

C.10 Land Use and Recreation

This section analyzes whether the Revised Project and PG&E Upgrades would result in any new significant impacts to land use and recreation that were not previously identified and disclosed in the 2010 Final EIR, or whether there would be a substantial increase in the severity of any previously identified impacts to land use and recreation. As part of this analysis, the section considers changes to the existing land use and recreation facilities in the study area, changes to the development footprint of the Project, and changes to potential land use and recreation impacts and mitigation measures.

Data sources that were used for this analysis include recreational use data from the Bureau of Land Management (BLM, 2014), school enrollment data from the California Department of Education (CDE, 2014), transmission line construction rules and regulations from the California Public Utilities Commission (CPUC, 1995, 2014), and land use policies from the Fresno County General Plan (Fresno County, 2000a, 2000b).

C.10.1 Environmental Setting

This section describes changes to the environmental setting that have occurred since 2010. Section C.10.1.1 describes any changes to the environmental setting that was presented in the 2010 Final EIR. Section C.10.1.2 describes the environmental setting for the area surrounding the PG&E Upgrades.

C.10.1.1 Revised Solar Project

The land uses and recreational opportunities in the Revised Project area are substantially unchanged since approval of the 2010 Final EIR. The Panoche Valley remains generally undeveloped and pastoral in character. No new development has occurred, and no major new structures have been built in the valley. All of the residences that were identified in the Final EIR as being within one mile of the Approved Project still lie within one mile of the Revised Project. Grazing remains the primary land use in the area. No new parks or other recreation facilities have been established within the Project area.

C.10.1.2 PG&E Upgrades

The PG&E Upgrades associated with the Revised Project include installation of approximately 17 miles of optical ground wire (OPGW) on existing transmission towers between the Panoche Valley Solar Project site and the existing Panoche Substation in Fresno County. The telecommunications system upgrades also include construction of up to three new microwave communication towers and upgrades to an existing microwave tower. The PG&E transmission system upgrades would include eight new transmission structures that are required to tie the existing Moss Landing–Panoche 230 kV transmission line into the proposed PG&E switchyard, located within the Revised Project site boundaries. The new transmission structures would be installed by PG&E after site preparation is completed by the Applicant.

The environmental setting for these upgrades includes the area surrounding the Moss Landing–Panoche 230 kV transmission line between the Project site and the Panoche Substation, the Call Mountains (west of the Panoche Valley), Panoche Mountain (east of the Panoche Valley), and the area surrounding the Helm Substation (approximately 13 miles southwest of the City of Fresno).

Approximately 6 miles of the upgraded portion of the Moss Landing–Panoche transmission line would traverse BLM land. Additionally, the proposed communication tower on Panoche Mountain would be located on BLM land. However, the microwave tower will be collocated on existing California Highway Patrol (CHP) equipment or constructed entirely within the fenceline of a CHP station, on which CHP

holds a ROW grant until 2040. Recreational opportunities in the Panoche Hills include hiking, camping, horseback riding, mountain biking, hunting, target shooting, rock hounding, stargazing, and wildlife/wildflower viewing. The Panoche Hills contain two Wilderness Study Areas (WSAs) and an Area of Critical Environmental Concern (ACEC).

C.10.2 Applicable Regulations, Plans, and Standards

The same San Benito County regulations, plans, and standards that applied to the assessment of land use and recreation impacts within the Approved Project area also apply to the Revised Project area and are presented in Section C.10.2 of the Final EIR. Because the PG&E Upgrades are under the jurisdiction of the CPUC and a segment of PG&E ROW where the upgrades will occur would be located within BLM lands and in Fresno County, additional federal, state, and local regulations, plans and standard would apply to the PG&E Upgrades. These are described below.

