are in caves, crevices, mines, and occasionally in hollow trees and buildings, preferably with access to open areas for foraging.	Some potential to roost in abandoned structures near site and to forage over or near the site (particularly the drainage basin when water is available). No bats were observed during an evening survey on May 16, 2012.	Possible
Lasiurus blossevillii	Western red bat	HP	Year-round	Roosts in trees, less often in shrubs, often in edge habitats adjacent to streams, fields, or urban areas. Roosts site are 0.6 to 13 meters (2 to 40 ft.) above ground and are protected above and open below.	Potential to roost at Gonzales Slough 0.5 mile east of the site and the Salinas River 1.2 miles southwest of the site; could potentially forage over the site and adjacent drainage basin.	Possible
Myotis volans	Long-legged myotis	HP	Fall – August	Roosts in rock crevices, in buildings, under tree bark, and in snags, mines, and caves. Forms nursery colonies numbering in the hundreds, under tree bark, in hollow trees, and, less often, in crevices or buildings.	Potential roosting habitat in trees with exfoliating bark in Gonzales Slough 0.5 mile east of the site and the Salinas River 1.2 miles southwest of the site. Could potentially forage over the site and adjacent drainage basin.	Possible

Table 4
Potentially Occurring Special-Status Wildlife Species

Scientific Name	Common Name	Regulatory Status	Nesting/ Breeding Period	Habitat Requirements	Site Suitability/Survey Results	Potential to Occur on or Immediately Adjacent to the Site
Neotoma macrotis luciana	Monterey dusk-footed woodrat	CSC	December – September	Oak woodlands and forest habitats with moderate canopy cover and moderate to dense understory. Also found in chaparral communities.	Potential habitat is present along Gonzales Slough 0.5 mile east of the site and the Salinas River 1.2 miles southwest of the site. However, no suitable habitat is on or adjacent to the site.	Unlikely
Perognathus inornatus psammophilus	Salinas pocket mouse	CSC	Spring – early summer	Open annual grassland and desert-shrub communities on alluvial sandy and wind drifted sand.	The nearest known record is more than 5.0 miles south of the site, and the nearest potentially suitable habitat is at least 2.5 miles east of the site, in the grasslands on the eastern side of the valley.	Unlikely
Taxidea taxus	American badger	CSC	February – May	Open, dry, shrub, forest, and herbaceous habitats with friable soils. Needs sufficient food, uncultivated ground; preys on burrowing rodents.	The nearest potentially suitable habitat is at least 2.5 miles east of the site, in the grasslands of the foothills in the eastern part of the valley. The nearest CNDDB occurrence is from approximately 8.5 miles southeast of the site, in the Gabilan Range foothills.	Unlikely
Vulpes macrotis mutica	San Joaquin kit fox	FE, SE	December – July	Pups born in dens excavated in open, level areas with loose-textured soils. Annual grasslands or grassy open stages with scattered shrubby vegetation. Require loose-textured sandy soils for burrowing, and suitable prey base. Disperses great distances from resident populations.	Nearest resident population is in the upper Salinas Valley. No denning habitat is found near the site. The nearest CNDDB occurrence is from near Soledad, and the species is not known to have occurred farther north in the Salinas Valley.	Unlikely

Status Definitions:
CSC = California Species of Concern.
FE = Federally Endangered.
FT = Federally Threatened.
FP = State Fully Protected.
HP = Considered High Priority by the Western Bat Working Group
SE = State Endangered.
ST = State Threatened.
WL = CDFG Watch List.

3.4.2 Special-Status Wildlife Species

The CNDDB included occurrences for 2 invertebrate species, 5 amphibian species, 4 reptile species, 16 bird species, and 7 mammal species (Table 4). Several of these species have at least a low potential to occur on or near the project site. One species, the California horned lark (*Eremophila alpestris actia*), a CDFG watch list (WL) species, was observed on the site during surveys in May 2012. However, no species listed as state- or federally-Threatened or Endangered are expected to occur on or immediately adjacent to the Project site.

For the purposes of the analysis presented in Section 3.4, special-status wildlife species are defined as those that:

- Have been designated as either rare, threatened, or endangered by CDFG or the USFWS and are protected under either the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 et seq.) or federal Endangered Species Act (ESA) (16 U.S.C. § 1531 et seq.), or meet the CEQA definition for endangered, rare, or threatened (Cal. Code Regs., tit. 14, § 15380(b),(d));
- Are candidate species being considered or proposed for listing under these same acts;
- Are fully protected by the California Fish and Game Code sections 3511, 4700, 5050, or 5515;
- Are of expressed concern to resource/regulatory agencies or local jurisdictions. This includes wildlife that are considered state Species of Special Concern or are on the CDFG Watch List.

Findings related to special-status plants and wildlife were later cross-reference against habitat conditions, elevation, and soil types to determine the potential for occurrence.

Because of their susceptibility to impacts with wind turbines, the following species are addressed in more detail.

3.4.2.1 California Condor

California condors (*Gymnogyps californianus*), a state- and federally-listed Endangered species (and also Fully Protected under the state Fish and Game Code) typically nest in mountainous areas in cavities along cliff and rock faces as well as in giant Sequoia (*Sequoiadendron giganteum*) and coast redwood (*Sequoia semervirens*) trees, Opportunistic consumers of large mammal carrion, condors most often forage in open habitat such as grasslands, oak savannahs, and open scrublands in foothill and mountainous regions, and along the coastline in the Big Sur

area. Because of their large size, condors are dependent upon updrafts and consistent winds for flight and foraging, which is why they are most often found in mountainous areas.

In 1982, only 22 individual condors remained in the wild, and in 1987, the last wild condor was captured as part of a captive breeding program. Adult and captive-bred condors began to be released back into the wild in the 1990's and today, the population of California condors now exceeds 400, with over 220 in the wild population split between California, Arizona, and Mexico.

In California, close to 60 condors occur along the Big Sur/central coast and in the Pinnacles National Monument area. A captive release and supplemental feeding site occurs in the Ventana Wilderness area and is managed by the Ventana Wildlife Society; another occurs in Pinnacles National Monument and is managed by the National Park Service. While most of the condors that are based in these two areas tend to stay in those areas, some do fly across the Salinas Valley. However, based on USFWS GPS data (from GPS transmitters attached to condors), it appears that the vast majority of valley overflight crossings occur at relatively high altitudes and south of Gonzales near Soledad and King City where the valley narrows (Sorenson et al. 2009). In addition, the GPS data indicate that relatively few condors cross the valley within 200 meters above ground level (the airspace likely to be occupied by wind turbine towers and blades), and where such low-level crossings occur are located south of King City, approximately 30 miles south of Gonzales and the Project site. In six years of GPS monitoring of condors in this region, only one detection point occurred below 200 meters along a narrow strip north of King City to just south of Gonzales (Sorenson et al. 2009). No condors were observed during any of the Project site or vicinity surveys.

3.4.2.2 Golden Eagle

Golden eagles (*Aquila chrysaetos*; FP, BGEPA) nest on cliff faces and, sometimes, in large trees with heavy branchwork. They are generally more associated with more mountainous areas than with flat, low-lying terrain and typically forage in open areas such as oak savannahs, grasslands, and scrublands. This species is known to nest in both the Gabilan Range and the Santa Lucia Mountains. The nearest CNDDB occurrence is from near the Pinnacles National Monument, approximately 10.7 miles southeast of the Project site, a nest used at least as recently as 2006. Golden eagles have also been known to occur on the valley floor, but only from about Soledad southward (Roberson 2002, Roberson and Tenney 1993). No golden eagles were observed during surveys in May 2012, including during more than one hour spent observing raptor movements along the Sierra de Salinas Mountains, approximately 3.0 miles west of the site.

3.4.2.3 Other Birds

Other special-status species potentially occurring on or near the Project site are mostly raptor species that would only have the potential to occur in transit or while foraging. One special-status songbird species, the California horned lark, may occur on or near the Project site. These species are discussed below.

Burrowing owl (*Athene cunicularia*). This species, a CSC, nests and roosts in abandoned burrows of California ground squirrels and other mammals. Due to regular tilling of the site, burrowing owls are not expected to nest or roost on the site or to occur within other active agricultural lands in the immediate vicinity. In many areas, this species is found in untilled, fenced areas surrounding drainage basins. However, the drainage basin adjacent to the southeastern portion of the site, is tilled approximately once a year and is mowed regularly (Thomas Truszkowski, pers. comm.). Therefore, this area is unsuitable for nesting or roosting because of regular disturbance. The nearest CNDDB occurrence for this species is approximately 2.5 miles northeast of the site, at the Johnson Canyon Landfill.

California horned lark (*Eremophila alpestris actia*). Despite regular tilling, agricultural lands provide suitable nesting habitat for the California horned lark, a CDFG watch list (WL). Although the CNDDB includes no occurrences for the California horned lark within 10.0 miles of the Project site, this species is known to nest in the Salinas Valley, and at least one individual was heard singing on the site during surveys on May 16 and 17, 2012.

Ferruginous hawk (*Buteo regalis*) and merlin (*Falco columbarius*). The ferruginous hawk and merlin are both designated WL species by CDFG for their wintering period, and both have some potential to occur on or near the Project site during migration periods and over-wintering. The CNDDB, however, includes no occurrences of either species within 10.0 miles of the site. Ferruginous hawks are often associated with agricultural environments. However, regular tilling in the area limits the prey base for this species. In addition, it prefers larger prey, such as rabbits and ground squirrels, which were not observed on the site. Small birds such as blackbirds and sparrows represent potential prey items for the merlin and may attract this raptor species to the site occasionally in winter.

Northern harrier (*Circus cyaneus*). One northern harrier (CSC) was observed adjacent to the site on May 17, 2012. This individual, which was present during the nesting season, did not linger in the area and avoided the site. Although CNDDB includes no occurrences of this species within 10.0 miles of the site, Roberson and Tenney (1993) include a breeding record from approximately 5.0 miles west of the site. No nesting habitat (tall grasslands, wetlands) occurs within 2.0 miles of

the site. In addition, the regular tilling of the Project site and surrounding agricultural properties in the vicinity limits the value of these areas as foraging habitat for this species.

White-tailed kite (*Elanus leucurus*). No white-tailed kites (FP) were observed during surveys in May 2012, and the CNDDB includes no occurrences of this species within 10.0 miles of the site. The white-tailed kite, however, likely occurs in the region and has some potential to occur on the site in transit between foraging and roosting or nesting locations. The site itself provides poor foraging habitat because regular tilling likely reduces the prey base. Also, no nesting or roosting habitat occurs within approximately 0.5 mile of the site.

3.4.2.4 Bats

Three special-status bat species, the pallid bat (CSC, Western Bat Working Group high priority [HP] species), western red bat (*Lasiurus blossevillii*; HP), and long-legged myotis (*Myotis volans*; HP) have the potential to roost near the site and forage or travel over the site. The pallid bat and long-legged myotis both have some potential to roost in buildings near the site and move through the site. The western red bat and long-legged myotis have the potential to roost in trees at Gonzales Slough or the Salinas River and move through the site. No bats were detected during a visual survey of the site perimeter at dusk on May 16, 2012. The CNDDB includes no occurrences of any of these species within 10.0 miles of the site.

4.0 BIOLOGICAL CONSTRAINTS

This section discusses constraints posed to the proposed Project as a result of biological resources occurring or potentially occurring on or adjacent to the Project site. Because of the nature and design of wind turbines, constraints to the Project are generally in association with aerial wildlife species, i.e., birds (including California condors, golden eagles, other raptor species, and other bird species) and bats. All constraints are related to wildlife, as no special-status plant species or sensitive natural communities provide constraints to development of the Project.

4.1 Raptors and Other Birds

In general, raptors and other bird species are at risk of mortality from collision with wind turbines when such turbines are located in areas where raptors commonly nest and/or forage. The potential for these aerial species to pose constraints to the development and operation of the proposed wind turbines by virtue of the potential for adverse effects on these species is discussed below.

4.1.1 California Condor

Despite the fact that California condors are released, breed, and forage along the Bur Sur coast and mountainous regions to the southeast, and the Pinnacles National Monument region to the southwest, condors are not expected to be adversely effected by the proposed wind turbine project and therefore, will not pose constraints to the project, for the following reasons:

1. Based on a review of the GPS condor data with respect to overflights of the Salinas Valley, only one detection point occurred of a condor below 200 meters between King City and Gonzales in six years of monitoring data, and that point occurred south of the City of Soledad. The relatively few detection points below 200 meters occurred south of King City (Sorenson et al. 2009).

