

JAN 25, 2024

Notice of Determination

Appendix D

INYO CO. CLERK  
DANIELLE SEXTON, CLERK

To:

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

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

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

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): 2023110666

Project Title: Renewable Energy Permit 2023-01/SBC

Project Applicant: Shawn Barker Construction (SBC), 82532 2nd St. Trona, CA 93562, 760-382-2157

Project Location (include county): APN's 038-340-20 & 21, Trona California, Inyo County

Project Description:

**2.0 Megawatt (MW) photovoltaic solar field on two 5 acre parcels within the SEDA overlay in Trona, Ca. that will tie into the Southern California Edison Transmission line.**

This is to advise that the Inyo County Planning Department has approved the above  
( Lead Agency or  Responsible Agency)

described project on January 24, 2024 and has made the following determinations regarding the above  
(date)  
described project.

1. The project [ will  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  were not] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [ was  was not] adopted for this project.
5. A statement of Overriding Considerations [ was  was not] adopted for this project.
6. Findings [ were  were not] 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):  Title: Assistant Planner

Date: January 24, 2024 Date Received for filing at OPR: \_\_\_\_\_

24-00002



State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

**Print**   **Start Over**   **Save**

RECEIPT NUMBER:  
 14 — 01/25/2024 — 02  
 STATE CLEARINGHOUSE NUMBER (if applicable)  
 2023110666

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>Inyo County Plannig Department</b>	LEAD AGENCY EMAIL	DATE <b>01/25/2024</b>
COUNTY/STATE AGENCY OF FILING <b>Inyo</b>	DOCUMENT NUMBER <b>24-002</b>	

PROJECT TITLE

**Renewable Energy Permit 2023-01/SBC**

PROJECT APPLICANT NAME <b>Shawn Barker Construction (SBC)</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(760) 382-2157</b>
PROJECT APPLICANT ADDRESS <b>82532 2nd St</b>	CITY <b>Trona</b>	STATE <b>CA</b>
		ZIP CODE <b>93562</b>

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency  
  School District  
  Other Special District  
  State Agency  
  Private Entity

CHECK APPLICABLE FEES:

- |   |            |    |                 |
|---|------------|----|-----------------|
| <input type="checkbox"/> Environmental Impact Report (EIR)  | \$4,051.25 | \$ | <u>0.00</u>     |
| <input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)                        | \$2,916.75 | \$ | <u>2,916.75</u> |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,377.25 | \$ | <u>0.00</u>     |

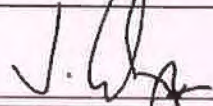
- Exempt from fee  
 Notice of Exemption (attach)  
 CDFW No Effect Determination (attach)  
 Fee previously paid (attach previously issued cash receipt copy)

- |   |          |    |                   |
|---|----------|----|-------------------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$050.00 | \$ | <u>0.00</u>       |
| <input checked="" type="checkbox"/> County documentary handling fee   |          | \$ | <u>50.00</u>      |
| <input type="checkbox"/> Other  |          | \$ | <u>          </u> |

PAYMENT METHOD:

- Cash  
  Credit  
  Check  
  Other

TOTAL RECEIVED \$ 2,966.75

SIGNATURE <b>X</b> 	AGENCY OF FILING PRINTED NAME AND TITLE <b>Justin Ortega Deputy Clerk</b>
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# MITIGATION & MONITORING PROGRAM

## Renewable Energy Permit 2023-01/ SBC

### INTRODUCTION

This Mitigation and Monitoring Program (MMP) has been developed for Renewable Energy Permit/2023-01/SBC, 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
<p><b>AIR QUALITY</b></p> <p>IIIa) During construction the following measures to control fugitive dust and emissions of particles shall be employed:</p> <p>1) Provision of equipment and staffing for watering of all exposed or disturbed soil surfaces or use of an appropriate dust palliative or suppressant.</p> <p>2) Watering or treating of all disturbed but inactive portions of the site with appropriate dust suppressant</p> <p>3) Covering of materials transported by truck to control dust.</p>	<p>-On-site contractor(s)</p> <p>-Great Basin Unified Air Pollution Control District (GBUAPCD)</p> <p>-Public Works (Building and Safety)</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>4) Daily clean-up of mud and dirt carried onto paved streets from the site.</p> <p>5) 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</p> <p><b>BIOLOGICAL RESOURCES</b></p>		
<p><i>IV a) Avoidance of nesting birds:</i></p> <p>Regardless of the time of year, a nesting bird survey shall be conducted by a qualified avian biologist no more than three days prior to vegetation clearing or ground disturbing activities and shall include any potential habitat (including shrubs, the ground or nearby structures)).</p> <p>Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. Should nesting birds be found, an exclusionary buffer (depending on the species) shall be established by the qualified biologist.</p> <p>The buffer shall be clearly marked in the field by construction personnel under the guidance of a qualified biologist. A qualified biologist will continue to monitor active nests adjacent to active work areas to</p>	<p>Project Proponent</p>	<p>Prior to commencing vegetation clearing or ground-disturbing activities</p>

determine whether exclusionary buffers are sufficient to prevent stress or other negative behavioral changes to nesting bird behavior. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction shall be stopped in the area of the nest and no disturbance buffer shall be expanded. No construction activities shall be allowed within the exclusionary buffer until the qualified biologist determines that the young have fledged, or the nest is no longer active.

*Desert Tortoise:*

Prior to ground disturbance or vegetation clearing within the Project site, a qualified biologist shall conduct a protocol level presence or absence of survey within the Project area and a 500-foot buffer of suitable habitat, no more than 48 hours prior to ground disturbing activities, in accordance with the most recent Fish and Wildlife (USFWS) desert tortoise survey methodology. If surveys confirm presence of desert tortoise and complete avoidance cannot be achieved, the Applicant shall not undertake Project activities and Project activities shall be postponed until the appropriate authorization is obtained.

<b>NOISE</b>		
<p>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.</p> <p>See the following:</p> <ol style="list-style-type: none"> <li>1) Whenever feasible, electrical power will be used to run air compressors and similar power tools.</li> <li>2) Equipment staging areas will be located as far as feasible from occupied residences and schools.</li> <li>3) All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.</li> <li>4) Stationary equipment shall be placed such that emitted noise is directed away from sensitive noise receptors.</li> <li>5) Stockpiling and vehicle staging areas shall be located as far as practical from occupied dwellings.</li> </ol>	<p>-Inyo County Public Works Building and Safety)</p> <p>-Sheriff's Department</p>	<p>-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.</p> <p>-The Public Works (Building and Safety) and Sheriff's Departments will respond to any noise complaints received and adjust measures as appropriate</p>

<p><b>Incorporate REAT's Best Management Practices for desert renewable energy projects. See the following list of 10 BMPs:</b></p> <p>1) Ensure noisy construction activities (including truck and rail deliveries, pile driving and blasting) are limited to 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.</p> <p>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.</p> <p>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 muffled and maintained. Consider use of battery powered forklifts and other facility vehicles</p> <p>4) Ensure all stationary construction equipment (i.e., compressors and generators) is located as far as practicable from nearby residences.</p>		
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<p>5) If blasting or other noisy activities are required during the construction period, notify nearby residents and the permitting agencies 24 hours in advance.</p> <p>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.</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 on 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 noise.</p>		
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