C.10.2.1 Federal

A portion of the PG&E ROW and the microwave tower at Panoche Mountain are located on BLM lands. As stated in the 2010 FEIR, the BLM San Joaquin Management Area under the Resource Management Plan (RMP) for the Southern Diablo Range and Central Coast of California (USFWS, 1998; BLM, 2007) applies to the PG&E related upgrades located on BLM land. The BLM's Hollister Field Office developed the RMP for the Southern Diablo Mountain Range and Central Coast of California under the authority and direction of the Federal Land Policy and Management Act (FLPMA) of 1976 (Sec. 202(a)), which states that land use plans shall be developed, maintained, and, when appropriate, revised for the use of the public lands. A Notice of Intent (NOI) to amend the RMP for the Southern Diablo Mountain Range and Central Coast of California and associated Environmental Assessment for the Panoche-Coalinga Area of Critical Environmental Concern was issued by the BLM Hollister Field Office on September 18, 2012 (BLM, 2012). The RMP amendment will incorporate relevant new information and program guidance or policies developed since the 2007 Record of Decision (ROD) approving the original RMP. Policies from the existing RMP that would apply to the PG&E Upgrades include goals and objectives for energy and minerals and land and realty. The goal for energy and mineral resource management is to allow development of energy and mineral resources to meet the demand for energy and mineral production while protecting natural and cultural resources in the area. The goal for lands and realty management is to provide lands, interests in land, and authorizations for public and private uses while maintaining and improving resource values and public land administration.

C.10.2.2 State

PG&E, as an investor-owned utility, is regulated by the California Public Utilities Commission (CPUC). The CPUC has jurisdiction over the siting and design of the PG&E Upgrades required for the Revised Project. Although the PG&E facilities upgrades are exempt from local land use and zoning regulations and permitting, pursuant to General Order 131D, Section III.C requires that the utility communicate with, and obtain the input of, local authorities regarding land-use matters and obtain any nondiscretionary local permits. The CPUC's most applicable regulations and standards include the following:

- **General Order 131D, Rules Relating to the Planning and Construction of Electric Generation, Transmission/Power/Distribution Line Facilities and Substations Located in California.** GO-131D defines the CPUC requirements for CEQA compliance regarding utility projects, the need for public notice, and other topics (CPUC, 1995)

- **General Order 95: Rules for Overhead Electric Line Construction.** GO-95 governs the construction, operation, and maintenance of electric supply and communication lines (CPUC, 2014).

C.10.2.3 Local: Fresno County

Because a portion of the PG&E Upgrades is within Fresno County, the Fresno County General Plan would also apply to the PG&E components. While CPUC authority can supersede that of the County, PG&E tries to ensure that its projects are consistent with County requirements. The relevant General Plan components are:

- **Agriculture and Land Use Element.** The Agriculture and Land Use Element sets out goals and policies under four main headings: Resource Lands, Rural Development, Urban Development, and General Provisions and Administration.
- **Open Space and Conservation Element.** The Open Space and Conservation Element sets out goals and policies under three main headings: Productive Resources, Natural Resources, and Recreation and Cultural Resources.

C.10.3 Environmental Impacts and Mitigation Measures

This section addresses whether the changes to the Approved Project would result in a new significant impact to land use or recreation or increase the severity of previously identified impacts related to land use or recreation. Section C.10.3.1 restates the significance criteria used in 2010 to determine whether any project changes result in any new or more severe significant impacts. Section C.10.3.2 summarizes the impacts and mitigation measures presented in the 2010 Final EIR for ease of reference. Section C.10.3.3 presents the updated impact analysis for the Revised Project, and Section C.10.3.4 addresses the impacts of any changes to a previously adopted mitigation measure. Section C.10.3.5 addresses the environmental impacts that would occur as a result of the PG&E Upgrades, and Section C.10.3.6 describes cumulative impacts.

C.10.3.1 Significance Criteria

The following significance criteria for land use and recreation were defined in the 2010 Final EIR. These criteria are derived from previous environmental impact assessments and from the Environmental Checklist in CEQA Appendix G. They have been amended or supplemented, as appropriate, to address the nature of solar photovoltaic facilities and transmission line upgrades in general, and the full range of potential impacts related to this Revised Project in particular. An impact of the Revised Project would be considered significant and would require mitigation if it would:

- Preclude an existing or permitted land use, or create a disturbance that would diminish the function of a particular land use.
- Increase the use of established recreational facility such that substantial physical deterioration of the facility would occur or be accelerated.
- Disrupt or preclude activities in established federal, State, or local recreational areas.
- Substantially contribute to the loss or degradation of the factors that contribute to the value of federal, State, or local recreational facilities or programs.