2. Condors seek out relatively large mammal carcasses on which to feed. In this region, such sources of food tend to come from dead cattle, hunted animals such as deer, elk, and wild pigs, and dead marine mammals (seals, sea lions, dolphins, whales) that wash ashore along the coast. No grazing or hunting occurs on or in the vicinity of the Project site, and the site does not support suitable habitat for larger, or even medium-sized, mammals that would attract condors to low-level foraging flights.

3. While California condors are somewhat curious and have been known to occur in close proximity to human structures in more rural settings, the relatively high density character of development that will be adjacent to the proposed wind turbines is

expected to deter condors from the area due to the higher level of noise and activity associated with this development.

4. In a meeting with USFWS biologists on February 15, 2012, the USFWS indicated that they had no real concerns regarding the proposed wind turbines and potential adverse effects on California condors due to the lack of attractants (cattle, wild animals, suitable habitat) to condors associated with the Project site and surrounding vicinity, the presence of potential deterrents to condors to the site (human activity and noise adjacent to the site; active agricultural area), and the lack of evidence from existing GPS data indicating condor use of the Project area at altitudes that a wind turbine could strike a condor.

5. The Ventana Wildlife Society report (Sorenson et al. 2009) concluded that a narrow strip on the Salinas Valley floor between King City and Gonzales appears to be one location where the risk to condors is probably lowest.

Consequently, California condors are not expected to be at risk with development of the proposed wind turbines at the Project site.

4.1.2 Golden Eagle

Preferred nesting and foraging habitat for this species in the Project region is generally located in the Gabilan Range and the Santa Lucia Mountains. While the possibility of an individual eagle to infrequently fly over the Project site cannot be ruled out, golden eagles are known to consistently occur on the valley floor (within suitable natural habitats) only as far north as Soledad (Roberson and Tenney 1993, Roberson 2002). Extensive suitable foraging habitat for this species does not occur within 2.0 miles of the site, and no eagles were observed on the site or in the vicinity during the May 2012 surveys.

In addition, the actively managed and tilled agricultural fields that characterize the Project site and surrounding areas are not expected to provide a consistent prey base that would attract golden eagles such that they would be at risk from the proposed wind turbines. Furthermore, the presence of a relatively high level of human activity and noise associated with development on and near the Project site is expected to act as deterrents to eagle use of the site and immediate vicinity. Development of the Project would not result in loss of suitable foraging habitat for this species, which rarely forages over active croplands.

Consequently, golden eagles are not expected to be at substantial risk with development of the proposed wind turbines at the Project site.

4.1.3 Other Raptor Species

Other special-status raptor species that are known to occur in the Project region include the ferruginous hawk, merlin, northern harrier, and white-tailed kite. As previously discussed, the potential for occurrence on and immediately adjacent to the Project site is relatively low for all of these species.

These species are not expected to occur on or in the immediate vicinity of the Project site on a regular basis due to the lack of suitable nesting habitat and the relatively low foraging habitat values provided by the actively managed agricultural lands that characterize the Project site and adjacent areas. Both the ferruginous hawk and merlin would only occur in the area during migration periods or as over-winter visitors and typically do not forage within active croplands, preferring rather open grasslands, pasture lands, scrublands, or fallow agricultural areas. White-tailed kite and northern harrier also prefer similar natural habitat areas in which to forage as opposed to actively managed croplands that characterize the site and surrounding areas. For all these raptor species, the relatively high level of human activity and noise associated with development on and near the Project site is expected to act as deterrents to their use of the site and immediate vicinity. While an infrequent flyover of the site by an individual of these special-status raptor species cannot be ruled out, the installation and operation of the proposed wind turbines is not expected to pose a substantial risk to these species.

More common raptors, particularly the red-tailed hawk, one of which was observed adjacent to the site on May 16, 2012, and American kestrel are more likely to be found on or near the Project site due to the relatively higher tolerance levels these species have to human presence and activity over other raptor species. Red-tailed hawks and American kestrels also will more readily forage over agricultural areas. In general, however, as with other raptor species, the site is considered to have relatively poor foraging habitat values due to the regular tilling associated with ongoing crop rotations. The highly managed nature of the Project site croplands likely deters consistent occupation by prey species, especially small mammals, for raptors. The American kestrel, which relies more heavily on insects for prey, may more consistently forage over the site and may be at greater risk of mortality from collision with the wind turbines than the other species. The Project would not remove nesting habitat for any of these raptors species.

4.1.4 Other Bird Species

Several common non-raptorial bird species, including barn swallows, red-winged blackbirds, California horned lark, and house finches, occur or potentially occur within or adjacent to the Project site and can more readily find food (insects) foraging within the crop fields than raptor species. As with birds of prey, these species are potentially threatened by contact with the wind

turbines rather than by loss of habitat. This constraint is also related in part to the proximity of the drainage basin immediately adjacent to the southeastern portion of the site, which can serve as an attractant to nesting red-winged blackbirds and foraging barn swallows attracted to insects in the area. However, it is our understanding that vegetation associated with this retention area will continue to be removed and maintained such that this area will not attract birds and other wildlife species. Because of the relatively common nature of these species, and because none are expected to nest on or immediately adjacent to the Project site, these species are not expected to be at substantial risk with development of the proposed wind turbines on the Project site.

4.2 Bats

Three special-status bat species may occasionally occur on or adjacent to the Project site: the pallid bat (CSC), western red bat (HP), and long-legged myotis (HP). In addition, common species such as the Brazilian free-tailed bat, California myotis, hoary bat, and Yuma myotis likely occur in the area. Most of these species are likely to forage for insects attracted to the drainage basin, particularly when water is present, and relatively few are expected to forage directly over the Project site crop fields. In addition, pest control measures implemented in the Salinas Valley likely reduce numbers of bats roosting in the area by keeping agricultural structures free of bats. However, occasional foraging flights over the project site cannot be ruled out. The overall risk to bats from the proposed turbines may depend on whether or not roosting or maternal colonies of any of these species occur in the immediate vicinity of the site. Surveys should be conducted prior to turbine installation and operation to make this determination. Bats may often be able to avoid collisions with the rotors of wind turbines, but may also be affected by barotrauma, when proximity to a moving rotor can cause changes in pressure that may cause deadly trauma (USFWS 2011).

5.0 REFERENCES

Calflora. 2011. Species Information database. Accessed online at http://www.calflora.org. Accessed June 2011.

CEC (California Energy Commission) and CDFG (California Department of Fish and Game). 2007. California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development. Commission Final Report. October 2007.

CDFG (California Department of Fish and Game). 2010. *Natural Communities List Arranged Alphabetically by Life Form.* September 2010. Accessed April 19, 2011. http://www.dfg.ca.gov/biogeodata/vegcamp/natural_comm_list.asp.

CDFG. 2012. Staff Report on Burrowing Owl Mitigation. State of California Natural Resources Agency, Department of Fish and Game. March. 2012.

CNDDB (California Natural Diversity Database). 2011. Rarefind 4, a program created by the California Department of Fish and Game, allowing access to the California Natural Diversity Database (CNDDB). Accessed through June 2012.

CNPS (California Native Plant Society). 2010. Online Inventory of Rare and Endangered Plants, 8th edition. Available at http://www.cnps.org/cnps/rareplants/inventory/. Accessed through June 2012.

City (City of Gonzales). 2011. Gonzales 2010 General Plan. Adopted by the City of Gonzales City Council, January 18, 2011, Resolution #2011-03.

Hickman, J.C. 1993. *The Jepson Manual, Higher Plants of California.* University of California Press, Berkeley, Los Angeles, London. 1,400pp.

Jepson Online Interchange. 2008. Index to California Plant Names. Accessed online at http://ucjeps.berkeley.edu/interchange.html. Visited through September 2011.

NWCC (National Wind Coordinating Collaborative). 2010. Wind Turbine Interactions with Birds, Bats, and Their Habitats: A Summary of Research Results and Priority Questions. Spring 2010.

Pagel, J. E., D. M. Whittington, and G. T. Allen. 2010. Interim Golden Eagle Technical Guidance: Inventory and Monitoring Protocols; Other Recommendations in Support of Golden Management and Permit Issuance. Carlsbad, Calif.: U.S. Fish and Wildlife,

Ecological Services; Arlington, Va.: U.S. Fish and Wildlife Service, Division of Migratory Bird Management.

Roberson, D. 2002. Monterey Birds. 2nd ed. Carmel, Calif.: Monterey Peninsula Audubon Society.

Sawyer, John O., T. Keeler-Wolf, J. Evens. 2009. *A Manual of California Vegetation.* 2nd ed. California Native Plant Society. Sacramento.

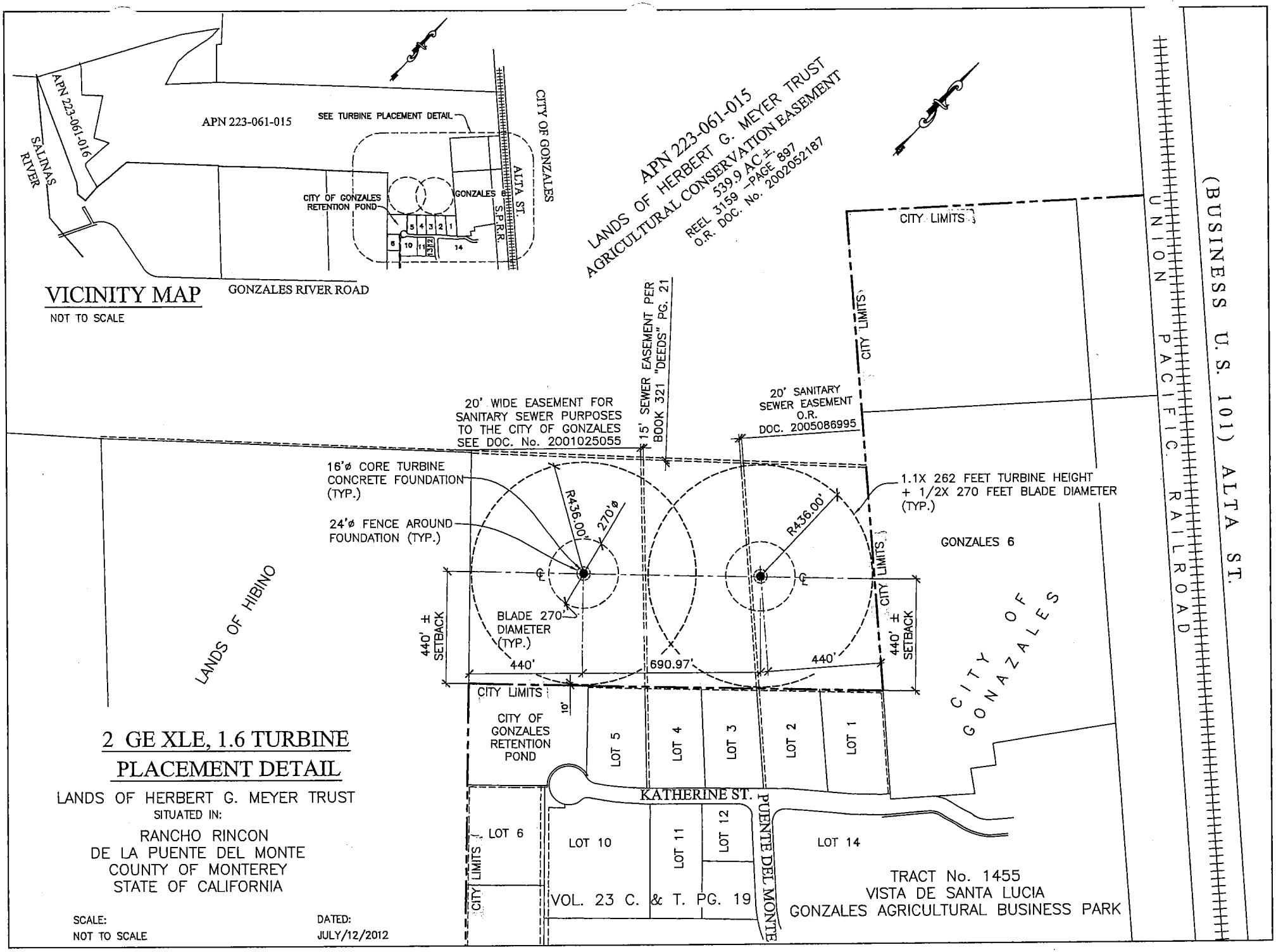
Sorensen, K., A. Yi, and E. Stoutenberg. 2009. California Condors and the Potential for Wind Power in Monterey County: A Collaborative Study with the Ventana Wildlife Society and Stanford University's Solar and Wind Energy Project. October 2009.

TBWG (Tricolored Blackbird Working Group). 2012. Tricolored Blackbird Portal. Accessed June 2012 at http://tricolor.ice.ucdavis.edu/.

