

Board of Directors Meeting Agenda

Date: October 16, 2025

Time: 6:00 p.m.

Location: SMUD Headquarters Building, Auditorium
6201 S Street, Sacramento, California

•**AMENDED AGENDA**

SACRAMENTO MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS MEETING SMUD HEADQUARTERS BUILDING AUDITORIUM – 6201 S STREET SACRAMENTO, CALIFORNIA

•***Item 10 removed from the Consent Calendar.***

October 16, 2025 – 6:00 p.m.

Virtual Viewing or Attendance:

Live video streams (view-only) and indexed archives of meetings are available at:

<https://www.smud.org/Corporate/About-us/Company-Information/Board-Meetings/Watch-or-Listen-online>

Zoom Webinar Link: [Join SMUD Board of Directors Meeting Here](#)

Webinar/Meeting ID: 161 653 5031

Passcode: 973448

Phone Dial-in Number: 1-669-254-5252 or 1-833-568-8864 (Toll Free)

Verbal Public Comment:

Members of the public may provide verbal public comment by:

- Completing a sign-up form at the table outside of the meeting room and giving it to SMUD Security.
- Using the “Raise Hand” feature in Zoom (or pressing *9 while dialed into the telephone/toll-free number) during the meeting at the time public comment is called. Microphones will be enabled for virtual or telephonic attendees when the commenter’s name is announced.

Written Public Comment:

Members of the public may provide written public comment on a specific agenda item or on items not on the agenda (general public comment) by submitting comments via email to PublicComment@smud.org or by mailing or bringing physical copies to the meeting. Email is not monitored during the meeting. Comments will not be read into the record but will be provided to the Board and placed into the record of the meeting if received within two hours after the meeting ends.

Call to Order.

a. Roll Call.

1. Approval of the Agenda.

2. Committee Chair Reports.

- a. Committee Chair report of October 7, 2025, Strategic Development Committee
- b. Committee Chair report of October 8, 2025, Policy Committee
- c. Committee Chair report of October 14, 2025, Finance & Audit Committee
- d. Committee Chair report of October 15, 2025, Energy Resources & Customer Services Committee

- **Items 5 through 7 were reviewed by the October 8, 2025, Policy Committee. Items 8, 9, 11, and 12 through ~~13~~ were reviewed by the October 14, 2025, Finance and Audit Committee.**

Comments from the public are welcome when these agenda items are called.

Consent Calendar:

3. Approve Board member compensation for service rendered at the request of the Board (pursuant to Resolution No. 25-04-02) for the period of September 16, 2025, through October 15, 2025.
4. Approval of the minutes of the meeting of September 18, 2025.
5. Accept the monitoring report for **Strategic Direction SD-6, Safety Leadership. Policy Committee 10/8. (Frankie McDermott)**
6. Accept the monitoring report for **Strategic Direction SD-10, Innovation. Policy Committee 10/8. (Lora Anguay)**
7. Accept the monitoring report for **Strategic Direction SD-19, Diversified Business. Policy Committee 10/8. (Lora Anguay)**
8. Authorize the Chief Executive Officer and General Manager to negotiate and award contracts to **GFT Infrastructure, Inc., Mesa Associates, Inc., HDR Engineering, Inc., and Stantec Consulting Services, Inc.** (collectively, the **Contracts**) to provide hydroelectric design and engineering services for an approximate five-year period from October 20, 2025, to October 31, 2030, for an aggregate not-to-exceed amount of \$15 million for the **Contracts**. **Finance and Audit Committee 10/14. (Lora Anguay)**
9. Authorize the Chief Executive Officer and General Manager to negotiate and award contracts to **Kleinfelder, Inc., GFT Infrastructure, Inc., GEI Consultants, Inc., Terracon Consultants, Inc., HDR Engineering, Inc., and KGS International, Inc.** (collectively, the **Contracts**) for geotechnical engineering services for an approximate five-year period from October 20, 2025, to October 31, 2030, for an aggregate not-to-exceed amount of \$10 million for the **Contracts**. **Finance and Audit Committee 10/14. (Lora Anguay)**
- ~~10. Authorize the Chief Executive Officer and General Manager to negotiate and award a contract to **KloudGin, Inc.**, for Field Service Management Software and associated implementation services during the five-year period from October 20, 2025, through October 19, 2030, for a not-to-exceed amount of \$5,809,739. **Finance and Audit Committee 10/14. (Suresh Kotha)**~~

11. Authorize the Chief Executive Officer and General Manager to negotiate and award a sole source contract to the **Sacramento Tree Foundation** to provide shade trees to SMUD customers during the period of January 1, 2026, to December 31, 2028, for a not-to-exceed amount of \$6,034,461. **Finance and Audit Committee 10/14.**
(Jose Bodipo-Memba)

* * * * *

Discussion Calendar:

12. Cast vote on **Sacramento Local Agency Formation Commission (LAFCo)** ballot regarding the election of a Special District Representative (two seats) and Alternate Special District Representative (one seat). **Finance and Audit Committee 10/14.** **(Laura Lewis)**

Presenter: Laura Lewis

Public Comment:

13. Items not on the agenda.

Board and CEO Reports:

14. Directors' Reports.
15. President's Report.
16. CEO's Report.
 - a. Board Video

Summary of Board Direction

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ANNOUNCEMENT OF CLOSED SESSION AGENDA

1. **Public Employment.**

Pursuant to section 54957 of the Government Code:

CEO and General Manager.

* * * * *

Board Committee Meetings and Special Meetings of the Board of Directors are held at the SMUD Headquarters Building, 6201 S Street, Sacramento

October 14, 2025	Finance and Audit Committee and Special SMUD Board of Directors Meeting	Auditorium*	6:00 p.m.
October 15, 2025	Energy Resources & Customer Services Committee and Special SMUD Board of Directors Meeting	Auditorium	6:00 p.m.
November 11, 2025	Strategic Development Committee and Special SMUD Board of Directors Meeting	Auditorium	6:00 p.m.
November 12, 2025	Policy Committee and Special SMUD Board of Directors Meeting	Auditorium	6:00 p.m.
November 18, 2025	Finance and Audit Committee and Special SMUD Board of Directors Meeting	Auditorium	6:00 p.m.
November 19, 2025	Energy Resources & Customer Services Committee and Special SMUD Board of Directors Meeting	Auditorium	6:00 p.m.

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Regular Meetings of the Board of Directors are held at the SMUD Headquarters Building, 6201 S Street, Sacramento

November 20, 2025	Auditorium*	6:00 p.m.
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**The Auditorium is located in the lobby of the SMUD Headquarters Building, 6201 S Street, Sacramento, California.*

Members of the public shall have up to three (3) minutes to provide public comment on items on the agenda or items not on the agenda, but within the jurisdiction of SMUD. The total time allotted to any individual speaker shall not exceed nine (9) minutes.

Members of the public wishing to inspect public documents related to agenda items may click on the Information Packet link for this meeting on the smud.org website or may call 1-916-732-7143 to arrange for inspection of the documents at the SMUD Headquarters Building, 6201 S Street, Sacramento, California.

ADA Accessibility Procedures: Upon request, SMUD will generally provide appropriate aids and services leading to effective communication for qualified persons with disabilities so that they can participate equally in this meeting. If you need a reasonable auxiliary aid or service for effective communication to participate, please email Toni.Stelling@smud.org, or contact by phone at 1-916-732-7143, no later than 48 hours before this meeting.

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

That this Board hereby approves Board member compensation for service rendered at the request of the Board (pursuant to Resolution No. 25-04-02) for the period of September 16, 2025, through October 15, 2025.

Sacramento, California

September 18, 2025

The Board of Directors of the Sacramento Municipal Utility District met in regular session simultaneously in the Auditorium of the SMUD Headquarters Building at 6201 S Street, Sacramento, telephonically at 225 Bennett Ave., New York, NY 10040, and via virtual meeting (online) at 6:00 p.m.

Roll Call:

Presiding: President Fishman

Present: Directors Rose, Bui-Thompson, Herber, Kerth (telephonically), and Tamayo

Absent: Director Sanborn

Present also were Paul Lau, Chief Executive Officer and General Manager; Laura Lewis, Chief Legal & Government Affairs Officer and General Counsel and Secretary, other members of SMUD's executive management; and SMUD employees and visitors.

Director Herber shared the 2030 Climate Action Tip.

President Fishman called for approval of the agenda. Director Herber moved for approval of the agenda, Vice President Tamayo seconded, and the agenda was approved by a vote of 6-0, with Director Sanborn absent.

Director Bui-Thompson, Chair, presented the report for the Strategic Development Committee meeting held on September 9, 2025.

Director Rose, Vice Chair, presented the report for the Finance & Audit Committee meeting held on September 16, 2025.

Director Herber, Vice Chair, presented the report for the Policy Committee meeting held on September 9, 2025.

Director Rose, Chair, presented the report for the Energy Resources & Customer Services Committee meeting held on September 17, 2025.

President Fishman then called for public comment for items on the agenda, but none was forthcoming.

President Fishman then addressed the Consent Calendar consisting of Items 3 through 8. Director Bui-Thompson moved for approval of the Consent Calendar, Director Rose seconded, and Resolution Nos. 25-09-01 through 25-09-05 were approved by a vote of 6-0, with Director Sanborn absent.

RESOLUTION NO. 25-09-01

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

That this Board hereby approves Board member compensation for service rendered at the request of the Board (pursuant to Resolution No. 25-04-02) for the period of August 16, 2025, through September 15, 2025.