Significance conclusions are presented regarding the significance of each identified land use or recreation impact, per the significance classification system provided in Section C.1 (Introduction to Environmental Analysis).

C.10.3.2 Approved Project Impacts and Mitigation Measures

Table C.10-1 presents a summary of the impacts and mitigation measures applicable to the Approved Project.

Table C.10-1. Summary of Impacts and Mitigation: Land Use and Recreation

Impact No. and Text	Mitigation Required	CEQA Conclusion
Impact LU-1: Construction would temporarily disrupt, displace, or divide land uses.	LU-1.1: Establish construction liaison. LU-1.2: Provide advance notification of construction. LU-1.3: Provide quarterly construction updates.	Class II
Impact LU-2: Operation and maintenance of the project would permanently disrupt, displace, or divide land uses.	None.	Class III
Impact LU-3: Contribute to cumulatively considerable land use impacts.	LU-1.1: Establish construction liaison. LU-1.2: Provide advance notification of construction. LU-1.3: Provide quarterly construction updates.	Class II
Impact RC-1: Construction activities would temporarily reduce, disrupt, or preclude access and visitation to established recreational areas.	None.	Class III
Impact RC-2: Operation and Maintenance would permanently reduce, disrupt, or preclude access and visitation to established recreational areas.	None.	No Impact
Impact RC-3: Construction or operation and maintenance activities would increase the use of established recreational facilities such that substantial physical deterioration would occur or be accelerated.	None.	Class III
Impact RC-4: Construction or operation and maintenance activities would change the character of a recreational area or program, diminishing its recreational value.	None.	Class III
Impact RC-5: Construction or operation and maintenance would result in the degradation or loss of designated wilderness lands or a wilderness study area.	None.	No Impact
Impact RC-6: Contribute to cumulatively considerable recreation impacts.	None.	Class III

C.10.3.3 Revised Solar Project Impacts

Seven land use and recreation impacts are discussed in this section; cumulative impacts are addressed in Section C.10.3.6.

Impact LU-1: Construction would temporarily disrupt, displace, or divide land uses (Class II)

The Approved Project would have been located on 3,202 acres with 2,203 acres of permanent disturbance for the project footprint. The Revised Project would be located on 2,506 acres with 1,888 acres of permanent disturbance for the project footprint. The construction schedule for the Revised Project

would be approximately 18 months, compared to the Approved Project construction schedule of approximately 5 years.

Like the Approved Project, construction and operation of the Revised Project would displace current grazing use of the site. Please refer to Section C.3 (Agriculture) for a discussion of agriculture impacts. Land uses within one mile of the Revised Project site remain as described for the Approved Project and include rural residential properties and agricultural uses. The very small, rural, Panoche Elementary School (K-8), which had an enrollment of 6 students (2 in first grade, 2 in third grade, and 2 in fourth grade) in 2012-2013 (CDE, 2014), is over one mile from the Revised Project site. The presence of construction crews, the operation of construction equipment and resulting construction noise, and increased construction-related traffic on local roads would be potentially disruptive, particularly during the late evening and early morning hours. The construction traffic and other construction activities for the Revised Project would occur over a shorter time period, but would be more intense compared to the Approved Project. Peak daily traffic trips have increased to 1,150 trips under the Revised Project. However, like the Approved Project, the Revised Project includes implementation of a Traffic Control Plan (as described in Mitigation Measure TR-1.1 (Section C.14 Transportation and Circulation), which would minimize disruption to current agricultural traffic uses on Panoche Road and Little Panoche Road.

Due to the rural character of the Project area, in conjunction with both the intensity of the workforce and equipment needed and the duration of construction itself, temporary impacts from the Revised Project on surrounding land uses would be greater in the short term due to the accelerated 18 month construction schedule. At the same time, the area would experience 3.5 years of less construction activity. Like the Approved Project, the temporary construction impact of the Revised Project would be reduced to less than significant levels through implementation of Mitigation Measures TR-1.1 (implement Traffic Control Plan), LU-1.1 (Establish construction liaison), LU-1.2 (Provide advance notice of construction), and LU-1.3 (Provide quarterly construction updates). With implementation of Mitigation Measures TR-1.1, and LU-1.1 through LU-1.3, this impact would be less than significant (Class II).