USFWS (United States Fish and Wildlife Service). 2011. U.S. Fish and Wildlife Service Draft Land-Based Wind Energy Guidelines: Recommendations on Measures to Avoid, Minimize, and Compensate for Effects to Fish, Wildlife, and Their Habitats.

APPENDIX A

Turbine Placement Map


APN 223-061-016
SALINAS RIVER
APN 223-061-015
SEE TURBINE PLACEMENT DETAIL
CITY OF GONZALES
ALTA ST.
S.P.R.R.
CITY OF GONZALES RETENTION POND
GONZALES 6
GONZALES RIVER ROAD
VICINITY MAP
NOT TO SCALE
APN 223-061-015
LANDS OF HERBERT G. MEYER TRUST
AGRICULTURAL CONSERVATION EASEMENT
539.9 AC.±
REEL 3159 -PAGE 897
O.R. DOC. No. 2002052187
CITY LIMITS
(BUSINESS U.S. 101) ALTA ST.
UNION PACIFIC RAILROAD
15' SEWER EASEMENT PER BOOK 321 "DEEDS" PG. 21
20' WIDE EASEMENT FOR SANITARY SEWER PURPOSES TO THE CITY OF GONZALES SEE DOC. No. 2001025055
20' SANITARY SEWER EASEMENT O.R. DOC. 2005086995
16'ø CORE TURBINE CONCRETE FOUNDATION (TYP.)
24'ø FENCE AROUND FOUNDATION (TYP.)
R436.00'
270'ø
1.1X 262 FEET TURBINE HEIGHT + 1/2X 270 FEET BLADE DIAMETER (TYP.)
BLADE 270' DIAMETER (TYP.)
440' ± SETBACK
440'
690.97'
LANDS OF HIBINO
CITY OF GONZALES RETENTION POND
LOT 1
LOT 2
LOT 3
LOT 4
LOT 5
LOT 6
LOT 10
LOT 11
LOT 12
LOT 14
KATHERINE ST.
PUENTE DEL MONTE
CITY OF GONZALES
2 GE XLE, 1.6 TURBINE
PLACEMENT DETAIL
LANDS OF HERBERT G. MEYER TRUST
SITUATED IN:
RANCHO RINCON
DE LA PUENTE DEL MONTE
COUNTY OF MONTEREY
STATE OF CALIFORNIA
SCALE:
NOT TO SCALE
DATED:
JULY/12/2012
VOL. 23 C. & T. PG. 19
TRACT No. 1455
VISTA DE SANTA LUCIA
GONZALES AGRICULTURAL BUSINESS PARK

APPENDIX B

Biologist Resumes

Keith Babcock – Principal, Senior Biologist

Keith Babcock is a principal and senior biologist in Dudek's Sacramento area office, with over 27 years' professional experience in wildlife biology, regulatory compliance, and project management. He has directed, managed, or conducted a broad range of terrestrial wildlife research and studies, biological resource inventories, sensitive species surveys, environmental impact assessments, biological constraints analyses, habitat conservation/management plans, habitat restoration plans, and mitigation monitoring plans for a variety of private and public sector clients in virtually every biological region in California (over 25 counties).

Mr. Babcock has a thorough understanding of the California Environmental Quality Act (CEQA), both state and federal Endangered Species Acts, and state and federal regulations and permits involving biological resources. He has extensive experience working on large-scale environmental documentation and permitting projects involving complex biological issues, particularly in association with Section 10(a) and Section 2081 permitting and Section 7 consultations. His biological expertise includes knowledge of a wide range of terrestrial organisms and ecological relationships, with particular emphasis on general ornithology, raptors, threatened and endangered species, and wildlife movement corridors.

EDUCATION

Colorado State University
MS, Business Management, 1984

Colorado State University
BS, Wildlife Biology, 1981

CERTIFICATIONS

Scientific Collecting Permit, State of California, CDFG

Federal Bird Banding Permit, USFWS

Habitat Evaluation Procedures, USFWS

PROFESSIONAL AFFILIATIONS

Association of Environmental Professionals (AEP)

Raptor Research Foundation

Society for Conservation Biology

Wildlife Society

California Swainson's Hawk Technical Advisory Committee

PROJECT EXPERIENCE

Development

Tejon Mountain Village Environmental Impact Report (EIR), Tejon Ranch Corporation, Kern County, California. Provided senior oversight on various aspects of the biological component of an EIR for a 5,500-acre master-planned community within a 28,000-acre planning area. Provided specific expertise on potential impacts of the project on California condor (*Gymnogyps californianus*), golden eagle (*Aquila chrysaetos*), and other raptors, and wildlife movement corridors.

Tejon Industrial Complex EIR, Tejon Ranch Corporation, San Joaquin Valley, Kern County, California. Prepared biological section of an EIR for a proposed industrial complex and travel plaza along Interstate 5 near the Grapevine area of Tejon Ranch in southern San Joaquin Valley. Conducted surveys for special-status species including San Joaquin kit fox (*Vulpes macrotis mutica*), blunt-nosed leopard lizard (*Gambelia sila*), burrowing owl (*Athene cunicularia*), and several plant species. Helped prepare documentation for Section 7 consultation between U.S. Fish and Wildlife Service (USFWS) and U.S. Department of Transportation and developed resource management plan for 1,100-acre preserve area managed for the kit fox and leopard lizard.

Sun City Draft EIR, Del Webb, Tehama County, California. Directed all biological and documentation efforts for a draft EIR for a proposed residential community and golf course on approximately 3,200 acres. Biological issues included potential impacts on wetlands and streams regulated by the U.S. Army Corps of Engineers (ACOE) and California Department of Fish and Game (CDFG), on special-status plant and wildlife species, and on the loss of oak woodlands and vernal pools. Extensive surveys were conducted for various special-status species including fairy shrimp, plants, burrowing owl, spadefoot toad (*Spea hammondii*), and western pond turtle (*Actinemys marmorata*).

American Canyon Biological Assessment, City of American Canyon, Napa County, California. Directed field surveys and documentation efforts for a proposed golf course and residential community on an approximately 390-acre site. Focused surveys for several special-status plant species, as well as golden eagle, California tiger salamander (*Ambystoma californiense*), California red-legged frog (*Rana draytonii*), and fairy shrimp were conducted on the site. A wetland delineation and negotiations with ACOE and CDFG were also conducted with respect to regulatory permits required for the project.

Cache Creek Gravel Mine EIR, Granite Construction Company, Yolo County, California. Directed and conducted field surveys and documentation for the biological resources component of the EIR. Analysis focused on the potential impacts of out-of-channel mining along Cache Creek, especially with respect to riparian vegetation and stream-associated wildlife. Special-status species issues included the federally and state-listed Valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) and Swainson's hawk (*Buteo swainsoni*).

Roseville General Plan Update EIR, City of Roseville, Placer County, California. Directed and conducted field surveys and documentation for the biological resources component of the EIR. The proposed general plan focused primarily on policy changes within the incorporated city limits and new policies applicable to the Urban Reserve Area. Significant environmental issues identified in the initial study included air quality, sedimentation and water quality, biological resources, noise, traffic, public services, aesthetics, and cultural resources. Coordinated with CDFG, local water districts, flood control agencies, and the California Department of Transportation (Caltrans).

Tejon Industrial Complex, Section 7 Permit, Tejon Ranch Corporation, Kern County, California. Directed the Section 7 consultation efforts with USFWS regarding proposed commercial development over approximately 300 acres on Tejon Ranch in the Grapevine area. Directed all surveys and biological assessments for the federally endangered blunt-nosed leopard lizard (*Gambelia sila*) and San Joaquin kit fox. Prepared a resource management plan that included setting aside over 1,100 acres to be managed under a conservation easement. Directed all coordination and meetings between USFWS and Tejon Ranch.

Redevelopment Plan EIR, City of Hercules, Contra Costa County, California. Managed the field surveys and documentation efforts for the biological component of the EIR. The project involved evaluation of four separate sites within the City of Hercules, ranging in location from the San Francisco Bay to inland areas along Highway 4. Biological issues included the presence of two federally and state-listed species (California red-legged frog and California tiger salamander), nesting raptors, oak and riparian woodlands, and obtaining ACOE Section 404 and CDFG Section 1600 permits for potential impacts on wetland and riparian habitats.

Industrial Project Biological Assessment/Section 7 Consultation, IDS, City of Barstow, San Bernardino County, California. Directed all field studies, impact analysis, mitigation planning, and documentation associated with a biological assessment in support of a Section 7 take permit for desert tortoise (*Gopherus agassizii*) and in support of a draft EIR for a proposed industrial complex. Focused surveys were conducted for the 1,200-acre proposed industrial site for special-status plant and animal species, including desert tortoise, burrowing owl, and Mohave ground squirrel (*Spermophilus mohavensis*). Coordinated directly with representatives from the USFWS, CDFG, and U.S. Bureau of Reclamation to prepare necessary documentation and permit applications for state and federal permits pursuant to Section 7 of the federal Endangered Species Act and Section 2081 of the state Endangered Species Act.

Walmart Distribution Center Draft EIR, City of Barstow, San Bernardino County, California. Directed all initial field studies and surveys. Surveys were conducted for special-status plant and animal species, including desert tortoise, burrowing owl, and Mohave ground squirrel.

Rolling Hills EIR, City of Pleasanton, Alameda County, California. Directed the field surveys and documentation efforts for the biological component of the EIR for a planned residential community. Tasks involved the mapping and characterization of on-site vegetation communities and assessing the potential for various special-status plant and wildlife species to occur on the site. Conducted focused surveys for several special-status plant species, as well as federally and state-listed species, including California tiger salamander, California red-legged frog, and Alameda whipsnake (*Masticophis lateralis euryxanthus*). Also conducted an evaluation of the potential of the site to serve as part of a regional wildlife movement corridor. Other biological issues included potential impacts to jurisdictional wetland and riparian areas and the need for a Section 7 consultation with USFWS.

Palos Colorados EIR, Town of Moraga, Contra Costa County, California. Directed field surveys and documentation efforts for the biological component of the EIR. Specific biological issues included potential impacts on the federally listed threatened California red-legged frog, wetlands, riparian habitat, oak trees, and special-status plant species. The potential blockage of a wildlife movement corridor was also an issue. Focused surveys were conducted for special-status plants, raptor nests, and the California red-legged frog, which was found present on the site. ACOE Section 404 and CDFG Section 1600 permits were obtained for expected impacts on wetland and riparian habitats.

Villages of Laguna San Luis Program EIR, Merced County, California. Directed field surveys and documentation efforts for the biological component of the Program EIR for a 4,500-acre planned community. The Program EIR particularly addressed potential impacts on the San Joaquin kit fox, burrowing owl, and other sensitive species, and the relationship of the project to plans currently being formulated for a regional plan to protect kit fox habitat. The nature of the Program EIR and the level of analysis were intended to be as comprehensive as possible and to minimize the need for additional environmental documentation at more detailed levels of project planning and implementation. Agency coordination was an important element of the work and included coordination with CDFG, Bureau of Reclamation, and USFWS.

North Valencia Annexation EIR, City of Santa Clarita, Los Angeles County, California. Directed all aspects of the biological resources section of the EIR. Biological issues included potential impacts on two large riparian systems (San Francisquito Creek and Santa Clara River), threatened and endangered species (e.g., unarmored threespined stickleback (*Gasterosteus aculeatus williamsoni*), least Bell's vireo (*Vireo bellii pusillus*)), riparian and upland habitats, and wildlife movement corridors. The analysis included a riparian buffer study to determine a biologically appropriate upland buffer between proposed development and protected riparian systems to ensure the overall viability of riparian-associated wildlife populations. The project involved extensive coordination with ACOE and CDFG regarding permitting for impacts on wetlands and riparian areas.

Centre at La Quinta EIR, City of La Quinta, Riverside County, California. Managed all field studies, impact analyses, and documentation efforts for the biological resources component of the EIR. Significant issues included potential impacts on several special-status wildlife species including Palm Springs ground squirrel (*Spermophilus tereticaudus chlorus*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), Coachella Valley fringe-toed lizard (*Uma inornata*), flat-tailed horned lizard (*Phrynosoma mcallii*), Coachella giant sand treader cricket (*Macrobaenetes valgum*), Coachella Valley Jerusalem cricket (*Stenopelmatus cahuilaensis*), burrowing owl, and several special-status plant species. Potential impacts on desert scrub and dune communities were also of issue.

Glenwood Specific Plan EIR, City of Scotts Valley, Santa Cruz County, California. Directed the biological resources analysis and documentation effort for the EIR. Significant biological issues included potential impacts on two threatened or endangered species (Scott's Valley spineflower (*Chorizanthe robusta* var. *hartwegii*) and California red-legged frog), a species being petitioned for listing (Ohlone tiger beetle (*Cicindela ohlone*)) and several other special-status plant and wildlife species, ACOE and CDFG jurisdictional wetlands and riparian areas, heritage trees, wildlife movement, and wildlife habitat. Extensive coordination with CDFG, ACOE, and USFWS was required, as well as participation in several public hearings. The project involved the development of several unique mitigation measures, including a preserve for the Ohlone tiger beetle and several special-status plant species.