Approved: September 18, 2025

INTRODUCED: DIRECTOR BUI-THOMPSON				
SECONDED: DIRECTOR ROSE				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
FISHMAN	X			
ROSE	X			
BUI-THOMPSON	X			
HERBER	X			
KERTH	X			
TAMAYO	X			
SANBORN				X

RESOLUTION NO. 25-09-02

WHEREAS, by Resolution No. 11-09-03, adopted September 1, 2011, this Board authorized a contract with **Kaiser Permanente (Kaiser)** to provide medical benefits for the year 2012 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 12-09-03, adopted September 6, 2012, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2013 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 13-09-04, adopted September 5, 2013, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2014 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 14-08-09, adopted August 21, 2014, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2015 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 15-09-04, adopted September 3, 2015, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2016 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 16-10-03, adopted October 6, 2016, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2017 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 17-09-04, adopted September 21, 2017, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2018 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 18-07-04, adopted July 19, 2018, this Board authorized an extension of the **Kaiser** contract to provide medical

benefits for the year 2019 to SMUD employees, retirees and eligible dependents;
and

WHEREAS, by Resolution No. 19-10-07, adopted October 17, 2019, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2020 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 20-09-06, adopted September 17, 2020, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2021 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 21-10-07, adopted October 21, 2021, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2022 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 22-10-14, adopted October 20, 2022, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2023 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 23-09-08, adopted September 21, 2023, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2024 to SMUD employees, retirees and eligible dependents; and

WHEREAS, by Resolution No. 24-09-07, adopted September 19, 2024, this Board authorized an extension of the **Kaiser** contract to provide medical benefits for the year 2025 to SMUD employees, retirees and eligible dependents; and

WHEREAS, it would be in SMUD's best interest to extend the medical benefit contract with **Kaiser** and approve the 2026 premiums through December 31, 2026, because of their distinctive services and relatively lower cost compared to other health plans; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. The Chief Executive Officer and General Manager, or his designee, is authorized, on behalf of the SMUD, to approve 2026 medical insurance rates and extend Contract No. 4500043215 with **Kaiser Permanente** by one year, for the period January 1, 2026, through December 31, 2026, with the 2026 cost estimated at \$38.4 million pursuant to the premiums set forth in **Attachment A** hereto and made a part hereof.

Section 2. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the contract that, in his prudent judgment: (a) further the primary purpose of the contract; (b) are intended to provide a net benefit to SMUD; and (c) do not exceed the authorized contract amounts and applicable contingencies.

Approved: September 18, 2025

INTRODUCED: DIRECTOR BUI-THOMPSON				
SECONDED: DIRECTOR ROSE				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
FISHMAN	X			
ROSE	X			
BUI-THOMPSON	X			
HERBER	X			
KERTH	X			
TAMAYO	X			
SANBORN				X

2026 Kaiser Permanente
Active Employee & Retiree Monthly Medical Premium Rates

Active	Basic			
Carrier	Employee Only/Retiree Only	Employee + 1/Retiree + 1	Employee + Family/Retiree + Family	
Kaiser HMO – High Plan	\$986.07	\$1,972.14	\$2,958.21	
Kaiser HMO – Low Plan	\$934.89	\$1,869.78	\$2,804.67	
Retiree Kaiser HMO Plan	\$986.07	\$1,972.14	\$2,958.21	

RESOLUTION NO. 25-09-03

WHEREAS, by Resolution No. 24-09-06, adopted on September 19, 2024, this Board awarded Contract No. 4500147540 to **UnitedHealthcare Insurance Company (UHC)** to provide administration of SMUD's medical benefits plan for an initial three-year period from January 1, 2025, to December 31, 2027, with two optional one-year extensions, for a contract total not-to-exceed amount of \$275 million; and

WHEREAS, **UHC** presented SMUD with a renewal increase for the 2026 plan year of 9.7% for active employee, pre-65 retiree and Medicare Advantage medical plans; and

WHEREAS, the percentage increase is determined by a 12-month utilization period where there were significant increases in utilization due to an increase in serious illnesses and associated pharmaceutical costs; and

WHEREAS, the 9.7% increase is based on the difference in the aggregated total cost of premiums for active employees and retirees (and dependents) enrolled in UHC plans from 2024 to 2025; and

WHEREAS, it would be in SMUD's best interest to approve the 2026 premiums through December 31, 2026, because of their distinctive services and relatively lower cost compared to other health plans; **NOW, THEREFORE**,

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:

Section 1. The Chief Executive Officer and General Manager, or his designee, is authorized, on behalf of SMUD, to approve 2026 medical insurance rates with the 2026 cost estimated at \$40.6 million pursuant to premiums set forth in **Attachment B** hereto and made a part hereof.

Section 2. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the contract that, in his prudent judgment: (a) further the primary purpose of the

contract; (b) are intended to provide a net benefit to SMUD; and (c) do not exceed the authorized contract amounts and applicable contingencies.

Approved: September 18, 2025

INTRODUCED: DIRECTOR BUI-THOMPSON				
SECONDED: DIRECTOR ROSE				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
FISHMAN	X			
ROSE	X			
BUI-THOMPSON	X			
HERBER	X			
KERTH	X			
TAMAYO	X			
SANBORN				X

**2026 UnitedHealthcare
Active Employee Monthly Medical Premium Rates**

Active Employees		Basic		
Carrier		Employee Only	Employee + 1	Employee + Family
UnitedHealthcare Signature Value HMO – High Plan		\$1,382.13	\$2,916.28	\$4,174.01
UnitedHealthcare Signature Value HMO – Low Plan		\$1,242.43	\$2,621.49	\$3,752.16
UnitedHealthcare Signature Alliance HMO – High Plan		\$1,161.78	\$2,451.36	\$3,508.58
UnitedHealthcare Signature Alliance HMO – Low Plan		\$1,044.36	\$2,203.57	\$3,153.99
UnitedHealthcare High Deductible Health Plan		\$1,046.00	\$2,207.07	\$3,158.93
UnitedHealthcare PPO Plan (plan closed to new participants based on high cost)		\$2,022.16	\$4,226.76	\$6,106.91

**2026 UnitedHealthcare
Retiree Monthly Medical Premium Rates**

Retiree		Basic		
Carrier		Retiree Only	Retiree + 1	Retiree + Family
UnitedHealthcare Signature Value HMO		\$1,382.13	\$2,916.28	\$4,174.01
UnitedHealthcare Signature Alliance		\$1,161.78	\$2,451.36	\$3,508.58
UnitedHealthcare PPO – in CA		\$2,022.16	\$4,266.76	\$6,206.91
UnitedHealthcare PPO – out of CA		\$2,022.16	\$4,266.76	\$6,106.91

RESOLUTION NO. 25-09-04

WHEREAS, since 1999, SMUD has implemented various SAP programs comprising many different business applications, including the **Enterprise Resource Planning (ERP)** platform which is nearing end of life; and

WHEREAS, as a result, staff recommends that SMUD upgrade to SAP's latest version of the **ERP** platform, **S/4HANA (S/4)**, in order to maintain support of this critical system; and

WHEREAS, **S/4** is hosted in the cloud where SAP, rather than SMUD, will now manage infrastructure security; and

WHEREAS, **S/4** includes many benefits such as real-time analytics, improved user experience, and a future-proof foundation for scalability driven by advancements in in-memory computing and a simplified data model; and

WHEREAS, **S/4** includes several different software modules that work together to allow SMUD to continue to manage and integrate core business processes such as, among others, finance, industry-specific solutions for utilities, extended warehouse management, enterprise asset management, and supply chain into a single, unified system; and

WHEREAS, losing SAP support by not upgrading to **S/4** would increase security concerns, compliance risks, and cost volatility; and

WHEREAS, due to the criticality of SAP's software to SMUD's daily operations, migrating to a different **ERP** system is cost and resource prohibitive; and

WHEREAS, contracting directly with SAP allows SMUD to maintain a direct relationship with the manufacturer that provides certain advantages related to transparency, pricing control, and access to the latest licensing models, updates, and source code; and

WHEREAS, SAP's proprietary source code is locked and can only be accessed by SAP; and

WHEREAS, it would be an idle act to advertise for competitive bids for the products and services referred to above because they can only be obtained from SAP; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. That the Chief Executive Officer and General Manager, or his designee, is authorized on behalf of SMUD to negotiate and execute sole source contract(s) with **SAP America, Inc.** for enterprise resource planning software licenses with a term between October 1, 2025, to December 31, 2030, in a not-to-exceed amount of \$27,000,000.

Section 2. Software maintenance fees for future years will be approved by this Board as part of the annual budget.

Section 3. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the contract that, in his prudent judgment: (a) further the primary purpose of the contract(s); (b) are intended to provide a net benefit to SMUD; and (c) do not exceed the authorized contract(s) amount and applicable contingencies.

Approved: September 18, 2025

INTRODUCED: DIRECTOR BUI-THOMPSON				
SECONDED: DIRECTOR ROSE				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
FISHMAN	X			
ROSE	X			
BUI-THOMPSON	X			
HERBER	X			
KERTH	X			
TAMAYO	X			
SANBORN				X

RESOLUTION NO. 25-09-05

WHEREAS, on June 10, 2025, SMUD issued Request for Proposals No. Doc5134153608 (RFP) to solicit qualified contractors to provide construction management services for a five-year period; and

WHEREAS, seven proposals submitted in response to the RFP were evaluated; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. As a result of such examination, **HDR Engineering Inc., Bureau Veritas North America, Inc., and Energy Project Solutions, LLC**, are hereby determined and declared to the highest evaluated responsive proposers to provide construction management services.