Impact LU-2: Operation and maintenance of the project would permanently disrupt, displace, or divide land uses (Class III)

As described under Impact LU-1, above, the Revised Project would be constructed on grazing land. Although the Project footprint and the amount of permanently disturbed land have decreased under the Revised Project, grazing land still would be permanently displaced by Project implementation. However, all of the parcels that would be required for Project implementation are located on property that is under option for purchase by the Applicant. Property owners would be compensated for their property and are aware that Project implementation would require the full or partial displacement of the former land uses. Additionally, short-term grazing by sheep may occur on the site during Project operation, which would retain some agricultural use of the property. The long-term displacement of the agricultural use of the property would be adverse but less than significant (Class III). Please refer to Section C.3 (Agriculture) for a discussion of the loss of agricultural and Williamson Act lands.

Impact RC-1: Construction activities would temporarily reduce, disrupt, or preclude access and visitation to established recreational areas (Class III)

There are no established federal, State, or local recreation areas within the Revised Project footprint. However, several recreation areas are in close proximity to the Project site, including the Griswold, Panoche, and Tumey Hills as well as Mercy Hot Springs resort. These recreation areas are accessed via local roadways. Although the Project footprint and amount of permanently disturbed land have

decreased under the Revised Project, the compressed construction schedule would result in substantially higher levels of peak daily traffic. This increased construction-related traffic could disrupt visitors (such as hikers, campers, hunters, and wildlife viewers) entering or exiting these areas. The increased duration of visitor vehicle trips would not occur continuously and would not be expected to substantially reduce, disrupt, or preclude access or visitation. Impacts would be adverse but less than significant (Class III).

Impact RC-2: Operation and Maintenance would permanently reduce, disrupt, or preclude access and visitation to established recreational areas (No Impact)

No federal, State, or local recreation areas are located within the Revised Project footprint. However, the surrounding hills that are located immediately adjacent to the Project site provide a variety of outdoor recreational activities, including hiking, camping, birding, target shooting, hunting, and other outdoor recreational uses. Although the Revised Project occupies a smaller footprint than the Approved Project, the operational staff would remain the same, at approximately 50 workers. All operation and maintenance activities (with the exception of worker travel to and from the Project site) would occur within the Project site boundaries and therefore would not permanently reduce, disrupt, or preclude access to or visitation of the surrounding hills. No impact would occur.

Impact RC-3: Construction or operation and maintenance activities would increase the use of established recreational facilities such that substantial physical deterioration would occur or be accelerated (Class III)

The Revised Project would require a peak daily workforce of up to 550 workers, compared to a peak daily workforce of 200 workers under the Approved Project. Some of these workers could require temporary housing for the duration of the approximately 18-month construction period depending on the distance of their commute. A portion of these workers could choose to camp in the surrounding hills in lieu of other temporary housing options, which is an impact that was discussed and analyzed in the 2010 Final EIR. As the 2010 Final EIR explained, while BLM does allow camping in the surrounding hills, camping is limited to 15 days for every three month period and all campers must abide by BLM camping rules and regulations. After the expiration of the 15-day limit, any workers who had chosen to camp would be forced to find alternative temporary housing. This 15-day restriction would ensure that even if a greater portion of the Revised Project workforce chose to camp in the surrounding hills during Project construction, this increased use of the recreational facilities would be adverse but less than significant (Class III).

Operation and maintenance staff would be the same as described for the Approved Project and potential impacts to recreational facilities from operation and maintenance of the Project would remain adverse but less than significant (Class III).