Specific Plan Area 8 EIR, City of Moorpark, Ventura County, California. Managed all field studies, impact analyses, and documentation efforts for the biological resources component of the EIR for this 4,200-acre site. Field evaluations included focused surveys for a number of sensitive plant and animal species, a wildlife movement corridor analysis, tree surveys, and wetland delineations. Meetings were conducted with the USFWS, CDFG, and other environmental interest groups to gain consensus on field survey methodology and results.

Otay Mesa Off-Highway Vehicle (OHV) Park, California Department of Parks and Recreation, San Diego County, California. Managed and conducted biological surveys and analysis of potential impacts on the federally listed threatened California gnatcatcher (*Polioptila californica*) on a proposed OHV Park on the Otay Mesa. Surveys were also conducted to determine the presence or absence of several other special-status plant and wildlife species. An extensive mitigation plan was developed to minimize potential impacts on the gnatcatcher and other special-status species.

Vernal Pool Fairy Shrimp Study, California Department of Parks and Recreation, Sacramento County, California. Directed a large-scale survey conducted for three federally listed threatened and endangered fairy shrimp species in a large vernal pool complex (over 100 pools) in eastern Sacramento County. The study was conducted as part of a constraints analysis before preparation of an EIR to determine the potential impacts of a future off-road recreational vehicle site being proposed by California State Parks and Recreation. Surveys were conducted according to USFWS protocol over a 4-month period. All pools containing special-status fairy shrimp were characterized, mapped, and photographically documented.

Southport Swainson's Hawk Study, Southport Property Owner's Group, City of West Sacramento, Yolo County, California. Directed all aspects of a study of the state-listed threatened Swainson's hawk to assist in designing a development plan that minimized impacts to nesting hawks and to provide necessary baseline information to obtain a state Section 2081 take permit. The study involved a mapping and evaluation of foraging and nesting habitat within the Southport Plan Area, in-depth surveys of active Swainson's hawk nests, a detailed analysis of historical and current agricultural cropping patterns, and a telemetry study (using radio transmitters) of nesting hawks to determine local movement patterns, foraging behaviors, and critical habitat areas. An in-house geographic information system was used to map and analyze all telemetry study data. A mitigation plan was developed that was included in the Draft EIR and in the Section 2081 permit application.

Education

College Park Specific Plan EIR, City of Palmdale, Los Angeles County, California. Managed all field studies, impact analysis, and documentation efforts for the biological resources component of the EIR for this 540-acre site, which included a 69-acre college campus and a kindergarten–eighth grade school site. Conducted general botanical and protocol-level special-status species surveys. Sensitive species surveyed included Joshua trees (*Yucca brevifolia*), short-joint beavertail cactus (*Opuntia basilaris* var. *brachyclada*), burrowing owl, arroyo toad, desert tortoise, and Mohave ground squirrel. Jurisdictional wetland features were also described and mapped. Assisted in preparation of a Native Desert Vegetation Preservation Plan for the city-protected Joshua trees and CDFG-protected beavertail cacti plants located on the site.

Energy

Mojave Water and Gas Pipeline, Caltrans, San Bernardino County, California. Managed and conducted field surveys, impact analyses, and documentation of an environmental assessment of a proposed 15-mile-long water and gas pipeline corridor in the Mojave Desert of Southern California. Focused surveys and habitat analysis for the federally listed endangered desert tortoise and Mohave ground squirrel were also conducted within the corridor alignment. Consultations were conducted with the USFWS and CDFG in preparation of the need for a potential federal Section 10(a) permit and a state Section 2090 permit.

Avian Impact Wind Turbine Study, Solano County, California. Directed a study at a potential wind turbine site to determine the potential effects of proposed wind turbines on wildlife species, particularly birds. The study focused on identifying the species and quantity of birds known and expected to use the project site. Vegetation communities were characterized and mapped, and bird use of the site was observed and recorded. The potential impacts of wind turbines on these birds were evaluated based on known foraging and nesting behaviors and habitat preferences of bird species expected to occur on the site.

Municipal

Electrified Fence Statewide EIR, California Department of Corrections, Statewide. Managed field investigations, data collection, and preparation of the biological resources component of a statewide EIR for installation of electrified fences for most of the state prisons in California. Issues included potential impacts on sensitive wildlife species and conflicts with the federal Migratory Bird Treaty Act. Tasks involved determining species at risk of electrocution, managing baseline assessments of habitats and species at each prison site, and developing creative measures to mitigate impacts. Coordinated and consulted with CDFG and USFWS staff from various regions throughout the project.

Prison Facility EIRs, California Department of Corrections, Statewide. As part of an on-call statewide contract, managed field investigations, data collection, and preparation of the biological resources components of EIRs for proposed prison facilities throughout Northern, Central, and Southern California. Significant issues included potential impacts on numerous federally and state-listed threatened or endangered animal species and on wildlife movement corridors. Participated in consultations with the USFWS and CDFG in preparation of the need for federal Section 10(a) permit and a state Section 2090 permits.

Mokelumne Aqueduct Seismic Upgrade Mitigated Negative Declaration, East Bay Municipal Utility District, San Joaquin and Contra Costa Counties, California. Directed field surveys and documentation for the biological resources component of a Mitigated Negative Declaration (MND) for this seismic upgrade project of a 15-mile portion of the Mokelumne

Aqueduct. Directed subconsultants to perform wetland delineations, coordinated field verifications and meetings with ACOE, CDFG, and USFWS, and managed all aspects of a Section 404 ACOE wetland fill permit, a Section 7 Consultation with USFWS, and a Section 1600 Streambed Alteration Agreement with CDFG. Potential impacts of the project on the biological resources associated with three major rivers and two sloughs were addressed.

Monroe Detention Center Expansion Project EIR, Yolo County Planning Department, Yolo County, California. Directed field surveys and documentation for the biological resources component of the EIR, which included a 100-bed minimum-security facility, a 24-bed Public Inebriate Reception Center, and a 6,000-square-foot warehouse. Biological resources issues included potential impacts on various special-status plant and animal species, including Swainson's hawk.

Section 7 Consultation for California Red-Legged Frog, City of Hercules, Contra Costa County, California. Directed all biological and documentation efforts for a programmatic Section 7 permit for the City of Hercules for various municipal development regarding potential impacts on the California red-legged frog, a federally listed threatened species. The effort involved consultation between ACOE and USFWS. Coordinated all meetings with ACOE, USFWS, and the city.

San Francisco International Airport Telecommunications Line Extension Mitigated Negative Declaration (MND), City and County of San Francisco, Unincorporated San Mateo County, California. Directed and prepared the biological resources analysis for an MND for a water main and telecommunications line extension at San Francisco International Airport. Biological issues include potential impacts on California red-legged frog and San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), both federally listed wildlife species. The MND tiered off of the Airport Master Plan Program EIR.

Resource Management

Tehachapi Uplands Multiple Species Habitat Conservation Plan (MSHCP), Tejon Ranch Corporation, Kern County, California. As part of an interdisciplinary team, prepared various components of this complex plan that addressed take coverage for 27 species within a 142,000-acre project area. Met regularly with a working committee of USFWS biologists to address species impact and take issues associated with preparation of the MSHCP. Participated in responding to all public comments on the plan.

California Condor Management and Conservation Plan, Tejon Ranch Corporation, Kern County, California. Directed all aspects of the preparation of this plan in support of the Tejon Mountain Village EIR and the Tehachapi Uplands MSHCP. Convened a panel of condor experts to analyze potential impacts of proposed development within Tejon Ranch on California condors and to develop associated mitigation and conservation measures. Worked directly with USFWS personnel in addressing issues concerning condors.

Tejon Ranch Valley/Foothill Habitat Conservation Plan (HCP), Tejon Ranch Corporation, Kern County, California. Directed all biological aspects of the HCP, which covered approximately 80,000 acres of potential development and 18,000 acres of potential preserve area. Directed multiple survey efforts for threatened and endangered plant and animal species. Coordinated with USFWS and CDFG.

Valley Elderberry Longhorn Beetle HCP, City of Porterville, Tulare County, California. Directed all biological and documentation aspects of the HCP. Managed all survey efforts on an approximate 50-acre habitat site that will serve as a preserve area and mitigation bank for expected impacts citywide on longhorn beetle habitat. Coordinated all meetings with USFWS in the preparation of the HCP document.

Rancho Mission Viejo Study Area Natural Communities Conservation Plan (NCCP), Santa Margarita Company, Orange County, California. Managed field surveys, data collection, and documentation of sensitive biological resources for a 5,000-acre study area, and participated in preserve area design for a 45,000-acre study area, on the Rancho Mission Viejo ranch in south Orange County for inclusion in the NCCP multispecies habitat management program. Directed and participated in focused surveys for more than 15 sensitive species including the California gnatcatcher, coastal cactus wren (*Campylorhynchus brunneicapillus*), least Bell's vireo, yellow-breasted chat (*Icteria virens*), San Diego horned lizard (*Phrynosoma blainvillii*), orange-throated whiptail (*Aspidoscelis hyperythra*), many-stemmed dudleya (*Dudleya multicaulis*), Palmer's grappling-hook (*Harpagonella palmeri*), southwestern pond turtle (*Clemmys marmorata pallida*), arroyo toad, and several raptor species.

Central Coast NCCP, The Irvine Company (TIC), Orange County, California. Prepared the biological documentation necessary for the proposed Central Coast NCCP in Orange County. The NCCP documentation established plans for TIC, the Transportation Corridor Agencies (TCA), the County of Orange, and other affected parties to comply with the NCCP Act of 1992, providing a comprehensive approach to resolving inherent conflicts between the need to protect sensitive and critical coastal sage scrub habitat and wildlife, and the need to proceed with TIC, TCA, and other development projects.

Burrowing Owl Mitigation and Construction Monitoring Program, Fresno County, California. Directed the development of a mitigation and construction monitoring program for a large-scale project potentially impacting breeding burrowing owls, a state and federal sensitive bird species. The study involved the trapping and banding of burrowing owls nesting on the site and presentation of educational materials at a preconstruction meeting attended by 40 individuals. Coordination with CDFG was required during all phases of the study.

Wildlife Movement Corridor Study, Tejon Ranch Company, Kern and Los Angeles Counties, California. Directed all aspects of a wildlife movement corridor study on the approximately 290,000-acre Tejon Ranch in the Tehachapi Mountains. Study utilized remote motion-triggered cameras installed at over 20 underpass and culvert locations along Interstate 5 for a total of approximately 25 miles. Information on species, number, location, and date was compiled, analyzed, and documented.

Transportation

Highway 116 Biological Study, Caltrans, Sonoma County, California. Directed the field investigations, data collection, and preparation of a detailed technical biological report for Caltrans regarding the widening of a 28-mile section of State Highway 116. Significant issues included potential impacts on wetlands and creeks, a federally listed wildlife species (California tiger salamander), and sensitive plant species. A detailed impacts analysis and mitigation plan were prepared as part of the technical report. Coordination with resource agencies, including CDFG and USFWS, was required throughout the project.

Alamos Canyon Road/State Route 118 Underpass Wildlife Movement Study, City of Simi Valley, Los Angeles County, California. Directed all aspects of a wildlife movement corridor study at the proposed Alamos Canyon Road/State Route 118 underpass near the City of Simi Valley to determine wildlife use of the underpass and potential impacts on wildlife movement of proposed modifications to the underpass. The study, which involved the use of remote motion-triggered camera, track plates, and other wildlife movement data collection techniques, was designed to identify and quantify target wildlife species using the project site, identify areas that are used by these species as travel routes, and evaluate the relative importance of the underpass as a movement corridor. Recommendations on corridor design were also developed to mitigate potential adverse impacts on movement corridors.

Water/Wastewater

American River Water Forum Agreement EIR, Sacramento Water Forum, Sacramento County, California. Managed the biological assessment component of this EIR, which focused on the future use and management of water along the lower American River. The parties to the agreement included over 20 water purveyors and water districts in the Sacramento Valley region. The primary issues included recreational use of the river, the need to provide adequate water for spawning salmon and other anadromous fishes, preserving the riparian corridor along the river, and addressing the water needs of the various purveyors and users. The project involved the documentation of existing biological resources along the river and an analysis of potential impacts on these resources as a result of projected changes in water flow levels.