Section 2. The Chief Executive Officer and General Manager, or his designee, is authorized, on behalf of SMUD, to negotiate and award contracts to the highest evaluated responsive proposers, **HDR Engineering Inc., Bureau Veritas North America, Inc., and Energy Project Solutions, LLC** (collectively, the **Contracts**), to provide construction management services for a five-year term from October 1, 2025, to September 30, 2030, for a total aggregate not-to-exceed amount of \$15,000,000 for the **Contracts**.

Section 3. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the **Contracts** that, in his prudent judgment: (a) further the primary purpose of the **Contracts**; (b) is intended to provide a net benefit to SMUD; and (c) does not exceed the authorized contract amount and applicable contingencies.

Approved: September 18, 2025

INTRODUCED: DIRECTOR BUI-THOMPSON				
SECONDED: DIRECTOR ROSE				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
FISHMAN	X			
ROSE	X			
BUI-THOMPSON	X			
HERBER	X			
KERTH	X			
TAMAYO	X			
SANBORN				X

President Fishman turned to Discussion Calendar Item 9, to certify the California Environmental Quality Act (CEQA) Oveja Ranch Solar Project (Project) Final Environmental Impact Report (EIR), including adoption of the Findings; adopt the Mitigation Monitoring and Reporting Program for the Project; and approve the Project.

Emily Bacchini, Interim Director, Environmental, Safety & Real Estate Services, gave a presentation regarding Discussion Calendar Item 9. A copy of the slides used in her presentation is attached to these minutes.

No public comment was forthcoming on Discussion Calendar Item 9.

After some discussion, Vice President Tamayo moved for approval of Discussion Calendar Item 9, Director Rose seconded, Resolution No. 25-09-06 was approved by a vote of 6-0, with Director Sanborn absent.

RESOLUTION NO. 25-09-06

WHEREAS, this Board has adopted policies stating this Board is committed to meeting customers' electrical energy needs (SD-4); demonstrating energy reliability and environmental leadership (SD-7); and ensuring high levels of customer satisfaction (SD-5); and

WHEREAS, SMUD's primary purpose is to supply electrical energy to customers in the Sacramento area; and

WHEREAS, the **Oveja Ranch Solar Project (Project)** was prepared as part of SMUD's efforts to expand the amount of carbon-free, reliable energy in our portfolio by planning a solar and battery energy storage project connected to SMUD's grid; and

WHEREAS, the **Project** would include installation, operation, and maintenance of a photovoltaic (PV) solar power facility on up to 400 acres of land leased to SMUD within the 534-acre **Project** site in southeastern Sacramento County; and

WHEREAS, the **Project** will generally comprise construction of PV solar panels, a battery energy storage system, a substation, and new and upgraded distribution lines to interconnect to SMUD's existing distribution system; and

WHEREAS, the **Project** layout has been sited to minimize and avoid natural resources and will integrate compatible agricultural activities such as grazing, agricultural production, and pollinator habitat into solar operations; and

WHEREAS, the **Project** will additionally consist of amending Williamson Act contracts to make PV solar development a compatible use; and

WHEREAS, a **Notice of Preparation (NOP)** was made available for public review on September 5, 2024, notifying the public and agencies that an EIR would be prepared for the **Project**, with a scoping period lasting 30 days from September 5, 2024, through October 6, 2024, and a public scoping meeting was held on September 18, 2024; and

WHEREAS, SMUD prepared the draft **Environmental Impact Report (EIR)**, which provides the **California Environmental Quality Act (CEQA)** analysis for the **Project**, and the **Mitigation Monitoring and Reporting Program** incorporated environmental avoidance, mitigation and improvement measures; and

WHEREAS, the **EIR** and **Mitigation Monitoring and Reporting Program** were made available for public review and comment for the 45-day period from March 17, 2025, through May 2, 2025, and a public meeting was held on April 10, 2025; and

WHEREAS, for both review processes, notices inviting public comment were sent to the State Clearinghouse, which then distributed the information to potential responsible and trustee agencies, posted on SMUD's website, posted with the Sacramento County Clerk, made available at SMUD's offices, distributed directly to interested parties including agencies and members of the public and property owners within 0.5 miles of the **Project** solar facility and 500 feet of the interconnection lines, interested Native American Tribes, the **Sacramento Metropolitan Air Quality Management District (SMAQMD)** (which has requested to be notified of SMUD's projects), and published in the *Sacramento Bee*; and

WHEREAS, during the **NOP** period, comments were received from **East Bay Municipal Utility District (EBMUD)**, **California Department of Conservation - Division of Land Resource Protection**, **California Department of Fish and Wildlife (CDFW)**, **SMAQMD**, **Sacramento County - Department of Transportation (Sac DOT)**, **Defenders of Wildlife**, **Southgate Recreation & Park District**, **Central Valley Regional Water Quality Control Board**, and a resident, and the comments were addressed in the **EIR**; and

WHEREAS, the comments received on the **EIR** did not necessitate changing the conclusions presented in the **EIR**; and

WHEREAS, the **Final Environmental Impact Report (FEIR)** included revisions to the air quality, biological resources, transportation and recreation chapters in response to the comments received as well as mitigation

measures for most impacts (e.g., air quality, biological resources, and Tribal cultural resources) to reduce impacts to a less-than-significant level; and

WHEREAS, all comments received during the public review period have been responded to as appropriate and incorporated into the **FEIR** and **Mitigation Monitoring and Reporting Program**, which were made available to commenters on September 8, 2025, and will require certification and approval, respectively, by the SMUD Board of Directors prior to approval of the **Project**; and

WHEREAS, the **FEIR** and **Mitigation Monitoring and Reporting Program** are located in the records of SMUD under the custody of the Environmental Management Department; **NOW THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. This Board has reviewed and considered information in the **Oveja Ranch Solar Project (Project) Final Environmental Impact Report (FEIR)** and **Mitigation Monitoring and Reporting Program** and (1) certifies that the **Project FEIR** complies with the **California Environmental Quality Act (CEQA)**; (2) adopts the **Mitigation Monitoring and Reporting Program**, as set forth in **Attachment C**; (3) adopts the **California Environmental Quality Act Findings in Connection with the Oveja Ranch Solar Project** as set forth in **Attachment D**; and (4) approves the **Project**.

Section 3. The Environmental Services Department is directed to file with the County Clerk of Sacramento County a Notice of Determination, which shall set forth the information required by **CEQA**.

Approved: September 18, 2025

INTRODUCED: DIRECTOR TAMAYO				
SECONDED: DIRECTOR ROSE				
DIRECTOR	AYE	NO	ABSTAIN	ABSENT
FISHMAN	X			
ROSE	X			
BUI-THOMPSON	X			
HERBER	X			
KERTH	X			
TAMAYO	X			
SANBORN				X

Sacramento Municipal Utility District Oveja Ranch Solar Project

Final Environmental Impact Report • September 2025

State Clearinghouse #2024090310

Sacramento Municipal Utility District

Oveja Ranch Solar Project

Final Environmental Impact Report

State Clearinghouse #2024090310

September 2025

Lead Agency:

Sacramento Municipal Utility District
6201 S Street, MS B209
Sacramento, CA 95817
Attn: Kim Crawford
(916) 732-5063 kim.crawford@smud.org

Prepared by:

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Sacramento, CA 95811
Contact: Petra Unger
Petra.Unger@aecom.com

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ACRONYMS AND ABBREVIATIONS

AB	Assembly Bill
BESS	battery energy storage system
CalEEMod	California Emissions Estimator Model
CCR	California Code of Regulations
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database
CWA	Clean Water Act
dB	decibel(s)
Draft EIR	draft environmental impact report
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
ESA	Endangered Species Act
Farmland	Prime Farmland, Unique Farmland, or Farmland of Statewide Importance
Final EIR	final environmental impact report
FMMP	Farmland Mapping and Monitoring Program
ft	feet
GGS	giant garter snake
ITP	incidental take permit
LTA	Local Transportation Analysis
MMRP	mitigation monitoring and reporting program
mph	miles per hour
NAHC	Native American Heritage Commission
NO _x	oxides of nitrogen
O&M	operations and maintenance
PM	particulate matter
PM ₁₀	particulate matter with aerodynamic diameter less than 10 microns
PM _{2.5}	particulate matter with aerodynamic diameter less than 2.5 microns
PRC	Public Resources Code
project	Oveja Ranch Solar Project
PV	photovoltaic
RWQCB	Regional Water Quality Control Board
SacDOT	Sacramento County Department of Transportation
SCWA	Sacramento County Water Agency
SHTAC	Swainson's Hawk Technical Advisory Committee
SMAQMD	Sacramento Metropolitan Air Quality Management District
SMUD	Sacramento Municipal Utility District

SOC	Statement of Overriding Considerations
SSHCP	South Sacramento Habitat Conservation Plan
TCR	tribal cultural resource
the Board	SMUD Board of Directors
UAIC	United Auburn Indian Community of the Auburn Rancheria
WEAP	worker environmental awareness program
WOS	Waters of the State
WUS	Waters of the United States

1.0 INTRODUCTION

On March 17, 2025, the Sacramento Municipal Utility District (SMUD) released for public review the draft environmental impact report (Draft EIR) for the proposed Oveja Ranch Solar Project (project). SMUD proposes to:

- Contribute to a diversified energy portfolio that will aid in the continued improvement of air quality in the Sacramento Valley Air Basin by decreasing reliance on fossil fuel combustion for the generation of electricity.
- Reduce SMUD's exposure to price volatility associated with electricity and natural gas.
- Provide a renewable power resource to support the SMUD Board of Directors' 2030 Zero Carbon Plan, approved in 2021, which establishes a flexible pathway for SMUD to eliminate carbon emissions from its power supply by 2030 by developing and procuring dependable renewable resources.
- Develop a project that will deliver a reliable, long-term supply of up to 75 MW of economically feasible solar and battery storage that provides grid resiliency at a point of interconnection on the grid managed by SMUD.
- Develop an agrivoltaics project that integrates agricultural irrigation production including sheep grazing.
- Design a flexible photovoltaic (PV) solar energy and battery storage facility that is capable of utilizing the best available, efficient, cost-effective, and proven PV solar and storage technology.
- Construct the facility in a location that has ready access to existing electrical infrastructure with available capacity and roads.

