

Governor's Office of Planning & Research

AUG 24 2020

Notice of Determination

Appendix D

To:

☒ Office of Planning and ResearchU.S. Mail:
P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:
1400 Tenth St. Rm 113

Sacramento, CA 95814

☐ County Clerk

County of: _____

Address: _____

STATE CLEARINGHOUSE

From:

Public Agency: Department of Parks and Recreation

Address:
22708 Broadway
Columbia, CA 95310

Contact: Danielle Gerhart

Phone: 209.536.2912

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): 2018101047

Project Title: Gonzaga Ridge Wind Repowering Project

Project Applicant Name, Address, Phone Number: Scout Clean Energy, 4865 Sterling Drive, Suite 200, Boulder, CO 80301

Project Location (include county): Pacheco State Park, Merced County

Project Description: Replace existing 162 wind turbines with up to 40 new turbines, new transmission line, other ancillary infrastructure, construct new onsite roads, and other road modifications to enable delivery truck access to the site.

This is to advise that the CA Department of Parks and Recreation has approved the above
 (☒ Lead Agency or ☐ Responsible Agency)
 described project on 8/24/2020 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:

DocuSigned by:

Signature (Public Agency):

Lisa Mangat

Title: _____

Date: 8/24/2020

Date Received for filing at OPR: _____

Authority cited: Sections 21083, Public Resources Code.
Reference Section 21000-21174, Public Resources Code.

Revised 2011

ck #22336



State of California - Department of Fish and Wildlife
2020 ENVIRONMENTAL FILING FEE CASH RECEIPT
DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

Print

StartOver

Finalize&Email

RECEIPT NUMBER:

59 — 8/24/2020 — 107

STATE CLEARINGHOUSE NUMBER (If applicable)

2018101047

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

California Department of Parks and Recreation

LEAD AGENCY EMAIL

DATE

8/24/2020

COUNTY/STATE AGENCY OF FILING

OPR/SCH

DOCUMENT NUMBER

PROJECT TITLE

Gonzaga Ridge Wind Repowering Project

PROJECT APPLICANT NAME

California Department of Parks and Recreation

PROJECT APPLICANT EMAIL

PHONE NUMBER

(209) 536-2912

PROJECT APPLICANT ADDRESS

22708 Broadway

CITY

Columbia

STATE

CA

ZIP CODE

95310-9400

PROJECT APPLICANT (Check appropriate box)

☐ Local Public Agency

☐ School District

☐ Other Special District

☒ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☒ Environmental Impact Report (EIR)

\$3,343.25

\$

3,343.25

☐ Mitigated/Negative Declaration (MND)(ND)

\$2,406.75

\$

0.00

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,136.50

\$

0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☐ County documentary handling fee

\$

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☒ Check

☐ Other

TOTAL RECEIVED

\$

3,343.25

SIGNATURE

x Mikayla Vaba

Digitally signed by Mikayla Vaba
Date: 2020.08.24 13:35:20
-07'00'

AGENCY OF FILING PRINTED NAME AND TITLE

OPR/State Clearinghouse

State of California – Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

*For Director's Office Use
Only*

DAR CONTROL NO.



DIRECTOR'S ACTION REQUEST

TO: Lisa Ann L. Mangat, Director

ATTN: Liz McGuirk, Chief Deputy Director

FROM: Jess Cooper, District Superintendent

PREPARED BY: Danielle Gerhart, District Services Manager

DATE: August 11, 2020

SUBJECT: Pacheco State Park – Gonzaga Ridge Wind Farm Final EIR

☐ Request for Approval

☐ For Director's Information

☐ Request for Discussion

☒ Request for Signature

☒ Director's Approval Required

☐ Submission to Director Required

SUMMARY OF ISSUE/PROBLEM STATEMENT: Without the Director's signature and approval of the Final Environmental Impact Report (FEIR), the Gonzaga Ridge Wind Farm, LLC (GRWF) Wind Turbine Repower Project (Project) at Pacheco State Park will not be approved to begin construction blocking increases in revenue of up to \$500,000 by year 10. Once construction is complete and the Project is fully operational, the projected revenue is over \$1 million beginning year 16.

TIME FACTOR: Request Director's signature and approval by August 30, 2020, or risk jeopardizing financing of Project.

BACKGROUND: The State acquired the Pacheco State Park property with a pre-existing 2,000+ acre wind farm managed by International Turbine Research (ITR). The existing wind farm included approximately 160 outdated wind turbines. The ITR wind farm lease expired in 2018, and in January 2017, DGS issued an RFP to seek a new lessee interested in developing a replacement wind farm after the expiration of the existing lease. GRWF was selected as the new lessee and signed a 35-year lease in 2018.

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GRWF took possession of the existing wind farm from ITR and continues to manage the existing turbines while in the approval and planning stages to replace the turbines with new energy efficient models.

GRWF hired independent consulting firm, Dudek, to prepare the EIR for the project. In accordance with CEQA, DPR released a Notice of Preparation (NOP) on October 19, 2018, for the required 30-day review period. The Draft EIR was circulated for public review and comment for a period of 45 days from October 11 through November 25, 2019. DPR received and granted an extension request of 21 days which brought the final comment period to December 16, 2019.