Dave Compton – Biologist

Dave Compton is a wildlife biologist with more than 14 years' experience working in riparian systems, coastal marshes, San Joaquin Valley environments, and California desert environments. He has extensive experience with bird survey techniques and has designed and conducted bird surveys in a variety of habitats in California. Mr. Compton has led a variety of field efforts and contributed to various California Environmental Quality Act (CEQA) and California Coastal Act documents and reports dealing with biological resources and potential project impacts. In addition, he has varied experience in inventory of wildlife and vegetation resources, restoration monitoring, and habitat assessment. He holds a U.S. Fish and Wildlife Service (USFWS) recovery permit and a California Department of Fish and Game (CDFG) scientific collecting permit. Mr. Compton has surveyed for various special-status wildlife species, including Swainson's hawk (*Buteo swainsoni*), white-tailed kite (*Elanus leucurus*), burrowing owl (*Athene cunicularia*), southwestern willow flycatcher (*Empidonax traillii extimus*), least Bell's vireo (*Vireo bellii pusillus*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), California red-legged frog (*Rana draytonii*), flat-tailed horned lizard (*Phrynosoma mcallii*), blunt-nosed leopard lizard (*Gambelia sila*), desert tortoise (*Gopherus agassizii*), and San Joaquin kit fox (*Vulpes macrotis mutica*).

EDUCATION

Marquette University
MA, U.S. History, 1984

Christian Brothers College,
BA, History, 1982

CERTIFICATIONS

Recovery Permit TE101148-1

Scientific Collecting Permit SC-7918

Certified by BLM to perform protocol surveys tracking flat-tailed horned lizard

PROFESSIONAL AFFILIATIONS

Western Field Ornithologists

California Bird Records Committee

SPECIAL TRAINING

Southwestern Willow Flycatcher Workshop, South Fork Kern River Preserve, Weldon, California, May 1998, May 2005

Flat-tailed horned lizard certification training, El Centro, California, May 2010

Smith Driver Training

Mr. Compton's areas of expertise include:

- Ornithology
- Southwestern willow flycatcher protocol surveys
- Special-status wildlife surveys
- Southern California coastal species
- San Joaquin wildlife species
- Mojave Desert species
- CEQA and California Coastal Act analysis
- Restoration monitoring
- Habitat assessment.

PROJECT EXPERIENCE

Development

Paradiso del Mare Ranch Estates, CPH Dos Pueblos Associates, Southern Santa Barbara County, California. In spring and summer 2011, assisted in biological surveys of an approximately 140-acre site in the coastal zone and co-authored the technical report on surveys. Participated in botanical surveys, vegetation mapping, delineation of on-site wetlands, white-tailed kite nesting season surveys, and California red-legged frog surveys. Helped prepare a report on existing conditions and survey results. Also helped prepare a 30-page technical memo on occurrences and habitat value on the site for the state fully protected white-tailed kite, a species that receives special protection under the county's local coastal program.

Ventura Bluffs and Summit View Homes, West Coast Housing Partners, Ventura and Lompoc, California. Provided due-diligence-level surveys and reports for two small potential housing developments in August 2011. The Ventura Bluffs project involved an assessment of raptor issues. The Summit View project involved a general biological survey for assessing potential constraints from the presence of native or sensitive vegetation communities, rare plants, special-status wildlife, wetlands, or jurisdictional streams.

Westar Property, Westar Associates, Goleta, California. Participated in a wetland delineation and southern tarplant (*Centromadia parryi* var. *australis*) survey of an undeveloped 23.5-acre lot proposed for mixed use in a suburban portion of Santa Barbara County.

Education

Southwestern Willow Flycatcher Contract, University of California, Santa Barbara (UCSB), Vandenberg Air Force Base and Santa Ynez River, Santa Barbara County, California. As part of a project conducted by UCSB, performed protocol surveys on base for southwestern willow flycatcher, federally listed as endangered, in 1998, 2005, 2006, and 2007. In 1998, also performed least Bell's vireo surveys on the Santa Ynez River between the base and Buellton, California. As part of the same project, participated in monitoring of riparian systems on base by conducting point count surveys in 2003, 2004, 2005, and 2008.

Belding's Savannah Sparrow Surveys, University of California, Carpinteria Salt Marsh Reserve, Carpinteria, California. Participated in surveys for Belding's savannah sparrow, listed by the State of California as endangered, in May 2001. The surveys were conducted to monitor the species' population for the reserve and to contribute to a statewide effort under the auspices of CDFG to monitor the species' status.

Energy

San Joaquin Valley Solar Projects, Pacific Valley LLC, Madera, Western Fresno and Kern Counties, California. From fall 2009 to fall 2011, performed biological services for potential solar projects from the due diligence phase into the conditional use permit application process. Participated in initial evaluation of potential biological constraints to development at 12 sites averaging approximately 160 acres, surveying most of the sites and authoring or co-authoring reports on survey results for many of them. Performed and reported on focused surveys during the conditional use permit application process for six of these sites, five of which were in Fresno County and one of which was in Madera County. Led protocol Swainson's hawk survey efforts for five of the six projects, participated in general biological surveys, and co-authored reports on the biological resources of five of the six sites. Evaluated the potential for occurrence of special-status plant species, the habitat value for special-status wildlife species, and potential impacts to biological resources, as well as proposed mitigation measures to address potential impacts. Impacts to Swainson's hawks were the major biological issue at most sites, although San Joaquin kit fox and several bird species designated as California Species of Concern were also important in the analysis.

Antelope Valley Solar Ranch One, First Solar (formerly NextLight), Antelope Valley, California. Participated in various phases of biological field work and permitting for a 2,000-acre solar photovoltaic site in Los Angeles County, from late 2008 to early 2011. During the initial stage of the project, designed and conducted wintering bird surveys, conducted an inventory of Joshua trees (*Yucca brevifolia*) on the project site, and contributed to the biological constraints analysis required by Los Angeles County's Sensitive Ecological Areas Technical Advisory Committee. In the second phase of biological field investigations and reporting, designed and conducted nesting bird surveys, participated in Phase II burrowing owl surveys (burrow and owl search), led the Phase III surveys (monitoring of owls), participated in botanical surveys and in mapping of Joshua trees along the transmission line route, and contributed extensively to the biota report, including analysis of impacts to birds.

After completion of biological field investigations, responded to several rounds of comments on the biological section of the environmental impact report (EIR) and edited several other EIR sections. Also authored the burrowing owl management plan to be implemented during site development. The plan included designation of suitable receptor sites for relocated owls, described guidelines for enhancing burrowing owl habitat in these areas, and described the process for passively relocating any owls found in the project footprint to the receptor sites.

In the final phase before development, participated in pre-construction biological surveys and monitoring. Conducted cover-board surveys for Blainville's horned lizards (*Phrynosoma blainvillii*), monitored geotechnical investigations and well-boring, and led up to four biologists in an intensive effort to clear the site in February 2011 for burrowing owls and nesting birds prior to geotechnical investigation across the site.

Mojave Solar Project, Fotowatio Renewable Ventures, Lancaster, California. Participated in field surveys at a 320-acre site proposed for solar photovoltaic development. In 2010 and 2011, participated in a biological due diligence survey, co-authored the due diligence report, and participated in several focused surveys. Designed and conducted wintering bird point count surveys, led burrowing owl Phase II and III surveys, participated in botanical surveys, and planned and led protocol Swainson's hawk surveys covering suitable habitat within a 5-mile radius around the site.

Breeding Bird Surveys and Vegetation Mapping, Palo Verde Solar Plant, BrightSource Energy, Blythe, California. In April 2011, participated in breeding bird point count surveys in the Colorado River Valley, following the Bureau of Land Management's protocol for desert sites, and participated in vegetation mapping. The project would build three power towers on a site of approximately 6,000 acres in the Colorado Desert.

Critical Issues Analysis, Infinity Wind Power, Umatilla County, Oregon. Wrote the biological resources section for an analysis of potential constraints to development of an approximately 100-megawatt wind turbine facility within a 21-square-mile area in northeastern Oregon.

Burrowing Owl Surveys, CPV Sentinel Energy Project, Desert Hot Springs, California. Searched for suitable burrows and owls as part of pre-construction surveys in February 2009 and January 2011. The project would build a power plant to supplement production during peak demand periods.

Ruby Solar Project, Ruby Solar LLC (formerly Pacific Valley LLC), Antelope Valley, California. Participated in nearly all biological field investigations and contributed to the biological technical report for a 160-acre proposed solar photovoltaic development. Designed and led breeding bird surveys, led general wildlife and burrowing owl Phase II surveys, and planned and led protocol Swainson's hawk surveys. The latter covered all suitable habitat within 5 miles of the project boundaries. Also participated in botanical surveys and a Joshua tree inventory. Authored several sections of the biological technical report, including much of the impact analysis, and finalized the report in December 2010.

Flat-Tailed Horned Lizard Sample Plot Surveys, Imperial Valley Solar Project, Tessera Solar, Imperial Valley, California. From August to September 2010, surveyed 25-meter plots looking for lizards and scat on a 6,500-acre site proposed for solar development, gathering baseline data for a long-term study of effects of development on horned lizards.

General Wildlife and Blunt-Nosed Leopard Lizard Surveys, Hydrogen Energy California, British Petroleum, near Bakersfield, California. In December 2008, performed reconnaissance surveys for all wildlife, with special attention to evidence of the presence of burrowing owls and San Joaquin kit foxes. From July to September 2010, participated in general wildlife surveys of potential gas line routes and participated in protocol surveys for juvenile blunt-nosed leopard lizards, federally and state listed as endangered and considered fully protected by the State of California.

Focused Biological Surveys, Calico Solar Power Project, Tessera Solar, near Barstow, California. In 2010, participated in several biological survey efforts at a proposed 8,000-acre solar site. Participated in protocol Phase II burrowing owl surveys lasting 2 weeks, searching for owls and owl sign. Involved in 2 weeks of protocol desert tortoise surveys on the site to determine potential translocation areas and help refine the tortoise relocation plan for the site. Also participated in reconnaissance-level golden eagle (*Aquila chrysaetos*) surveys of the area surrounding the site.

Biological Constraints Analysis, WDG Partners, Los Angeles and Kern Counties, California. In fall 2009, co-authored reports identifying potential biological constraints for solar power plant development at several sites of approximately 160 acres.

Desert Tortoise Clearance Survey, Blythe Solar Project, First Solar, Blythe, California. Participated in protocol clearance surveys for the federally threatened desert tortoise on a 250-acre site in August 2009. This project resulted in the largest solar power plant in California at the time.

California Valley Solar Ranch, SunPower, Carrizo Plain, San Luis Obispo County, California. Participated in a variety of biological surveys covering a 3,000-acre survey area and 2,000-acre project footprint and contributed to documentation of on-site resources and analysis of project impacts. During field survey efforts conducted in 2009, designed and conducted wintering bird point count surveys, participated in vegetation surveys, participated in protocol nighttime spotlighting surveys for the endangered San Joaquin kit fox (seeing approximately nine foxes per survey), and participated in 25 days of protocol surveys for the blunt-nosed leopard lizard. Also helped compile data for on-site biological resources, wrote a report on the wintering bird surveys, wrote the section on birds (including impact analysis) for a biological technical report, and contributed to several other chapters of the report.

Resource Management

Bird Island Monitoring, Santa Barbara Audubon Society (SBAS), Ellwood, California. From May 2005 to February 2009, monitored bird use of offshore structures and completed annual reports to SBAS on the findings. The structures were designed to support Brandt's cormorants (*Phalacrocorax penicillatus*) and federally endangered brown pelicans (*Pelecanus occidentalis*) and were built as mitigation for removing the remnant of an abandoned oil pier that nesting and roosting birds had colonized.

Spring Seabird Migration Count, SBAS, Goleta Point, Santa Barbara County, California. From 2000 to 2003, coordinated SBAS's project monitoring for the spring near-shore migration of seabirds near Goleta, California. Coordinated up to 20 volunteers and wrote a report summarizing the first 3 years of the project.

Lake Casitas Natural Resources Management Plan, Bureau of Reclamation, Ventura County, California. Helped conduct surveys of water-dependent birds, riparian breeding birds, and birds of prey from January 2005 to November 2006. The project sought to assess natural resources around the lake and develop a management plan based on the results.

Santa Ynez River Riparian Bird Surveys, Bureau of Reclamation, Santa Barbara County, California. Conducted riparian bird surveys and habitat assessment for URS Corporation on a Bureau of Reclamation project. Compiled a report on the surveys that also assessed habitat for the federally endangered southwestern willow flycatcher.

Santa Clara River Point Counts and General Riparian Bird Surveys, USFWS, Ventura and Los Angeles Counties, California. Performed point counts and walking transect surveys on the Santa Clara River as part of a group performing least Bell's vireo and other avian surveys from June to July 2000.