Up to 400 acres of land would be leased by SMUD for the project. The project includes constructing PV solar panels, a battery energy storage system (BESS), a substation, and new and upgraded distribution lines to interconnect the project to SMUD's existing distribution system. Project construction would take approximately 18 to 24 months and is proposed to begin as early as the third quarter of 2026 and conclude in 2028. At the end of the project's useful life (anticipated to be 30 to 35 years), the site and all project components (except for the upgraded distribution lines) would be decommissioned.

1.1 Public Review and Response to Comments

In accordance with Sections 15087 and 15105 of the State California Environmental Quality Act (CEQA) Guidelines, the Draft EIR was circulated for public review and comment to lead and responsible agencies, as well as members of the public, for 45 days (March 17, 2025, to May 2, 2025). SMUD also held a public meeting on April 10, 2025, to receive comments on the Draft EIR. Written comment letters and oral comments received on the Draft EIR are provided in their entirety in Chapter 2, "Comments and Responses to Comments."

Responses to each of the comments received are provided in this document as part of the final environmental impact report (Final EIR). Although some of the comments have resulted in minor changes to the text of the Draft EIR (see Chapter 3, "Corrections and Revisions to the Draft

EIR”), none of the changes constitute “significant new information,” which would require recirculation of the Draft EIR. Significant new information is defined in Section 15088.5(a) of the State CEQA Guidelines as follows:

1. A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
2. A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
3. A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
4. The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

None of these circumstances have arisen from comments on the Draft EIR; therefore, recirculation is not required.

The Draft EIR, Final EIR, and associated appendices are available for review online at: <http://smud.org/OvejaRanch>. As required by State CEQA Guidelines Section 15088(b), SMUD has provided an electronic copy (through SMUD’s website; see prior discussion) to each public agency, organization, and individual that submitted written comments on the Draft EIR with written responses to those comments at least 10 days prior to certifying the Final EIR.

1.2 Organization of the Responses to Comments

Chapter 2 of the Final EIR consists of the written comments received on the Draft EIR and presents responses to environmental issues raised in the comments (as required by State CEQA Guidelines Section 15132). The focus of the responses to comments is on the disposition of significant environmental issues that are raised in the comments, as required by Section 15088(c) of the State CEQA Guidelines.

Each comment letter has been reproduced with individual comments bracketed and numbered. Responses to the comments follow each letter. For example, the response to the second comment of the first letter would be indicated as Response to Comment 1-2. In some instances, clarifications of the text of the Draft EIR may be required. In those cases, the text of the Draft EIR is revised and the changes compiled in Chapter 3, “Corrections and Revisions to the Draft EIR.” The text deletions are shown in ~~strikeout~~ and additions are shown in underline.

1.3 Comments that Require Responses

Section 15088(c) of the State CEQA Guidelines specifies that the focus of the responses to comments shall be on the disposition of significant environmental issues. Responses are not required on comments regarding the merits of the project or on issues not related to the project’s environmental impacts. Comments on the merits of the proposed project or other comments that do not raise environmental issues will be reviewed by SMUD’s Board of Directors (the Board) before an action is taken on the project. The responses address

environmental issues and indicate where issues raised are not environmental or address the merits of the project. In the latter instance, no further response is provided.

1.4 Project Decision Process

This document and the Draft EIR together constitute the Final EIR, which will be considered by the Board before a decision on whether to approve the project. If the Board decides to approve the project, it must first certify that the Final EIR was completed in compliance with CEQA's requirements, was reviewed and considered by the Board, and reflects the Board's independent judgment and analysis, as required by State CEQA Guidelines Section 15090. The Board then would be required to adopt findings of fact on the disposition of each significant environmental impact, as required by State CEQA Guidelines Section 15091. If significant and unavoidable impacts (those that cannot be mitigated to a less-than-significant level) would result from the project and the Board chooses to approve the project, the Board would need to adopt a statement of overriding considerations, pursuant to State CEQA Guidelines Section 15093, explaining the overriding factors that the Board deems important to allow the project to move forward.

The following are important considerations in the Board approval process. A Statement of Overriding Considerations (SOC) is not required. The Notice of Determination (California Code of Regulations 15093 (b)) will be filed with the State Clearinghouse if the project receives approval by the Board. A Mitigation Monitoring and Reporting Program, which is required by CEQA Guidelines Section 15091(d), has been prepared and is included in Chapter 4 of this Final EIR.

1.5 Revisions to the Draft EIR

As discussed in Section 1.1, "Public Review and Response to Comments," above, CEQA requires recirculation of an EIR when the lead agency adds "significant new information" to an EIR, regarding changes to the project description or the environmental setting, after public notice is given of the availability of a draft EIR for public review under State CEQA Guidelines, California Code of Regulations (CCR) Section 15087, but before EIR certification (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required unless the EIR is changed in a way that would deprive the public of the opportunity to comment on significant new information, including a new significant impact in which no feasible mitigation is available to fully mitigate the impact (thus resulting in a significant and unavoidable impact), a substantial increase in the severity of a disclosed environmental impact, or development of a new feasible alternative or mitigation measures that would clearly lessen environmental impacts but that the project proponent declines to adopt (State CEQA Guidelines CCR Section 15088.5[a]). Recirculation is not required when the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR (State CEQA Guidelines CCR Section 15088.5[b]).

All revisions to the Draft EIR were minor and would not change any of the impact conclusion presented in the Draft EIR. Therefore, recirculation of the EIR would not be required.

1.5.1 Tribal Consultation

Assembly Bill (AB) 52 requires that lead agencies undertaking CEQA consult with California Native American Tribes upon the tribes' written request and evaluate in the EIR the potential for

projects to affect tribal cultural resources. Section 3.18, "Tribal Cultural Resources," of the Draft EIR describes the consultation that has occurred between the tribes and SMUD pursuant to AB 52. Specific language requested by the tribes was incorporated in the Draft EIR prior to circulation, and consultation has been completed.

2.0 COMMENTS AND RESPONSES TO COMMENTS

2.1 Letter 1. Sacramento County Department of Transportation, Gary Gasperi, March 19, 2025

Department of Transportation
Ron Vicari
Director



County of Sacramento

Letter 1

Office of the County Executive
David Villanueva
County Executive
Community Services Agency
David Defanti
Deputy County Executive

March 19, 2025

Kim Crawford
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817

**SUBJECT: COMMENTS ON THE NOTICE OF AVAILABILITY OF A DRAFT
ENVIRONMENTAL IMPACT REPORT FOR PUBLIC REVIEW**

Kim Crawford:

Sacramento County Department of Transportation (SacDOT) has reviewed the routing for the Draft Environmental Impact Report (DEIR) referenced in the Notice of Availability of a Draft Environmental Impact Report for Public Review for the Proposed the Oveja Ranch Solar Project, dated March 17, 2025. We appreciate the opportunity to review this document and have the following comment regarding the DEIR:

1. Page 3.17-7 – Construction – Please provide an illustration of the haul route specifying which Sacramento County roads the construction vehicles will take access from U.S. Highway 50 and California 99 to the project. 1-1
2. Page 3.17-7 – Construction – The project lists that the peak hourly trip generation would be approximately 483 vehicles. The Transportation Analysis Guidelines require a Local Transportation Analysis (LTA) if the trips generated are greater than 1000 daily trips or 100 peak hour trips despite where they originate from or what route they take. However, LTAs are required for the trip generation of the project's final use and not construction traffic. Please update Page 3.17-7's last paragraph with the correct assumptions of why an LTA is not required. 1-2
3. Page 3.17-7 – Construction – The project's construction traffic will not be subject to an LTA even though it exceeds the 100 peak hour trips threshold. However, the project will need to enter into a pavement repair contract with SacDOT as outlined in the section below. 1-3

SacDOT looks forward to coordinating with the project applicants outside the EIR process regarding the haul route and expected quantities and tonnage of deliveries to the site to determine the extent of the pavement use as requested in comments below:

1-4

4. In order to offset the damage to the roadway from the hauling during construction, please coordinate with Scott Urbanik (urbaniks@saccounty.gov) from SacDOT – Operations and Maintenance Division to enter into a pavement repair contract.

5. The Applicant shall submit an initial evaluation of the structural integrity of the pavements on the haul routes to the County. Specific initial improvements needed for the haul routes to carry the truck traffic loads shall be determined by the County and shall be funded and constructed by the Applicant within one (1) year of initiating work on the project site. An agreement between SacDOT and the Applicant to specify the roadway improvements to be constructed by the Applicant shall be executed prior to issuance of the Building Permit. The applicant shall coordinate this agreement with SacDOT – Operations and Maintenance Division.