Impact RC-4: Construction or operation and maintenance activities would change the character of a recreational area or program, diminishing its recreational value (Class III)

Construction, operation, and maintenance of the Revised Project would change the character of Panoche Valley and the surrounding hills, which support a variety of recreational opportunities. Traffic and noise impacts would be shorter but more intense under the Revised Project compared to the Approved Project. The noise caused by construction could frighten or displace wildlife, including birds. Construction noise could also impact the recreational experience for campers and hikers in the surrounding hills although only daytime noise levels would be affected by construction. The change in daytime noise levels would be small at the distant surrounding hills and would not substantially diminish

the value of surrounding recreational areas. The largest long-term change to the character of the Project site and the surrounding hills would be visual change caused by Project structures and night lighting. Project structures, including PV panels and substation equipment, could be seen by recreational users of the surrounding hills. The reduction in the size of the Project footprint would not result in a substantially smaller visual impact than that which was described for the Approved Project. Night lighting would be minimal and would be limited to safety and security lighting at the O&M building. Motion sensor lighting at each power block would no longer be included under the Revised Project. Night lighting would not adversely impact stargazing activities. Overall, impacts to recreational areas and programs from Revised Project construction and operation would remain adverse but less than significant (Class III).

Impact RC-5: Construction or operation and maintenance would result in the degradation or loss of designated wilderness lands or a wilderness study area (No Impact)

The Panoche Hills contain two designated WSAs, the Panoche Hills WSA and the Panoche Hills South WSA. The WSAs are managed as de facto wilderness by the BLM, and motorized access is not permitted. The Revised Project would be constructed in a shorter period of time than the Approved Project, and the compressed construction schedule would result in higher levels of construction noise. Given that WSAs would be more than three miles from Project construction activities and traffic on roadways, and that the vast majority of construction noise would occur during daytime hours, construction would not substantially change the ambient noise levels of the WSAs. The Revised Project would not result in significant noise or visual impacts to the WSAs (additional information on these impacts appears in Section C.2, Aesthetics and Section C.11, Noise). During operation of the Revised Project, the noise and visual impacts to WSAs would be less than those of the Approved Project. As such, construction, operation, and maintenance would not affect their existing resources or management. No impacts to WSAs would occur.

C.10.3.4 Changes to Adopted Mitigation Measures

There have been no changes to the land use and recreation mitigation measures that were adopted in 2010. The adopted measures are presented for reference only in Appendix 3.

C.10.3.5 PG&E Upgrades Impacts

The temporary and permanent land use and recreation impacts for the PG&E Upgrades are analyzed in this section. This analysis is based on the impact statements defined for the solar project, but only two impacts apply to the PG&E Upgrades and are evaluated. Most impacts addressed for the solar project would not occur as a result of construction or operation of the PG&E Upgrades due to the temporary nature of the construction activities and the small permanent changes to PG&E facilities that would result. The following five impacts would not occur as a result of construction or operation of the PG&E Upgrades:

- Impact LU-1: Construction would temporarily disrupt, displace, or divide land uses
- Impact LU-2: Operation and maintenance of the project would permanently disrupt, displace, or divide land uses
- Impact RC-2: Operation and Maintenance would permanently reduce, disrupt, or preclude access and visitation to established recreational areas
- Impact RC-3: Construction or operation and maintenance activities would increase the use of established recreational facilities such that substantial physical deterioration would occur or be accelerated

- Impact RC-5: Construction or operation and maintenance would result in the degradation or loss of designated wilderness lands or a wilderness study area

Impact RC-1: Construction activities would temporarily reduce, disrupt, or preclude access and visitation to established recreational areas (Class III)

Construction of the PG&E Upgrades would occur over a period of 12 to 16 weeks. Stringing of the new OPGW wire would occur along 17 miles of PG&E's existing Moss Landing – Panoche 230 kV transmission line. Construction work for microwave towers is described in Section B.11.2.1 of the Project Description. Approximately 6 miles (in both Fresno and San Benito Counties) as well as a temporary work site associated with a new microwave tower installation at Panoche Mountain would be on federal lands administered by the U.S. Bureau of Land Management (BLM).

Construction traffic would utilize local roadways in and around the Panoche and Tumey Hills. This increased traffic would temporarily disrupt access to the surrounding hills and increase travel times for visitors (such as hikers, campers, hunters, and wildlife viewers). However, due to the short construction period and the small number of construction vehicles, this impact would be adverse but less than significant (Class III).