Cachuma Lake Natural Resources Management Plan, Bureau of Reclamation, Santa Barbara County, California. Designed surveys of water-dependent birds and riparian breeding birds, directed a team of participants in these surveys from 2001 to 2003, and authored the section on the lake's avian life for the management plan.

Riparian Breeding Bird Surveys, U.S. Forest Service, Southern California. Performed point count surveys as part of a long-term project monitoring riparian breeding birds in the Cleveland, San Bernardino, Angeles, and Los Padres National Forests from May to June 1996.

Transportation

Carpinteria Rincon Trail, City of Carpinteria, California. Performed a general biological survey of the site of an approximately 5,000-foot-long proposed bicycle and walking trail from the City of Carpinteria to Rincon County Park. Also wrote the biological resources section for the initial study and mitigated negative declaration for the project. Tasks included mapping vegetation communities, recording all plant and wildlife species observed along the route, assessing habitat for special-status plants and wildlife species, noting the locations of any protected trees, assessing impacts to all resources, and proposing mitigation measures, The analysis addressed CEQA considerations, as well as the local coastal programs of the City of Carpinteria and County of Santa Barbara.

Nesting Bird and General Wildlife Surveys, Santa Barbara Municipal Airport, Goleta, California. In August and September 2010, conducted pre-construction and clearance surveys for nesting birds and special-status wildlife species at a 10-acre site in a coastal salt marsh. The project involved the reintroduction of tidal circulation in a part of Goleta Slough where tidal flow had been restricted for several decades. This was accomplished through grading and reconfiguration of the project site.

Restoration Monitoring, Santa Barbara Municipal Airport, Goleta, California. Assisted in conducting vegetation transects at several coastal restoration sites in May and September 2009, October 2010, and April 2011. The restoration sites provided mitigation for several construction projects occurring on airport property in the previous decade.

General Wildlife Surveys and Habitat Assessment, High-Speed Rail, California High-Speed Rail Authority, San Joaquin Valley, California. In March 2010, participated in surveys of the proposed high-speed rail line between Fresno and Bakersfield, surveying and assessing habitat for special-status wildlife species. Species of particular concern included Swainson's hawk, California red-legged frog, and various burrowing wildlife species of the San Joaquin Valley.

Belding's Savannah Sparrow Surveys, Santa Barbara Municipal Airport, Goleta, California. Participated in surveys at Goleta Slough at the Santa Barbara Municipal Airport for Belding's savannah sparrow, a state endangered subspecies, in May 2001, May 2006, and May 2009. These surveys were conducted as part of various projects, including statewide monitoring of the species' population and baseline surveys for several airport projects.

Santa Barbara Airport Tidal Circulation Project, Santa Barbara Municipal Airport, Goleta, California. Participated in a project at Goleta Slough at the Santa Barbara Municipal Airport, assessing potential bird-strike impacts resulting from restoration of tidal circulation in parts of the estuary isolated by berms and blocked culverts. Designed and conducted bird surveys for baseline and experimental phase surveys from March 2001 to November 2008. Tidal restoration was proposed as mitigation for several projects occurring on airport property, and analysis of potential bird-strike issues was initiated to satisfy concerns of the Federal Aviation Administration.

Water/Wastewater

Morro Bay-Cayucos Wastewater Treatment Plant Upgrade, City of Morro Bay, California. In summer and fall 2011, provided analysis of potential biological constraints during the evaluation of alternatives for the upgrade of the treatment plant. During a rough-screening of 11 sites, provided a desktop analysis of potential special-status species occurrences related to each site. During the fine-screening process, which focused on four sites that remained in consideration, visited the sites, recorded information on biological resources, and wrote a report on the biological constraints associated with each of them, including special-status plant and wildlife species and their habitats, sensitive natural communities, other native vegetation communities, and jurisdictional resources. The analysis focused on resources highlighted in the County of San Luis Obispo and City of Morro Bay Local Coastal Programs.

Algae Monitoring, Ojai Valley Sanitary District, Ventura River, Ventura, California. Assisted in monitoring focused on the presence of algae as an indicator of the effects of sewage effluent on water quality.

OTHER RELEVANT EXPERIENCE

Santa Barbara County, California, Coordinator for *North American Birds*. Collected information on rare-bird sightings in the county, and prepared information to be incorporated into a regional report appearing in the publication *North American Birds* (formerly *Field Notes*). June 2000 to present.

California Bird Records Committee. Participated in committee that votes on the validity of reports of rare birds across the state. This requires detailed knowledge of bird distribution in the state and broad knowledge of bird identification. January 2006 to January 2009 (chair, January 2008 to January 2009); January 2010 to present.

Book Editing for Western Field Ornithologists (WFO). Copyedited two WFO-published books on ornithology-related topics: *Rare Birds of California* (2007), by the California Bird Records Committee; and *California Bird Species of Special Concern* (2008), edited by W. David Shuford and Thomas Gardali. April 2006 to April 2007.

APPENDIX C

Photo Documentation

Appendix C
Photo Documentation

Photo 1. Project site looking north from southern corner, adjacent to City of Gonzales retention pond. May 16, 2012.

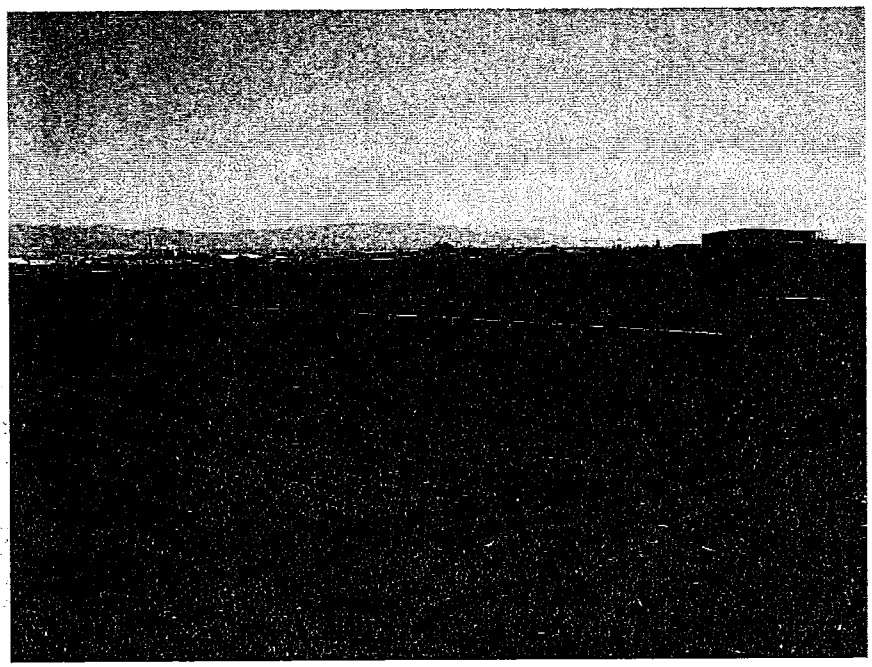


Photo 2. Looking east over the Project site from the western corner. May 16, 2012.

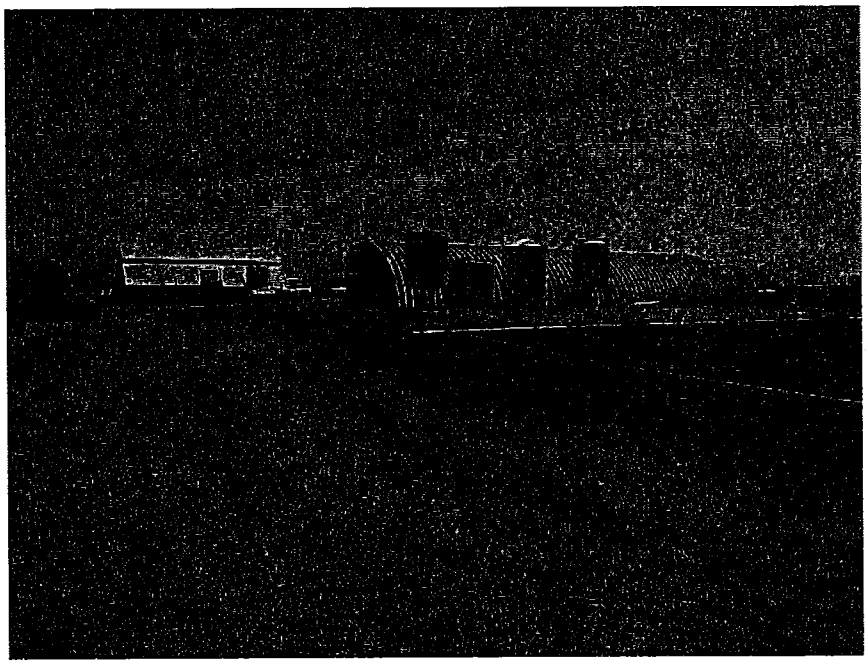


Photo 3. Developed northern corner of the Project site. May 16. 2012.

Photo 4. City of Gonzales winter stormwater drainage basin, adjacent to southeastern portion of Project site. May 16, 2012.

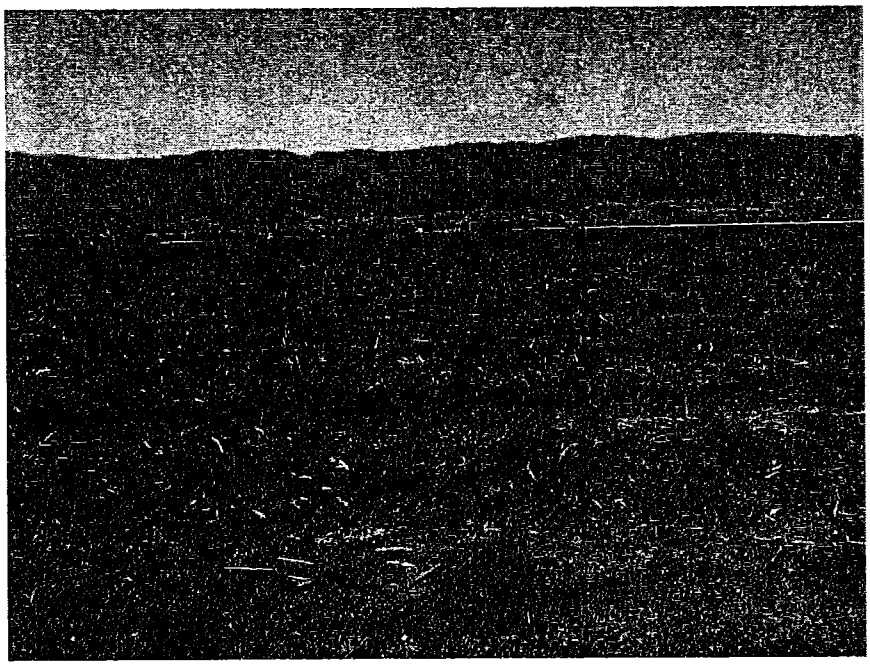


Photo 5. Asparagus field immediately west of site, typical of agricultural habitat in the immediate vicinity. March 16, 2012.

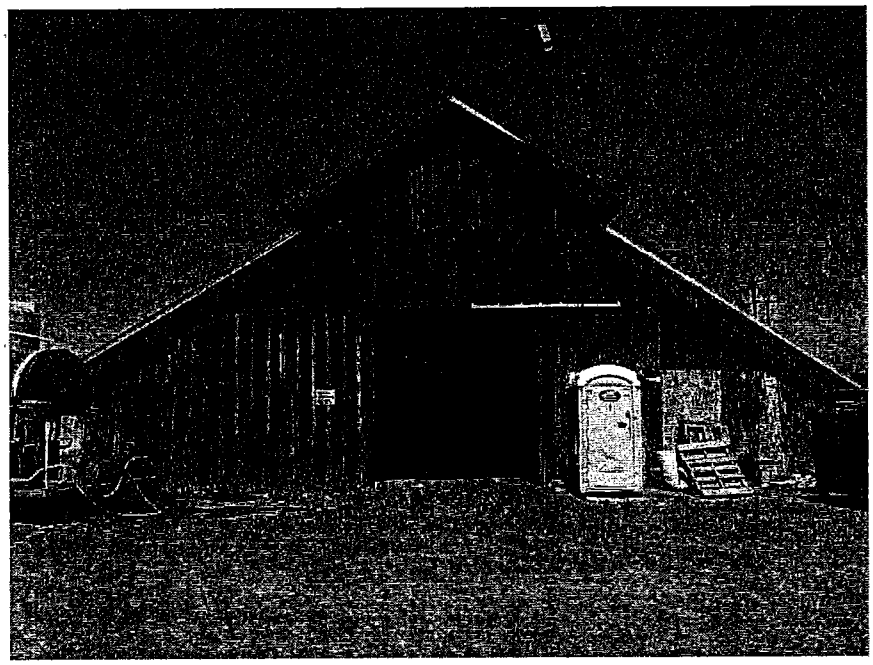


Photo 6. Agricultural structure in northern corner of site. May 16, 2012.