1-5

Should you have any questions, please feel free to contact me at 916-876-4108.

Sincerely,

Gary Gasperi



Digitally signed by Gary Gasperi
Date: 2025.03.19 07:17:44-07'00'

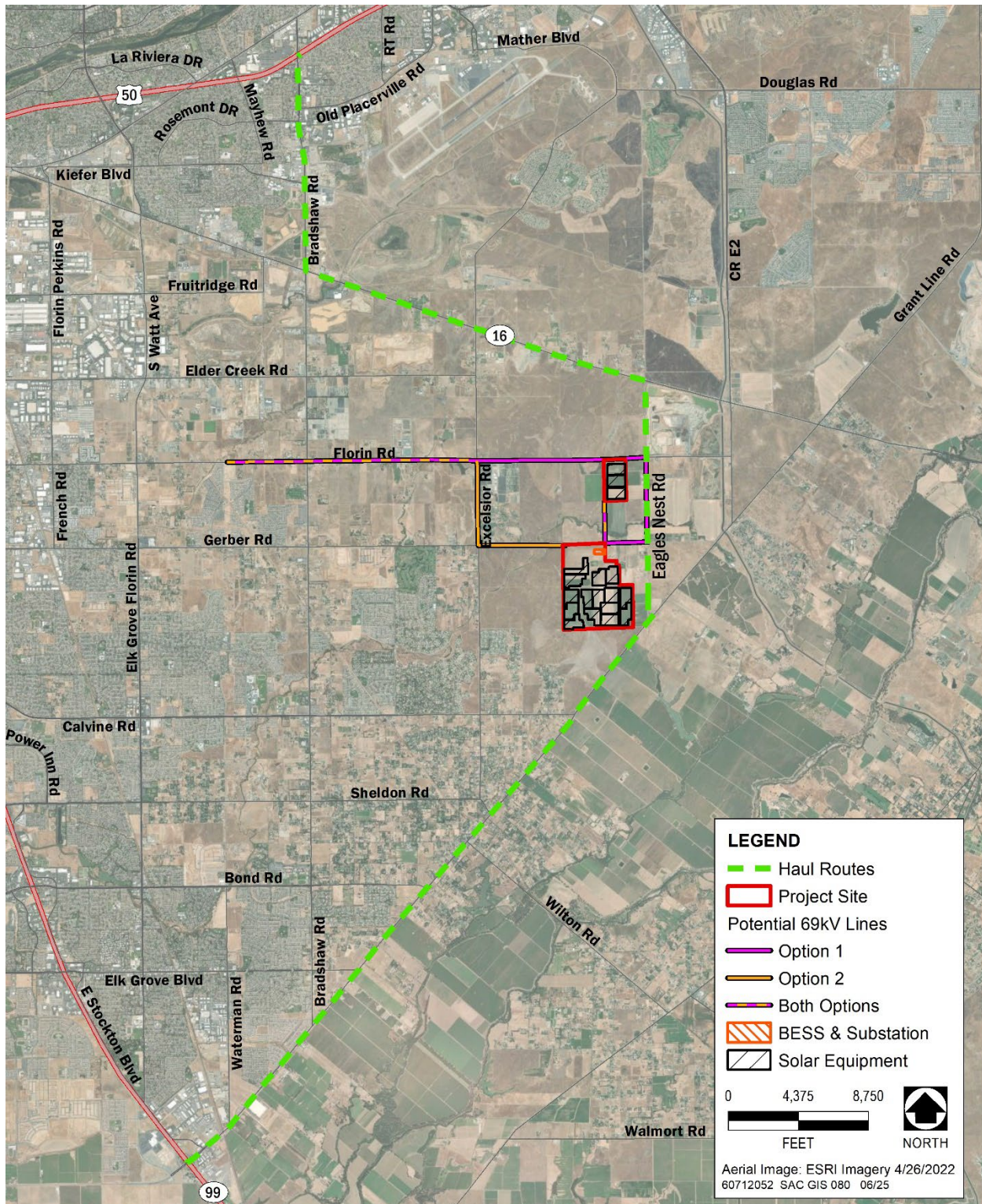
Gary Gasperi, PE, TE
Senior Civil Engineer
Department of Transportation

GG:gg

CC:

Matthew Darrow, DOT
Cameron Shew, DOT
Kamal Atwal, DOT
Scott Urbanik, DOT

Letter 1 Response	Gary Gasperi, Sacramento County Department of Transportation March 19, 2025
1-1	Please see the anticipated haul routes vehicles will take during construction in the figure on the following page. No revisions to the EIR are necessary.
1-2	<p data-bbox="280 464 1442 537">As requested by the Sacramento County Department of Transportation (SacDOT), the following paragraph on page 3.17-7 of the Draft EIR has been edited:</p> <p data-bbox="280 564 1442 1234">Up to 64 daily construction-related truck trips for delivery of materials and hauling would be spread over an eight-hour workday during the peak period of construction in terms of trip generation, which is during the site preparation phase. In addition, a maximum of 263 worker trips would occur during the a.m. and p.m. hours before and after each workday during the peak construction phase, resulting in a total of up to 654 daily vehicle and truck trips added each day to local roadways during the peak trip-generating phase of construction. If the equipment and material delivery and haul trips are spread evenly across an eight-hour workday, and the worker commute trips occur during the first and last hour of the eight-hour workday, the peak hourly trip generation would be approximately 483. It is assumed that the worker trips will be distributed along area roadways. <u>A more detailed, focused Local Transportation Analysis (LTA) is required only when a project's final use is expected to generate greater than 1000 daily trips or 100 peak hour trips. However, an LTA is not required for project-related construction traffic. Therefore, because the number of daily and peak trips is below the threshold, an LTA is not required for this project, and the volume on any single roadway segment will fall below 100 peak hour vehicle trip ends, thereby avoiding the need for a more detailed, focused Local Transportation Analysis (LTA) based on this threshold beyond what is provided in this analysis.</u> Furthermore, work hours during the construction season would likely be longer than 8 hours to make maximum use of each workday, thus worker arrival and departure would likely typically occur before and after main commuter hours</p>
1-3	Comment noted. SMUD will coordinate with SacDOT regarding entering into a pavement repair contract.
1-4	Comment noted. SMUD will coordinate with SacDOT regarding entering into a pavement repair contract.
1-5	Comment noted. SMUD will coordinate with SacDOT regarding an initial evaluation of the structural integrity of the pavement on the haul routes.



Proposed Access Haul Routes

**2.2 Letter 2. Southgate Recreation & Park District, Vincent King,
April 2, 2025****Letter 2**

April 2, 2025



Sheldon
Administrative Headquarters
6000 Orange Avenue
Sacramento, CA 95823-3225
Phone (916) 428-1171
Facsimile (916) 428-7334
southgaterecandpark.net

Board of Directors
Janet Grisanti
Preston Jackson, III
Kristy Lac
Manuel Mejia
Rosario Rosas

General Manager
Ward Winchell

Kim Crawford
Sacramento Municipal Utility District
6201 S Street, MS B209
Sacramento, CA 95817

Re: Oveja Ranch Solar Project

Dear Mrs. Crawford:

The Southgate Recreation & Park District (District) received the Notice of Availability for the draft environmental impact report (DEIR) for the proposed Oveja Ranch Solar Project. The District is an independent special district; a local government agency established to serve the residents of south Sacramento county.

2-1

As expressed in our February 7, 2025, letter, the District, County, and neighboring cities have long planned for a regional multi-use trail corridor that follows the approximate route of Laguna Creek. The District wishes to continuing working with SMUD to: a) ensure that the proposed project does not block or preclude future development of the planned trail system, and b) identify where and if mutual rights of way or access may be partnered with the proposed project and transmission options.

The District appreciates the statement in the DEIR section 3.16, "SMUD will take any information obtained in coordination with the District into account when designing the powerline crossings of Laguna Creek to ensure the plans for a bicycle and pedestrian trail are not adversely affected by the project." The following section in the impact analysis (3.16-1.) should be revised by removing the statement, "~~Additional details about this project were not available online, and SMUD attempted to reach out to the Southgate Recreation and Park District for more information,~~" as it would be more accurate to capture the coordination that occurred. In late January SMUD and District staff met and exchanged data about existing easements north and east of Excelsior Road and along the Gerber Road right-of-way. The District provided maps and expressed a desire for a future trail alignment northeast of Excelsior Road and possibly aligning with the Gerber Road right-of-way. The precise alignment for the trail is not yet determined and will be driven by coordination with your project and by physical, environmental, and other constraints and the involvement of the community and property owners. The District wishes to continue to be consulted as the project develops.

2-2

Please contact me at should you have questions on this matter at (916) 428-1171 x21 or vking@southgaterecandpark.net.

Sincerely,


Vincent King, Planning Manager

**Letter
2
Response****Vincent King, Southgate Recreation & Park District
April 2, 2025**

2-1 SMUD appreciates the opportunity to work with the District and will continue to do so as the project moves into the permitting phase.