The proposed Gonzaga Ridge Wind Repowering Project (Project) consists of decommissioning the existing wind turbines located on the Project site and associated infrastructure and installing up to 40 new wind turbines. In addition to new wind turbines, Project components include ancillary facilities such as construction laydown areas, access roads, underground and overhead collector lines and associated equipment, underground and overhead communications system, an operations and maintenance (O&M) facility, meteorological or MET tower(s), relocation of a communications tower, a new transmission line connecting the Project site to the Los Banos Substation, relocation of existing transmission line poles, upgrades to the Dinosaur Point Tap (existing switchyard), upgrades to the Los Banos Substation, storage sheds, battery storage facility, and an electrical substation and associated substation components.

Dudek prepared the Draft and Final EIRs, and it prepared those documents with the assistance of various sub-consultants with input from GRWF and under the supervision of State Parks.

- The Project will have a significant and unavoidable impact and cumulative impact under Transportation and Circulation due to Level of Service (LOS) degradation in the PM peak hour at the SR-152/Dinosaur Point Road intersection due to operations workers (up to 8 total) turning left onto SR-152 during the life of the project. The LOS in the PM peak hour degrades from LOS C to LOS F, due to the assumption that approximately 50% of Project workers (4 workers) would go to/from the westbound direction towards the Bay Area, resulting in four northbound left turns to proceed westbound along SR-152 from Dinosaur Point Road. Because no feasible mitigation measures are available, this is a significant and unavoidable impact of the Project. Although the Level of Service (LOS) methodology is no longer a valid measure as of July 2020 to constitute a significant effect, this methodology was used to evaluate the Transportation and Circulation section of the Draft EIR. **Beginning July 2020, under the new Vehicle Mileage Travel (VMT) methodology, this type of LOS impact would not be considered significant.**

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- The FEIR is adequate under CEQA to address the potential environmental impacts of the Project.
- State Parks has independently reviewed and considered the information contained in the FEIR, and it reflects the lead agency's independent judgment.

There were no comments received from federal, state, or local agencies. One comment letter was received from Adams Broadwell Joseph & Cardozo and the FEIR adequately addresses the letter.

POSSIBLE SOLUTIONS EXAMINED:

1. **(Recommended)** The Director signs and certifies the FEIR for the Project.
2. The Director rejects the FEIR and requests additional environmental analysis, which is not recommended by the DPR CEQA attorney.
3. The Director rejects the FEIR and requires GRWF to modify the Project which is not recommended by the DPR CEQA attorney.

SUMMARY/PRO-CON ARGUMENTS:

State Park staff from Legal, Central Valley District specialists, and HQ Service Center specialists have reviewed the FEIR and determined that it contains each of the items required by CEQA Guidelines section 15132, and hereby certifies that the Final EIR has been completed in compliance with CEQA.

With the FEIR certified, the construction development phase may begin which will lead to additional revenue for Pacheco State Park and will aid in the State's renewable energy goals.

State Parks finds that most significant effects identified in the EIR have been at least substantially lessened, if not avoided, by the adoption of feasible mitigation measures. There is no feasible mitigation available that will avoid or substantially lessen the Project's contribution to cumulative traffic impacts, resulting in a significant and unavoidable effect due to an increase to traffic at the Project entrance off of SR-152 under project and cumulative conditions. Thus, as a legal matter, State Parks in considering alternatives, need only determine whether any alternatives are environmentally superior with respect to the Project's significant and unavoidable impacts.

State Parks has balanced these benefits and considerations against the potentially significant and unavoidable environmental effects of the Project and has concluded that the benefits State Parks will derive from the Project, as compared to existing conditions, outweigh the detriments.

Staff recommend adoption of the mitigation measures in the final Mitigation Monitoring and Reporting Plan, and finds that any residual or remaining effects on the environment resulting from the Project are acceptable due to the benefits of the Project.

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ESTIMATED COSTS: Development of the wind repowering project is expected to be a lengthy and expensive process. Most of the costs will be carried by GRWF. However, there are ancillary costs that will likely be absorbed by the Department (review of GRWF construction documents, etc.) It is anticipated that these costs will be offset by the increased revenue from the project and new revenues to the Department far outweigh the ancillary costs of Project review.

OTHER:

DISTRIBUTION: If signed, the DAR will be distributed to the following listed individuals:

Kathryn Tobias, DPR CEQA Attorney
Jess Cooper, District Superintendent

LEGAL: The undersigned attorney has reviewed and concurs on legal authority to proceed.

Signature:
Name

DocuSigned by:
Tara E. Lynch
F610A257FA1247D...

Tara E. Lynch, Chief Counsel

Date

CONCUR
OR
DENY:

DocuSigned by:
Elizabeth McGuirk
CBA9195DD11C4CB...

Liz McGuirk
Chief Deputy Director

Date

APPROVED:

DocuSigned by:
Lisa Mangat
BB36EA84D960483...

Lisa Ann L. Mangat
Director

Date