Photo 7. Salinas River and adjacent riparian vegetation looking southeast, approximately 1.3 miles southwest of the site. May 16, 2012.

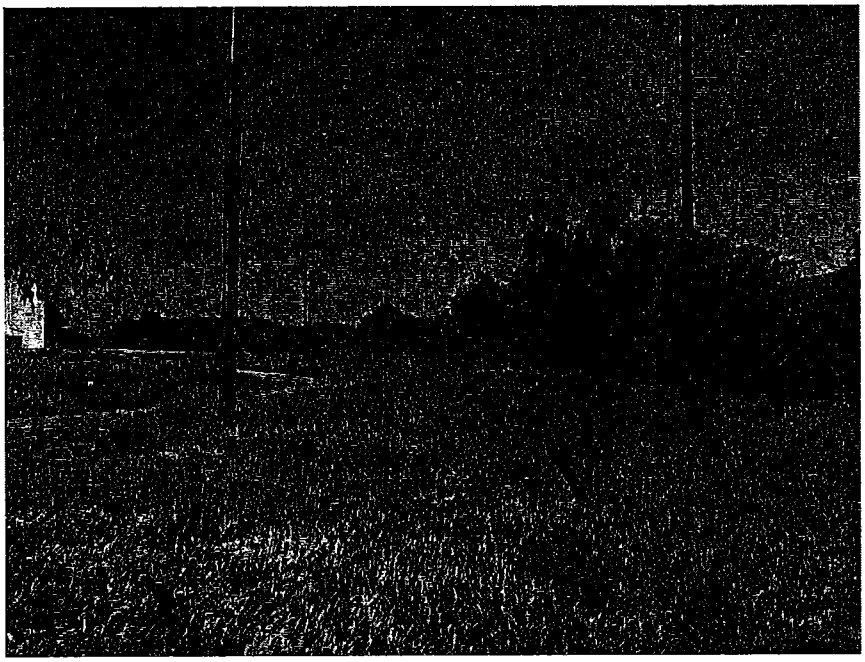


Photo 8. Riparian vegetation bordering Gonzales Slough in the City of Gonzales, approximately 0.7 miles east of the Project site. May 16, 2012.

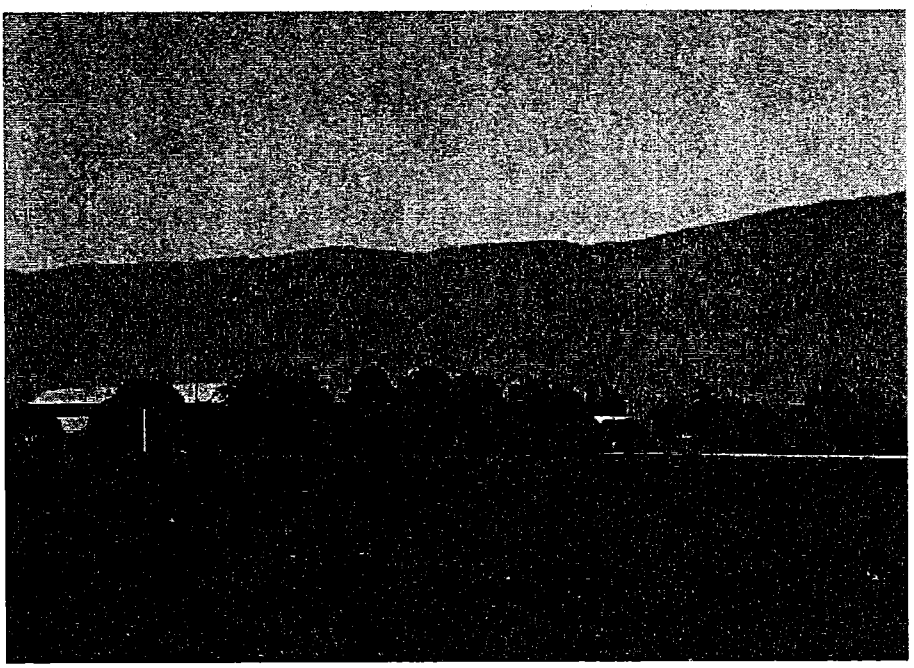


Photo 9. Suitable raptor nesting habitat surrounding farm complex approximately 0.8 miles north of Project site. May 16, 2012.

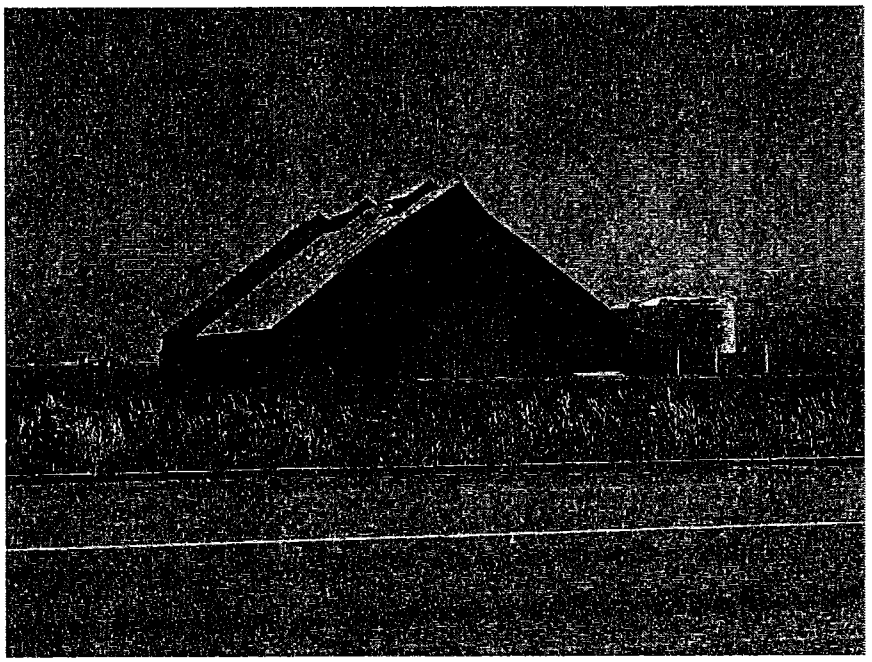


Photo 10. Farm structure providing potential bat roosting habitat, approximately 0.5 miles southeast of Project site. May 16, 2012.

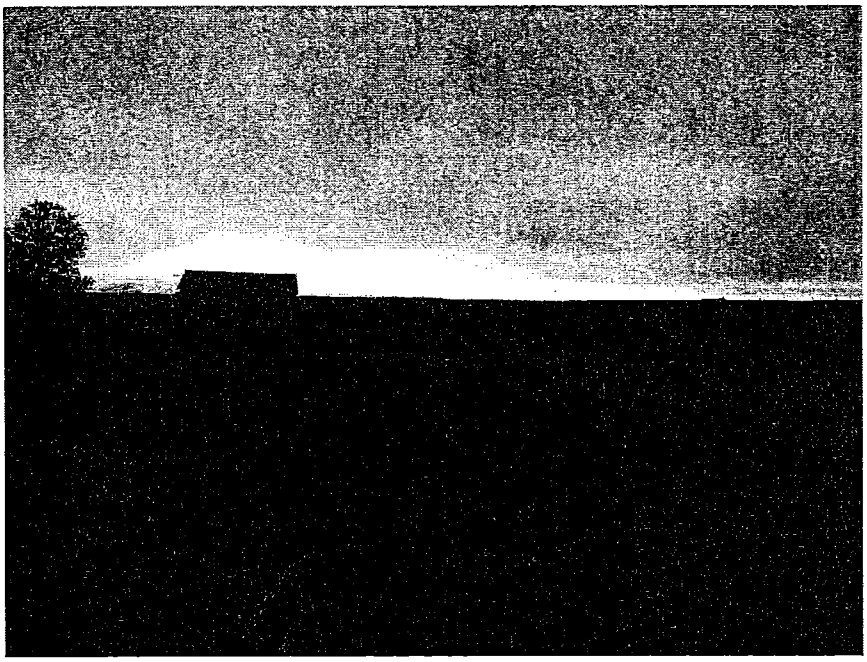


Photo 11. Suitable habitat for foraging raptors, burrowing owls, and other grassland species, near Johnson Canyon Landfill, approximately 2.2 miles east northeast of the Project site. May 17, 2012.

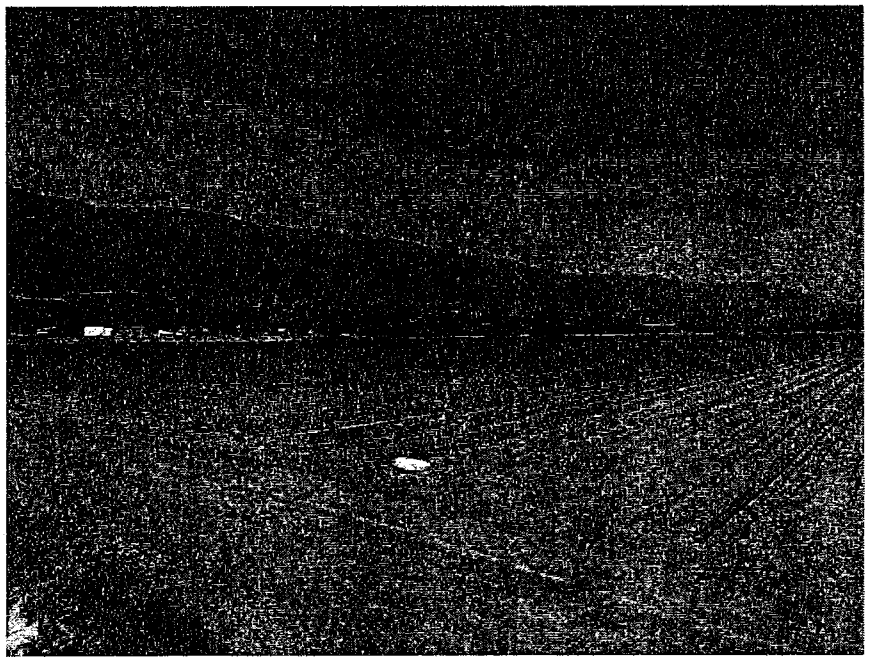


Photo 12. The Sierra de Salinas Mountains and foothills, looking northwest from approximately 2.0 miles southwest of the site. May 17, 2012.

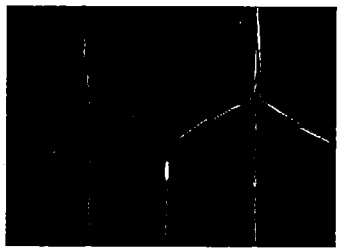
LIB120462

Exhibit K

FOUNDATION WINDPOWER

Preliminary Acoustic Analysis

Gonzales, CA Wind Project



PLN120471

Foundation Windpower
Kevin Hauck
(408) 242-7445
kevin.hauck@foundationwindpower.com
Updated 8/13/2012

Foundation Windpower, LLC Confidential and Proprietary

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

FOUNDATION WINDPOWER

Table of Contents

PLN120431

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Foundation Windpower, LLC Confidential and Proprietary

FOUNDATION WINDPOWER

Executive Summary

The proposed wind project at the Gonzales, CA facility will utilize two GE 1.6XLE wind turbines to generate on-site renewable energy for use in on-site operations.

The scope of this analysis is to quantify the acoustic impact of the turbines on the neighboring community.

PLN120471

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Foundation Windpower, LLC Confidential and Proprietary

FOUNDATION WINDPOWER

Acoustic Signature of GE XLE Turbines

Table 1. below shows the acoustic emission characteristics of the XLE turbine that will be deployed at the facility.[1] The values shown are the magnitude of the turbine noise output at the source of emission (the noise level if the observer were to place his or her ear directly against the turbine nacelle)

***Table 1**: Projected Calculated Reference Sound Power Level Values*

Wind Speed at Hub Height (80m) [m/s] (1m/s = 2.24 mph)	GE 1.6xle Noise Output (dBA)
3	<96
4	<96
5	<96
6	<99
7	<102
8	<104
9	<=106
10 - 25	<=106

The project will deploy two identical wind turbines, that for the purpose of this analysis can be modeled as two identical point emitters. In the case of any point acoustic emitter, the addition of a second, identical emission source increases the acoustic output by 3dBA. The acoustic emission level is of the wind project is therefore 3dBA higher than the values in Table 1 above.