2-2 As requested by the District, the following paragraph on page 3.16-3 has been edited:

During scoping, the Southgate Recreation and Park District provided a comment letter that indicated their long-term plans to construct bicycle and pedestrian trails along the Laguna Creek corridor. ~~Additional details about this project were not available online, and SMUD attempted to reach out to the Southgate Recreation and Park District for more information.~~ In late January 2025, SMUD and the Southgate Recreation and Park District staff met and exchanged information about existing easements east of Excelsior Road and along the Gerber Road right-of-way. The Southgate Recreation and Park District expressed a desire for a future trail alignment northeast of Excelsior Road and possibly aligning with the Gerber Road right-of-way. The precise alignment for the trail is not yet determined and will be driven by the Southgate Recreation and Park District with consideration of physical, environmental, and other constraints and the involvement of the community and property owners. SMUD will take any information obtained in coordination with the District into account when designing the powerline crossings of Laguna Creek to ensure the plans for bicycle and pedestrian trails in the Laguna Creek corridor are not adversely affected by the project. Therefore, **no impact** would occur.

2.3 Letter 3. Sacramento County Department of Community Development, Todd Smith, April 14, 2025

Todd Smith, Planning Director
Planning and Environmental
Review



County of Sacramento

Letter 3
Troy Givans, Director
Department of Community
Development

April 14, 2025

Kim Crawford
SMUD Environmental Services
P.O. Box 15830 MS B209
Sacramento, CA 95852-1830

Subject: Comments on Notice of Preparation of a Draft Environmental Impact Report for Oveja Ranch Solar Project

Dear Ms. Crawford,

Thank you for the opportunity to review the Notice of Preparation for the Oveja Ranch Solar Project (Project). Sacramento County's interests in the proposed Project relate to the following Williamson Act (WA) contracts 69-AP-023.2, 69-AP023.6, and 69-AP-023.5, currently active on the Project site. Along with active WA contracts, Conveyance of Development Rights to the County of Sacramento on two of the three project parcels (APNs: 067-0110-083 and 123-0030-003) will also need to be addressed. As noted on page 2-5 of the Draft Environmental Impact Report (DEIR), the above listed WA contracts will need to be amended in order to make Commercial II Solar Facilities and Battery Energy Storage System (BESS) facilities compatible land uses under the WA contract. 3-1

Two of the three selected properties for this Project also contain a Conveyance of Development Rights to the County of Sacramento. This limits the types of development that can occur on these sites to agricultural development and accessory to agricultural development. This in turn leads to the need to abandon or amend the Conveyance of Development Rights Resolutions along with the WA contract amendments. In order to accomplish this, a General Application Form must be submitted to Sacramento County Planning and Environmental Review (PER) for approval from the Board of Supervisors. This was noted to SMUD on two separate occasions as outlined below. 3-2

On March 28, 2024, PER issued a letter to SMUD through email titled "Review of Potential SMUD Projects in Unincorporated Sacramento County" (Attachment 1). At this time the Oveja Ranch Solar Project was known as the Waegell Solar Project. PER staff informed SMUD about the active WA contracts and the Conveyance of Development Rights on the proposed site. Staff also noted that per Section 3.6.6.C of the Sacramento County Zoning Code (SZC or Zoning Code), the project would fall under the category of Commercial II Solar Facility, which per Section 3.2.5, Table 3.1 of the Zoning Code requires a Use Permit from the County Board of Supervisors and is subject to the Use Standards of Zoning Code Section 3.6.6.C.3. However, Government Code Section 53091(e) provides an exemption from zoning ordinances for power generation facilities owned and operated by utilities. Therefore, the power generation component of the project is not subject to local land use review.

In this letter, PER staff also noted that the BESS facility portion of the Project would not fall under the exception from Government Code Section 53091(e), given the Zoning Code includes provisions for the Planning Director to make determinations on applicable zoning allowances and standards for uncategorized uses. On May 26, 2023, PER's Planning Director signed a Planner Director's Determination (Determination) that BESS facilities are most similar to Warehousing in terms of the

827 7th Street, Room 225 • Sacramento, California 95814 • phone (916) 874-6141 • fax (916) 874-7499
www.per.saccounty.net

industrial nature of the development, while also sharing similar regulatory needs to that of Commercial II Solar Facilities and Hazardous Waste Storage/Disposal Facility (Attachment 1). Therefore, the Planning Director determined that BESS facilities shall be conditionally permitted in all zoning districts which allow for Commercial II Solar Facilities (AG-20 through AG-160, UR, IR, RR, MP, M-1, and M-2) with the exception that a Use Permit approved by the Board of Supervisors (UPB) shall be required in all such zoning districts. All applicable use standards and conditions of approval for Commercial II Solar Facilities listed in Section 3.6.6.C.3 of the Zoning Code shall apply to BESS facilities. BESS facilities shall utilize industrial development standards per Table 5.14 of the Zoning Code.

3-2
(Cont)

However, in the spirit of supporting SMUD's Zero Carbon Plan, and because this Determination had not been codified as a County Zoning Ordinance yet, PER informed SMUD that they will not impose the Use Permit requirement for the BESS facility. It is, however, PER's expectation that SMUD will comply to the greatest extent possible with the standards and conditions detailed in the Determination for BESS facilities.

On January 21, 2025, PER received an application from SMUD for a Planning and Environmental Review Consultation Meeting (PERC), for development of a new 400-acre solar facility and battery storage facility located on three parcels, two contiguous (APNs: 123-0030-003, 123-0040-001) and one approximately 2,600 feet north of the contiguous parcels (APN: 067-0110-083), totaling 751.6 acres, zoned AG-160, in the Vineyard community. The PERC was held on March 4, 2025, at 2pm, virtually through Microsoft Teams. During this meeting PER staff prepared and walked SMUD through the Planner Notes (Attachment 2), which detailed the preliminary entitlement process that the Project proponents would need to complete in order to amend the WA contracts and the Conveyance of Development Rights Resolutions. The preliminary entitlement package would consist of a Board Review (BRB) to the Sacramento County Board of Supervisors. PER staff also provided details on estimated application fees, advisory and hearing bodies, Zoning Code use regulations, and Zoning Code development standards that would apply to the Project. Staff also noted that per the Planning Director's letter to SMUD dated March 28, 2024, a Use Permit would not be required for the proposed Commercial II Solar Facility and the BESS facility.

Thank you for the opportunity to submit these comments. We look forward to further dialogue on the proposed Project. County staff are available to meet and discuss these comments and our interests should the need arise. Please contact Kimber Gutierrez, Senior Planner, at gutierrezk@sacounty.gov or (916) 874-7529 if you have any questions.

Sincerely,

Todd Smith Digitally signed by Todd Smith
Date: 2025.04.30 10:05:34
+07'00'

Todd Smith

Planning Director

Attachments:

ATT 1 – Review of Potential SMUD Projects in Unincorporated Sacramento County

ATT 2 – PAMP2025-00006 Planner Notes

**Letter
3
Response****Todd Smith, Sacramento County Department of Community
Development
April 14, 2025**

- 3-1 Comment noted. No further response is necessary.
- 3-2 Comment noted. SMUD appreciates the opportunity to work with the Department of Community Development in support of this project and will continue to do so as it relates to amending the Williamson Act contracts and the Conveyance of Development Rights to the County on two of the three project parcels.

**2.4 Letter 4. East Bay Municipal Utility District, David J. Rehnstrom,
April 16, 2025****Letter 4**

April 16, 2025

Kim Crawford, Environmental Specialist
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817

Re: Notice of Availability of a Draft Environmental Impact Report for the Oveja Ranch Solar
Project, Sacramento County

Dear Ms. Crawford:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Draft Environmental Impact Report (EIR) for the Oveja Ranch Solar Project located in unincorporated Sacramento County. EBMUD commented on the Notice of Preparation of a Draft EIR for the project on September 30, 2024. EBMUD's original comments (see enclosure) still apply regarding the Gerber Pipeline.

4-1

If you have any questions concerning this response, please contact Sandra Mulhauser, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-7032.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:AIT:kn
wdpd25_046 Oveja Ranch Solar Project.doc

Enclosure: EBMUD Response Letter to SMUD on the Notice of Preparation of a Draft EIR
dated September 30, 2024



September 30, 2024

Kim Crawford
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817

Re: Notice of Preparation of a Draft Environmental Impact Report for the Oveja Ranch
Solar Project, Sacramento County

Dear Ms. Crawford:

East Bay Municipal Utility District (EBMUD) appreciates the opportunity to comment on the Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) for the Oveja Ranch Solar Project located in unincorporated Sacramento County. EBMUD has the following comments.

GERBER PIPELINE

EBMUD owns and operates the Gerber Pipeline, located in the Gerber Road public right-of-way within the project area (see enclosed map of EBMUD's Gerber Pipeline), which serves the Freeport Regional Water Project. Any projects being planned within or immediately adjacent to the Gerber Pipeline public right-of-way will need to follow EBMUD's Procedure 718 – Raw Water Aqueduct Right-of-Way Non-Aqueduct Uses. A copy of the procedure is enclosed for your reference.

Design drawings for any project encroachment (roadway, utility, facility, etc.) or restoration projects crossing or within the Gerber Pipeline public right-of-way will need to be submitted to EBMUD for review of possible drainage, site grading, fencing, construction access, and other conditions that may impact the Gerber Pipeline. EBMUD requires a full set of drawings (full size or 11" x 17") as well as an electronic copy in PDF format. All submittals shall be sent to the attention of Douglas Hooper, Assistant Superintendent of Aqueduct Section, 1804 West Main Street, Stockton, CA 95203. Additional information and an encroachment package are included in EBMUD's Procedure 718. Applications for non-EBMUD uses will not be processed unless accompanied by the appropriate application fees outlined in the current applicable Water and Wastewater System Schedule of Rates and Charges and Fees. A pre-construction meeting with EBMUD is mandatory.