Impact RC-4: Construction or operation and maintenance activities would change the character of a recreational area or program, diminishing its recreational value (Class III)

The addition of new microwave towers would result in visual changes that could negatively impact recreational users of the surrounding hills, including campers, hikers, and birdwatchers. The proposed new microwave communication towers at both Panoche Mountain and the Revised Project site would be visible from the Panoche and Tumey Hills recreational areas. Because the Panoche Mountain tower would be located adjacent to two existing towers, this impact of this component would be less than significant (Class III).

The proposed microwave tower adjacent to the project substation would be approximately 100 feet tall, and would be located near the tubular steel poles that would interconnect the PG&E transmission line to the project substation. The tower may require night lighting based on FAA requirements. The proposed substation for the project would include electrical equipment that would be up to 35 feet tall, and there would be up to 8 new steel transmission poles to interconnect the solar project with the substation, each about 85 feet tall. Due to the height of Revised Project structures adjacent to the microwave tower and the distance between recreational users of the surrounding BLM lands and the proposed new microwave tower (approximately 3 miles or more), this impact would be adverse but less than significant (Class III).

C.10.3.6 Cumulative Impacts

The projects that have been constructed or proposed in the area of potential cumulative effects have changed since 2010, as described in Section D. However, even considering the new project list, the mitigation measures recommended under Impact LU-1, above, as well as traffic mitigation measures, would reduce the contribution of the Revised Project to cumulative impacts to less than significant (Class II). These measures require a construction liaison, advance notification of construction, quarterly construction updates, and a traffic control plan. All land use and recreation impacts related to the PG&E Upgrades would be less than significant (Class III). In addition, the listed projects do not have substantial geographic overlap with the Revised Project and the PG&E Upgrades. Operation and maintenance of the Revised Project and the PG&E Upgrades would not permanently disrupt, displace, or divide land uses or

restrict recreational opportunities, nor would it combine with projects outside the Project boundaries to disrupt, displace, or divide land uses. Other projects in the area of potential cumulative effects generally would implement mitigation measures similar to those described for Impact LU-1. With implementation of mitigation, overall cumulative land use impacts would be less than significant (Class II).

C.10.4 Summary of Impacts

The significance of impacts for land use and recreation for the Revised Project and for the PG&E Upgrades is summarized in Sections C.10.4.1 and C.10.4.2. Section C.10.4.3 summarizes the impacts of all Project components.

C.10.4.1 Revised Solar Project

Analysis of the Revised Project results in no changes to the significance of impacts from the conclusions of the 2010 Final EIR. The impacts summarized in Table C.10-1 remain accurate.

Of the impacts identified in Section C.10.3 (Solar Project Impacts), the Revised Project would result in significant adverse effects related to Impact LU-1 (Construction would temporarily disrupt, displace or divide land uses) and Impact LU-3 (Cumulative land use impacts). With implementation of adopted Mitigation Measures LU-1.1 through LU-1.3, and implementation of mitigation measures presented in Sections C.4 (Air Quality), C.11 (Noise) and C.14 (Transportation and Circulation), Impacts LU-1 and LU-3 would be reduced to less than significant levels (Class II). All other impacts associated with the Revised Project either would be less than significant (Class III) or would not occur.

C.10.4.2 PG&E Upgrades

The PG&E Upgrades would result in temporary disruption of access to surrounding recreational areas due to construction activity. The visual character of the surrounding recreational areas would be altered somewhat by construction of new microwave communication towers. These impacts would be adverse but less than significant (Class III). No other impacts would occur.

C.10.4.3 Overall Significance of Impacts

There are no significant impacts to land use or recreation that result from either the Revised Project or the PG&E Upgrades. Three land use mitigation measures adopted in 2010, as well as measures adopted for noise, traffic, and air quality, would reduce potentially significant impacts associated with solar project construction and operation to less than significant levels (Class II). All land use and recreation impacts related to the PG&E Upgrades would be less than significant (Class III). With implementation of mitigation, overall cumulative land use impacts would be less than significant (Class II).

C.10.5 References

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