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Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OF PRINT CLEARLY

Project Title

Renewable Energy Permit 2022-02/Barker

Check Document being Filed:

- Environmental Impact Report (EIR)
- Mitigated Negative Declaration (MND) or Negative Declaration (ND)
- Notice of Exemption (NOE)
- Other (Please fill in type): Notice of Determination

Notice of Determination

Appendix D

To:
Office of Planning and Research
U.S. Mail: P.O. Box 3044 Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113 Sacramento, CA 95814

County Clerk
County of: Inyo
Address: PO Drawer F, Independence, CA 93526

From:
Public Agency: Inyo County Planning Dept.
Address: 168 N. Edwards St. PO Box Drawer L, Independence, CA 93526
Contact: Cynthia Draper
Phone: 760-878-0265

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2022110323

Project Title: Renewable Energy Permit 2022-02/Barker

Project Applicant: Robbie Barker-82740 Trona Road, Trona California 93562/ 760-372-4734

Project Location (include county): APN's 038-330-32;33;34; T24S.R43E. M.D.M Section 32/ Inyo County

Project Description:

Renewable Energy Permit Located on three private parcels (APN's 038-330-32;33;34) in Trona, CA. This permit will allow the applicant to construct a 3-megawatt (MW) commercial scale photovoltaic solar facility, referred to as Trona 4. The Project will have apx. 6,000 single axis tracker solar panels, encompassing 15-acres of pre-disturbed land. The project is a Mitigated Negative Declaration of Environmental impact under the California Environmental Quality Act (CEQA).

This is to advise that the Inyo County Board of Supervisors has approved the above (Lead Agency or Responsible Agency)

described project on May 3, 2024 and has made the following determinations regarding the above described project.

- 1. The project will not have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan was adopted for this project.
5. A statement of Overriding Considerations was adopted for this project.
6. Findings were made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:

https://www.inyocounty.us/services/planning-department/current-projects

Signature (Public Agency) Cynthia Draper Title: Assistant Planner

Date: May 8, 2024 Date Received for filing at OPR:

# MITIGATION & MONITORING PROGRAM

## Renewable Energy Permit 2022-02/ BARKER

### INTRODUCTION

This Mitigation and Monitoring Program (MMP) has been developed for Renewable Energy Permit/2022-02/Barker, pursuant to Inyo County Code ICC 15.44. The MMP describes changes to the project or conditions of approval that mitigate or avoid the project's potential significant effects on the environment. Based on the Initial Study and Mitigated Negative Declaration of Environmental Impact, and the administrative record, as a whole, there is no substantial evidence that the Project may have a significant impact on the environment. The IS/MND identifies potential significant environmental impacts of the Project, in accordance with CEQA, and incorporates mitigation measures to reduce impacts to a level below significant.

Mitigation Measure	Monitoring Responsibility	Schedule
<b>Air Quality</b>		
<p>IIIa) During construction the following measures to control fugitive dust and emissions of particles shall be employed:</p> <ul style="list-style-type: none"> <li>• Provision of equipment and staffing for watering of all exposed or disturbed soil surfaces or use of an appropriate dust palliative or suppressant.</li> <li>• Watering or treating of all disturbed but inactive portions of the site with appropriate dust suppressant.</li> <li>• Watering or treating of all disturbed but inactive portions of</li> </ul>	<p>On-site contractor(s)</p> <p>Great Basin Unified Air Pollution Control District (GBUAPCD)</p> <p>Public Works (Building and Safety)</p> <p>Planning Department</p>	<p>On-site contractors will be responsible for dust control implementation during construction.</p> <p>Applicant will be responsible for dust control implementation during the life of the project.</p> <p>The GBUAPCD will be responsible for air quality monitoring.</p> <p>Inyo County Public Works (Building and Safety) will be responsible for construction inspections.</p> <p>Inyo County Planning Department staff will be responsible for yearly inspections.</p>

<p>the site with an appropriate dust suppressant.</p> <ul style="list-style-type: none"> <li>• Covering of materials transported by truck to control dust.</li> <li>• Daily clean-up of mud and dirt carried onto paved streets from the site.</li> <li>• Suspension of dust-producing activities during periods of sustained high winds (gusts exceeding 25 mph) when dust control measures are unable to avoid visible dust plumes.</li> <li>• 20MPH speed limit signs shall be posted on the project site prior to construction and maintained throughout the life of the project.</li> </ul>		
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**Biological Resources**

<p>IVa) A Pre-activity survey of the Project and a 250-foot buffer for Desert kit fox, nesting migratory birds, Desert tortoise and Mojave ground squirrel shall be conducted by a qualified biologist approved by the California Department of Fish and Wildlife and a 500-foot buffer for nesting raptors surrounding the Project footprint.</p> <p>The survey should occur no less than 14 days prior to the start of construction activities and no more than 30 days</p>	<p>Developer</p> <p>Inyo County Planning Department.</p>	<p>Preconstruction survey documents shall be presented to the Inyo County Planning Department prior to issuance of a building permit.</p> <p>Workers' Environmental Awareness training program documents shall be presented to the Inyo County Planning Department prior to issuance of a building permit.</p> <p>Inyo County Planning Department will inspect the project site yearly.</p>
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prior to the start of construction activities. If construction is delayed beyond 30 days from the time of the survey, then another survey will need to be conducted.