When a project involves the construction of a retaining wall and fence along the public right-of-way – these must be constructed completely outside of the Gerber Pipeline public right-of-way, including all footings. Sacramento Municipal Utility District shall contact

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Kim Crawford
September 30, 2024
Page 2

EBMUD's Survey Section to coordinate identifying, locating and marking the Gerber Pipeline.

If you have any questions concerning this response, please contact Sandra Mulhauser, Senior Civil Engineer, Major Facilities Planning Section at (510) 287-7032.

Sincerely,



David J. Rehnstrom
Manager of Water Distribution Planning

DJR:WTJ:kn
wdpd24_200 Oveja Ranch MND.doc

Attachment: Map of EBMUD's Gerber Pipeline
Procedure 718

EBMUD Aqueduct Map

— Aqueduct

Date Created: September 27, 2024

0 500 1,000 2,000 Feet

EBMUD

**Letter
4
Response**

**David J. Rehnstrom, East Bay Municipal Utility District
April 16, 2025**

4-1 Comment noted. No further response is necessary.

2.5 Letter 5. Sacramento County Water Agency – Water Supply Planning, Ramon Roybal, April 30, 2025**Letter 5****SACRAMENTO COUNTY WATER AGENCY
INTER-OFFICE CORRESPONDENCE
Department Of Water Resources****M E M O R A N D U M**

TO: Kurtis Steinert, AICP, Associate Planner
Planning and Environmental Review

FROM: Ramon Roybal
via Esther Kinyua, Senior Engineer
Sacramento County Water Agency – Water Supply Planning

DATE: April 30, 2025

SUBJECT: SMUD Oveja Ranch Solar Project - CEQA Notice of Availability

Mr. Steinert:

The Sacramento County Water Agency (SCWA) has reviewed the Draft EIR and attached Water Supply Assessment for the SMUD Oveja Ranch Solar Project and has the following comments:

- SCWA acknowledges that the project is wholly within SCWA's Zone 40 and Zone 41 service areas as well as within its Urban Water Management Plan and Zone 40 Water Supply Master Plan boundaries. SCWA has not been requested to supply water to the project and further acknowledges that water supply will be provided by existing private on-site groundwater wells. 5-1
- Pay the Surface Water Component Fee for private wells as outlined in Title 4, Section 4.45.005 of the Sacramento County Water Agency Code. 5-2
- Submit improvement plans to Sacramento County Water Agency for approval. 5-3

Regards,
Ramon Roybal

**Letter
5
Response****Ramon Roybal, Sacramento County Water Agency – Water
Supply Planning
April 30, 2025**

- 5-1 Comment noted. No further response is necessary.
- 5-2 Comment noted. SMUD will coordinate with the Sacramento County Water Agency (SCWA) regarding the Surface Water Component Fee.
- 5-3 Comment noted. Improvement plans are not being prepared for the project. SMUD will coordinate with the Sacramento County Water Agency (SCWA) regarding the project's water supply planning.

2.6 Letter 6. Sacramento Metropolitan Air Quality Management District, Roberto Ramirez, April 30, 2025

Letter 6

Hi Kim,

Thank you for the opportunity to review the Draft Environmental Impact Report (EIR) for the proposed Oveja Ranch Solar Project (Project).

While reviewing the Draft EIR and the associated air quality appendix, Sac Metro Air District identified some inconsistencies with the emissions disclosed in the Draft EIR, and the emissions results in the appendix. Although these inconsistencies do not change the impact findings in the Draft EIR, Sac Metro Air District still recommends that the document be updated to ensure complete and accurate disclosure.

The emissions summary tables on PDF page 2 of Appendix AQ-1 should be updated. See more information below:

Unmitigated Construction Table

- **For ROG, NOx, and PM2.5**, the daily emissions are not added correctly. Please go through and re-calculate to show the correct totals for each pollutant (i.e. the total for ROG should be 85.1 (const equip and vehicles + ATVs), not 85.4).
- **For daily PM10**, the worst-case scenario (Daily, Winter (Max)) should be used. In this case, it would be 64 (see section 2.1 of CalEEMod results), not 50. That would be bring the total to 76.6 lbs/day, not 62.6.

Mitigated Construction Table

- Like the unmitigated construction table, the totals listed for each pollutant are not added correctly. Please go through and re-calculate to show the correct totals for each pollutant.

Unmitigated Operational Table

- **PM2.5** should be 0.01 ton/year to reflect CalEEMod results.

Once these values are revised, please update values disclosed in DEIR.

Thank you,

Roberto Ramirez

Air Quality Planner/Analyst

ISA Certified Arborist #WE-14276A

Transportation & Climate Change

Desk: (916) 704-4552

Main Office: 279-207-1122

www.AirQuality.org



6-1
6-2
6-3
6-4
6-5
6-6

**Letter
6
Response****Roberto Ramirez, Sacramento Metropolitan Air Quality
Management District
April 30, 2025**

- 6-1 Comment noted. No further response is necessary.
- 6-2 For unmitigated construction emissions, Appendix AQ-1 has been updated to show emissions for all criteria air pollutants for the Construction Equipment and Vehicles out to one decimal place, which shows that the totals indicated in the Unmitigated Construction Table (Table 3.3-7) are correct and do not need to be revised. No edits to the DEIR are required.
- 6-3 Unmitigated daily PM₁₀ emissions have been updated to reflect the worst-case scenario (Daily, Winter (Max)) for total PM₁₀ as shown in the CalEEMod outputs (64.4 pounds per day for Construction Equipment and Vehicles). Table 3.3-7 has been updated to reflect the total unmitigated daily PM₁₀ emissions of 77.0 pounds per day.
- 6-4 For mitigated construction emissions, Appendix AQ-1 has been updated to show emissions for all criteria air pollutants for the Construction Equipment and Vehicles out to one decimal place, which shows that the totals indicated in the Mitigated Construction Table (Table 3.3-9) are correct and do not need to be revised. No edits to the DEIR are required.
- 6-5 Unmitigated annual operational emissions of PM_{2.5} and PM₁₀ shown in Table 3.3-8 have been updated to 0.01 tons per year and 0.02 tons per year, respectively, to match the CalEEMod outputs.
- 6-6 Comment noted. Applicable revisions have been made to the DEIR. No further response is necessary.

2.7 Letter 7. California Department of Fish and Wildlife, Morgan Kilgour, May 2, 2025

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

Letter 7
GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 2, 2025

Kim Crawford
Environmental Specialist
Sacramento Municipal Utility District
6201 S Street, MS B203
Sacramento, CA 95817-1899
OvejaRanch@smud.org

Subject: Oveja Ranch Solar Project
DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR)
SCH No. 20244090310

Dear Kim Crawford:

The California Department of Fish and Wildlife (CDFW) received and reviewed the DEIR from Sacramento Municipal Utility District (SMUD) for the Oveja Ranch Solar Project (Project) in Sacramento County pursuant to the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code, § 1802.) Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

7-1

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May 2, 2025
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CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

7-1
(Cont.)**PROJECT DESCRIPTION SUMMARY**

The project is located in unincorporated southeastern Sacramento County, south of the City of Rancho Cordova and north of Wilton. The project site is approximately 534 acres; the northern area (80 acres total) and the southern area (454 acres total) which are not directly adjoining properties but would be connected by a 0.5-mile-long connector line. The project would be bound to the north by Florin Road and to the east by Eagles Nest Road. Primary access to the project site would be from Eagles Nest and Florin roads.

The Oveja Ranch Solar Project includes construction and operation of an approximately 400-acre photovoltaic (PV) solar power and battery storage facility (BESS) and interconnection facilities, including a generation substation, and interconnection lines, that would provide new power production capacity of up to 75 MW delivered at the point of interconnection with the electrical grid managed by Sacramento Municipal Utility District (SMUD). The project components would generally comprise PV solar modules, foundation piles, racking, direct current (DC) collection, alternative current (AC) collection, fencing, roads, inverters, medium voltage transformers, generation substation equipment, BESS equipment, and interconnection lines and poles to the existing SMUD distribution system. During construction, a temporary construction trailer/office complex and staging areas would be established. During operation, the proposed project would likely include a small structure or storage container that would provide space for an onsite office for the site operator, equipment storage, and portable sanitary facilities. At the end of the project's life (anticipated to be 34 years and 11 months), the project and its assets would be decommissioned.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist SMUD in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the potential for the Project to have a significant impact on biological resources, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

7-2

CDFW is primarily concerned with the project impacts to California state listed species, fully protected species, and California Native Plant Society (CNPS) species including but not limited to: Crotch's bumble bee (*Bombus crotchii*) State Candidate Endangered

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((SCE)), burrowing owl (*Athene cunicularia*) (SCE), giant garter snake (*Thamnophis gigas*) (State Threatened (ST)), greater sandhill crane (*Antigone canadensis tabida*) (Fully Protected (FP)), loggerhead shrike (*Lanius ludovicianus*) (Species of Special Concern (SSC)), northern harrier (*Circus hudsonius*) (SSC), song sparrow "Modesto" population (*Melospiza melodia*) (SSC), Swainson's hawk (*Buteo swainsoni*) (ST), tricolored blackbird (*Agelaius tricolor*) (ST), western pond turtle (*Actinemys marmorata*) (SSC), western spadefoot (*Spea hammondi*) (SSC), white-tailed kite (*Elanus leucurus*) (FP), Boggs Lake hedge-hyssop (*Gratiola heterosepala*) (State Endangered (SE)), Sacramento Orcutt grass (*Orcuttia viscida*) (SE), and Slender Orcutt grass (*Orcuttia tenuis*) (SE).