PLN2012

[1] Technical Documentation, Wind Turbine Generator Systems, GE 1.6xle - 50Hz & 60Hz

Foundation Windpower, LLC Confidential and Proprietary

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

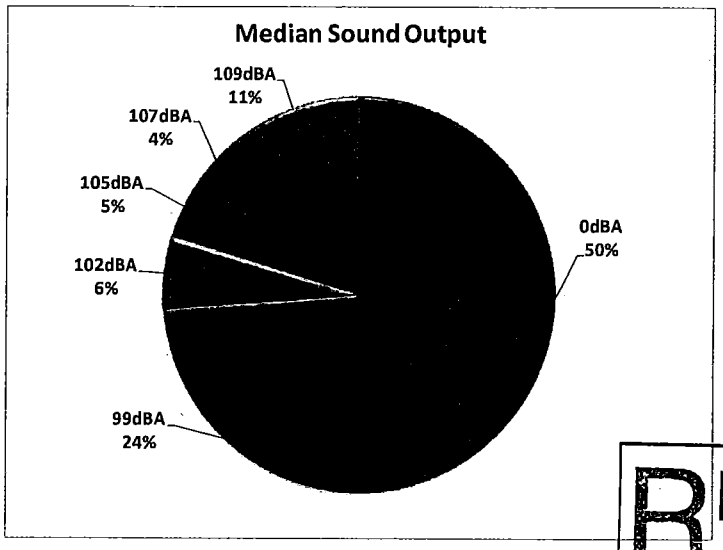
FOUNDATION WINDPOWER

Project Acoustic Signature Distribution

This report focuses primarily on worst case noise output, but given the intermittent nature of wind, the actual hourly breakdown of noise output over a typical year is a range of outputs. The distribution of output noise levels is projected below. Per Foundation Windpower's wind distribution forecast, which sources nearby hourly wind data from the California Irrigation Management Information System (CIMIS) sensors, the median annual breakdown of the average wind speed at the facility, at the turbines' 80m hub height, is shown below in Table 2, along with the associated project acoustic signature.

***Table 2**: Distribution of Project Acoustic Output, Median Wind Year*

Wind Speed at Hub Height (80m) [m/s]	Wind Project Noise Output (Both Turbines)	Median Hours per Year	% of Time
0-3	N/A	4391	50.1%
3	<99	767	8.8%
4	<99	650	7.4%
5	<99	654	7.5%
6	<102	518	5.9%
7	<105	453	5.2%
8	<107	335	3.8%
9	<=109	275	3.1%
10 - 25	<=109	717	8.2%



PLN120471

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Foundation Windpower, LLC Confidential and Proprietary

FOUNDATION WINDPOWER

Acoustic Signature in Vicinity of Facility

While noises above 100dBA are loud: the point source maximum emission of a wind turbine is roughly that of a power lawnmower, the noise produced by the wind project will dissipate quickly over distance due to natural attenuation. The loudest possible noise at ground level, for example, would be roughly the noise equivalent of a power lawnmower nearly one football field distant. Each doubling of distance from the noise source results in 6dBA of noise attenuation. Table 3 below shows the noise level of the project at various distances, under both maximum and average wind conditions.

***Table 3**: Attenuation of Project Noise over Distance*

Distance From Project	Acoustic Signature (Maximum)	Acoustic Signature (Average Wind)
0 (at Nacelles)	109.0 dBA	99.0 dBA
1000 ft	51.0 dBA	41.0 dBA
2000 ft	45.0 dBA	35.0 dBA
Property Line (472 ft)	58.0 dBA	48.0 dBA

Figure 1 below shows the project noise signature overlaid on the project site to illustrate the impact on the surrounding community.

PLN120431

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Foundation Windpower, LLC Confidential and Proprietary

FOUNDATION WINDPOWER

***Figure 1**: Acoustic Signature in Vicinity of Project (1000ft, 2000ft and at the property line)*

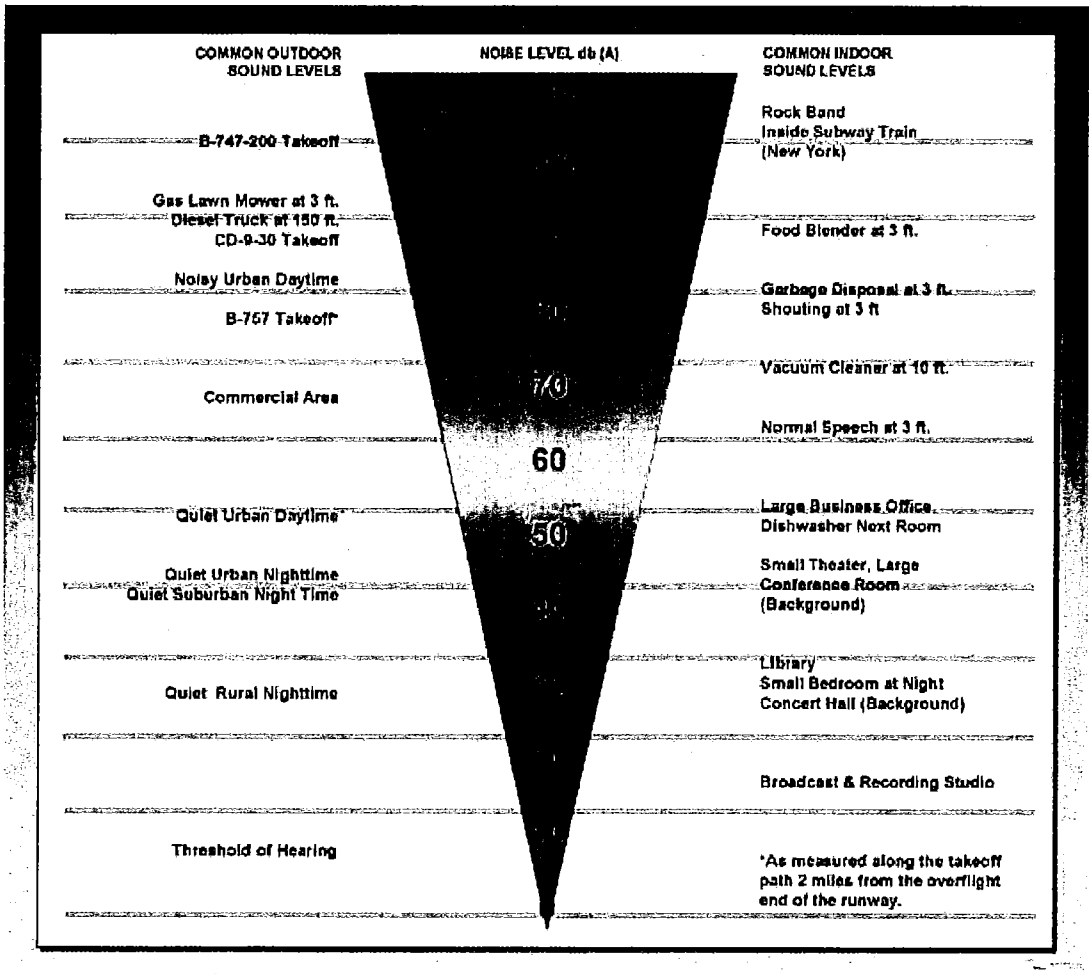
PLANNING

RECEIVED
AUG 2 1 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Foundation Windpower, LLC Confidential and Proprietary

FOUNDATION WINDPOWER

Appendix A: Reference Noise Comparison



Source: 2009: Lambert St. Louis International Airport

PLN120481

Foundation Windpower, LLC Confidential and Proprietary

RECEIVED
AUG 21 2012
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Exhibit L

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Edmund G. Brown Jr.
Governor

Ken Alex
Director

RECEIVED
JAN 10 2013
MONTEREY COUNTY
PLANNING DEPARTMENT

January 7, 2013

David J. R. Mack
Monterey County - RMA Planning Department
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

Subject: PLN120471
SCH#: 2012121016

Dear David J. R. Mack:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on January 4, 2013, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2012121016
Project Title PLN120471
Lead Agency Monterey County

Type Neg Negative Declaration

Description Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road. Each turbine consists of a three-bladed wind turbine on a tubular steel tower with a height range of 327.5 to 396.5 feet maximum to the rotor tip. Each turbine would include a 16 foot diameter by 30 foot deep pier type foundation. The project is proposed to be constructed in two phases: Phase 1 is site preparation and foundation construction; Phase 2 involves the delivery and assembly of the tower, rotor, nacelle, transformer, and gravel access road of approximately 12 feet in width. The property is located adjacent to the City of Gonzales near Katherine Street and Puente Del Monte in the Vista de Santa Lucia Agricultural Business Park, Central Salinas Area Plan.

Lead Agency Contact

Name David J. R. Mack
Agency Monterey County - RMA Planning Department
Phone 831 755 5096 **Fax**
email
Address 168 W. Alisal Street, 2nd Floor
City Salinas **State** CA **Zip** 93901

Project Location

County Monterey
City Gonzales
Region
Lat / Long
Cross Streets Katherine Street and Puente Del Monte
Parcel No. 223-061-015-000
Township **Range** **Section** **Base**

Proximity to:

Highways Hwy 101
Airports
Railways UPRR
Waterways
Schools
Land Use "F/40" on Farmlands, 40 acre minimum

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Biological Resources; Forest Land/Fire Hazard; Noise; Toxic/Hazardous; Landuse; Other Issues

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 4; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; Regional Water Quality Control Board, Region 3; California Energy Commission; Native American Heritage Commission; Public Utilities Commission

Date Received 12/06/2012 **Start of Review** 12/06/2012 **End of Review** 01/04/2013

County of Monterey
Health Department
ENVIRONMENTAL HEALTH BUREAU

Date: January 7, 2013

To: David Mack, Monterey County Planner

From: Patrick Treffry, Environmental Health Bureau

Subject: Meyer (Vista de Santa Lucia, LLP) - File Number PLN120471

Thank you for the opportunity to comment on the Meyer Wind Turbine project (PLN120471) proposed to provide wind turbine power to serve the Vista de Santa Lucia Agricultural Business Park and Visitor Center. The Environmental Health Bureau (EHB) has reviewed the application documents including the request for comments regarding the Notice of Intent to adopt a Negative Declaration & Initial Study.

Project Description:
Use Permit (pursuant to Section 21.30.050.E and 21.64.120) and Code Text Amendment to allow the installation of two (2) wind turbines and the construction of a gravel access road. Each turbine consists of a three-bladed wind turbine on a tubular steel tower with a height range of 327.5 to 396.5 feet maximum to the rotor tip. Each turbine would include a 16 foot diameter by 30 foot deep pier type foundation. The project is proposed to be constructed in two phases: Phase 1 is site preparation and foundation construction; Phase 2 involves the delivery and assembly of the tower, rotor, nacelle, transformer, and gravel access road of approximately 12 feet in width. The property is located adjacent to the City of Gonzales near Katherine Street and Puente Del Monte in the Vista de Santa Lucia Agricultural Business Park (Assessor's Parcel Number 223-061-015-000), Central Salinas Valley Area Plan.

1270 Natividad Rd., Salinas, CA 93906 (831) 755-4507 (831) 796-8680 FAX

EHB Comments / Negative Declaration & Initial Study
Meyer Wind Turbine Project (Vista de Santa Lucia, LLP)
File Number PLN120471
January 7, 2013

EHB notes the following:

- ✓ The proposed project will not require water or wastewater facilities.
- ✓ It is the understanding of EHB that there will not be wet cell batteries associated with this project.
- ✓ Noise – The Preliminary Acoustic Analysis report from Foundation Windpower, updated on August 13, 2012 by Kevin Hauck (Kevin Hauck@foundationwindpower.com) indicates the project will be compliant with the Noise Ordinance of Monterey County Code (MCC) Section 10.60.030.

The Environmental Health Bureau has reviewed the documents for the Meyer Wind Turbine project (PLN120471) indicated above and finds the Negative Declaration & Initial Study acceptable without further comment.

MBUAPCD
Monterey Bay Unified Air Pollution Control District
Serving Monterey, San Benito, and Santa Cruz Counties

24580 Silver Cloud Court
Monterey, CA 93940
PHONE: (831) 647-9411 • FAX: (831) 647-8501

January 7, 2013

RECEIVED
JAN 07 2013
MONTEREY COUNTY
PLANNING DEPARTMENT

County of Monterey
Monterey County Resource Management Agency-Planning Department
Attn: David J. R. Mack Associate Planner
168 West Alisal, 2nd Floor
Salinas, CA 93901

SUBJECT: Initial Study and Negative Declaration, Meyer (Vista de Santa Lucia, LLP); File Number PLN 120471

Dear Mr. Mack:

Thank you for providing the Monterey Bay Unified Air Pollution Control District (Air District) the opportunity to comment on the above-referenced document. The Air District has reviewed the document and has no comments.

Best regards,

Amy Clymo
Supervising Air Quality Planner
(831) 647-9418 ext. 227 or aclymo@mbuapcd.org