**Nesting migratory birds and raptors:**

- If project activities are scheduled during the breeding bird season, from February 1 through September 15, then a preconstruction survey for nesting birds shall be conducted within the Project site and within a 500-foot radius surrounding the Project site for active nesting sites.
- Construction activities should not be conducted within 250 feet of an active bird nest and within 500 feet of an active raptor nest. These avoidance distances may be reduced if the qualified biologist determines that activities are not affecting the breeding success of the nesting birds.

**Desert Kit Fox:**

- If dens or burrows that could support desert kit fox are

discovered during the pre-activity survey, avoidance buffers shall be established, and no work shall occur within these buffers unless a qualified biologist approves and monitors the activity.

- A Worker Environmental Awareness Training Program shall be prepared and presented to all workers that will be on-site during construction activities to minimize or eliminate impacts to sensitive biological resources.
- Project-related vehicles shall observe a 20-mph speed limit in all Project areas except on County roads and state and federal highways
- During work activities, the contractor shall cover all excavated, steep-walled holes or trenches more than 2 feet deep at the close of each working day. Before such holes are filled, the contractor shall thoroughly inspect them for trapped wildlife.
- All construction pipes, culverts or similar structures with a

diameter of 4 inches or greater that are stored at the construction site for one or more overnight periods shall be inspected for wildlife before the pipe is buried, capped, or otherwise moved or used. If a kit fox is discovered inside a pipe, the section of pipe shall not be moved until the designated biologist has been consulted.

- All trash and food items that attract wildlife shall be discarded into closed containers and properly disposed of each workday.
- To prevent harassment or mortality of listed species, no pets shall be permitted on the project site.

**Desert Tortoise/Mojave Ground Squirrel**

Desert Tortoise/Mojave Ground Squirrel

In the event Desert Tortoise and/or Mohave Ground Squirrel are discovered during the preconstruction survey, the developer shall implement mitigation measure Bio-6 and/or Bio-16 from pages 4.4 137-141 and/or 4.4 146-147 of the March 2015 Programmatic Environmental Impact Report

**Noise**

XIII a) Noise generated by onsite construction activities: Contractor(s) shall implement The MM NOI-2 incorporated best management practices (BMPs) from REAT's Best Management Practices within 500 feet of a residence or other sensitive receptor.

See the following:

Whenever feasible, electrical power will be used to run air compressors and similar power tools.

- Equipment staging areas will be located as far as feasible from occupied residences or schools.
- All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.
- Stationary equipment shall be placed such that emitted noise is directed away from sensitive noise receptors.
- Stockpiling and vehicle staging areas shall be located as far as practical from occupied dwellings.

1)Ensure noisy construction activities (including truck and rail deliveries, pile driving and blasting) are limited to

Inyo County Public works (Building and safety)

Sheriff's Department

The Inyo County Public Works (Building and Safety) Department will verify that noise related contract specifications are in place before issuing demolition, grading, or building permits.

The Public Works (Building and Safety) and Sheriff's Departments will respond to any noise complaints received and adjust measures as appropriate



the least noise-sensitive times of day (i.e., weekdays only 45 between 7 a.m. and 7 p.m.) for projects near residential or recreational areas.

2) Consider use of noise barriers such as berms and vegetation to limit ambient noise at plant property lines, especially where sensitive noise receptors may be present.

3) Ensure all project equipment has sound-control devices no less effective than those provided on the original equipment. All construction equipment used should be adequately muzzled and maintained. Consider use of battery powered forklifts and other facility vehicles.

4) Ensure all stationary construction equipment (i.e., compressors and generators) is located as far as practicable from nearby residences.

5) If blasting or other noisy activities are required during the construction period, notify nearby residents and the permitting agencies 24 hours in advance.

6) Properly maintain mufflers, brakes and all loose items on construction and operation related vehicles to minimize noise and ensure safe operations. Keep truck operations to the quietest operating speeds. Advise about downshifting and

vehicle operations in residential communities to keep truck noise to a minimum.

7) Use noise controls on standard construction equipment, shield impact tools. Consider use of flashing lights instead of audible back-up alarms on mobile equipment.

8) Install mufflers on air coolers and exhaust stacks of all diesel and gas-driven engines. Equip all emergency pressure relief valves and steam blow-down lines with silencers to limit noise levels.

9) Contain facilities within buildings or other types of effective noise enclosures.

10) Employ engineering controls, including sound-insulated equipment and control rooms, to reduce the average noise level in normal work areas.

<p>vehicle operations in residential communities to keep truck noise to a minimum.</p> <p>7) Use noise controls on standard construction equipment, shield impact tools. Consider use of flashing lights instead of audible back-up alarms on mobile equipment.</p> <p>8) Install mufflers on air coolers and exhaust stacks of all diesel and gas-driven engines. Equip all emergency pressure relief valves and steam blow-down lines with silencers to limit noise levels.</p> <p>9) Contain facilities within buildings or other types of effective noise enclosures.</p> <p>10) Employ engineering controls, including sound-insulated equipment and control rooms, to reduce the average noise level in normal work areas.</p>		