Additionally, CDFW is concerned about impacts related to sensitive habitats and aquatic resources including vernal pools, wetlands, stream systems, riparian corridors, wildlife corridors, and nesting and foraging habitats present onsite.

COMMENT 1: Western Spadefoot, Mitigation Measure 3.4-5. Avoid Impacts to Western Spadefoot during Construction, page 222

Issue: As discussed in the DEIR, Western Spadefoot may be located within the project area. As currently written, Mitigation Measure 3.4-5 is not adequate to reduce project impacts to less-than significant. Ground disturbing activities including grading, discing, or road construction during the dormant period could have the potential to entomb or excavate western spadefoot individuals in grassland habitat near vernal pool complexes if all burrows are not found and marked. Additionally, the proposed measure states that ground disturbing activities within the proposed 50-foot buffer could occur in a limited capacity if the buffer is within the Project Area.

Recommendation or Recommended Mitigation Measure: CDFW recommends that Mitigation Measure 3.4-5 be revised to the following (additions are noted in bold while deletions are noted in strikethrough):

- Prior to any ground disturbance activity (e.g., grading, diskings, road construction, or similar activities that could entomb or excavate spadefoot in grassland habitat near vernal pools) in the overhead collector line and distribution line corridors, a qualified biologist shall survey the project footprint prior to the onset of work for Western spadefoot. The qualified biologist shall identify burrows potentially suitable for Western spadefoot and mark a 50-foot non-disturbance buffer around any burrows mapped. Ground disturbance in these buffer areas shall be avoided, if feasible. If ground disturbance would be required within the 50-foot buffer, activities shall be limited to the minimum footprint necessary and shall be monitored by **an onsite** qualified biologist, ~~who would be either on-call or onsite~~, as appropriate to guide activities within the buffer to reduce impacts. **Ground disturbing activities within suitable Western spadefoot breeding habitat will be limited during their active period (typically between October and May) to the extent possible.**

The qualified biologist shall inform construction personnel to stop construction activities if a Western spadefoot is observed or if, in the biologist's opinion,

7-2
(Cont.)

7-3

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maintenance activities threaten to cause adverse effects to Western spadefoot. If it is determined that Western spadefoot would be potentially harmed by construction, a qualified biologist **with the appropriate handling permits** may relocate animals to suitable habitats outside the project footprint. **A relocation report will be submitted to SMUD within 48 hours after the species has been relocated.**

7-3
(Cont.)

COMMENT 2: Giant Garter Snake, Mitigation Measure 3.4-8. Conduct Pre-Construction Surveys and Implement Avoidance and Minimization Measures, page 226

7-4

Issue: As discussed in the DEIR, giant garter snake (GGS) may be located within the project area. As currently written, Mitigation Measure 3.4-8 is not adequate to reduce project impacts to less-than significant. Ground disturbing activities including grading, discing, or road construction during GGS dormant period could have the potential to entomb or excavate individuals within their habitat. Additionally, if GGS are found to be present during preconstruction surveys, a Qualified Biologist with stop work authorization should be present during all ground disturbing activities within suitable GGS habitat throughout project construction and O&M.

Recommendation or Recommended Mitigation Measure: CDFW recommends that Mitigation Measure 3.4-8 be revised to the following (additions are noted in bold while deletions are noted in strikethrough):

- Project ground-disturbing activities in aquatic habitat and adjacent upland habitat within 200 feet of suitable aquatic habitat (perennial drainages and agricultural ditches carrying year-round water) shall be conducted during the giant garter snake's active season (i.e., after May 1 and before October 1), to the extent feasible. During this period, the potential for direct mortality is reduced, because snakes are expected to mainly occupy aquatic habitat and to actively move and avoid danger. If project activities in upland habitat occur within 200 feet of suitable aquatic habitat must be started outside of the snake's active season (May 1 to October 1), the following mitigation measures must be implemented:
 - Within 24-hours prior to commencement of construction activities within 200 feet of potential giant garter snake habitat (perennial streams and agricultural ditches that carry year-round water), the site shall be inspected by a qualified biologist who is approved by **SMUD**. ~~the CDFW and USFWS~~. Results of this clearance survey shall be reported in memo shared with SMUD and construction should only commence after a negative inspection report. If construction activities are delayed or stop for a period of two weeks or more, another pre-construction clearance survey shall be conducted within 24 hours before resuming construction activity. If snakes, or evidence of snakes, are encountered during pre-construction surveys, a biological monitor shall be present during the commencement of construction activities in upland habitat within 200 feet of suitable aquatic habitat during **all ground disturbing activities**. ~~the non-active season~~. If any snakes are observed in

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uplands near drainages during the active season, project activity shall be halted and the snakes shall be allowed to leave the area on their own.

- **If take of GGS individuals cannot be avoided during the active or dormant seasons, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.**

COMMENT 3: Burrowing Owl, Mitigation Measure 3.4-10. Conduct Pre-construction Surveys for Burrowing Owl and Implement Avoidance and Minimization Measures, page 229

Issue: The project site provides suitable habitat for burrowing owls. Burrowing owls have suffered significant habitat loss due to large-scale development, including wind and solar energy infrastructure development, and from the killing and removal of mammals during significant grading activities whose underground burrows the owls use for nesting. Burrowing owls is designated as a candidate species under CESA and has additional protection under the Migratory Bird Treaty Act and Section 3503.5 of the Fish and Game Code; therefore, impacts may be considered potentially significant unless adequate mitigation is incorporated.

Recommendation or Recommended Mitigation Measure: CDFW recommends that Mitigation Measure 3.4-10 be revised to the following (additions are noted in bold while deletions are noted in strikethrough):

- If a burrowing owl or evidence of presence at or near a burrow entrance is found to occur within 500 feet of the project site, the following measures shall be implemented:
 - If burrowing owls are found during the breeding season (approximately February 1 to August 31), the project applicant shall:
 - Avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging).
 - Establish a **minimum** 500-foot, **up to 1650-foot** non-disturbance buffer zone around nests, **consistent with CDFW's 2012 Staff Report guidelines**. The buffer zone shall be flagged or otherwise clearly marked. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer shall be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

7-4
(Cont.)

7-5



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- Construction may occur only outside of the 500-foot buffer zone during the breeding season and only if a qualified biologist monitors the nest and determines that the activities will not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.
 - If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a **minimum of 165-foot~~160-foot~~, up to 1650-foot no-disturbance** buffer zone around active burrows **consistent with CDFW's 2012 Staff Report guidelines**. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.
 - During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by CDFW, project applicant shall obtain an Incidental Take Permit (ITP) for the project. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from CDFW (e.g., California Department of Fish and Game 2012) and submitted to and approved by CDFW along with the ITP application. Burrow exclusion may not be conducted for burrows located in the project footprint and within a 160-foot buffer zone until the ITP is obtained. All ITP conditions must be followed when excluding owls.
- **A Burrowing Owl Mitigation and Management Plan shall be developed in consultation with CDFW and consistent with CDFW's Staff Report on Burrowing Owl Mitigation (March 2012), or more current CDFW guidelines prior to project construction. The Burrowing Owl Mitigation and Management Plan shall be submitted to SMUD for review prior to the start of construction. The plan shall address long-term ecological sustainability and maintenance of the site for burrowing owls, where feasible in the solar development area (i.e., temporary impact areas) and in adjacent areas. The Plan shall require the achievement of a performance standard of no net loss of burrowing owl nesting and foraging habitat and a minimum of 3 acres for each acre habitat replacement for nesting sites, function, and values and shall include the following elements:**
 - **A description of the preconstruction distribution and abundance of burrowing owls and existing habitat conditions at the project site, including a burrow complex map showing natural burrow complexes**

7-5
(Cont.)

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and atypical burrows (e.g. culverts, buckled concrete, etc.) utilized by the burrowing owl. The map shall show details and locations of all burrow sightings capable of supporting the burrowing owl and shall indicate potential burrows, occupied burrows, satellite burrows, areas of concentrated burrows, and sign. The map shall include a title, an outline of the Project Area, north arrow, scale bar, and legend.

- Avoidance and minimization measures to be implemented during project construction to avoid direct and indirect impacts on burrowing owls (e.g., establishment by a qualified biologist of a minimum of 165 feet, up to 1650 feet, non-disturbance buffers around active burrows depending on the time of year and type of activity, consistent with CDFW's 2012 Staff Report guidelines); including a discussion of any proposed passive relocation activities, if necessary (e.g., non-breeding season active burrows that cannot feasibly be avoided).
- Proposed management of burrowing owl nesting and foraging habitat during project operation and maintenance to achieve the goal of no net loss of existing habit value for burrowing owls within temporary impact areas;
- A monitoring and reporting plan addressing implementation and success of the management plan and identifying actions needed to maintain foraging and nesting habitat and reduce stressors on wintering and nesting burrowing owls;
- An adaptive management plan that includes additional measures described below if the performance standards of no net loss of burrowing owl nesting and foraging habitat value are not being met;
- The applicant may provide off-site compensatory mitigation to achieve the no net loss performance standard through acquisition of a conservation easement or mitigation credits from an appropriate mitigation bank, or another form of mitigation, as approved by SMUD. Compensation may be layered with other mitigation requirements, such as for Swainson's hawk foraging habitat if deemed suitable to support both species.
- If take on burrowing owl individuals cannot be avoided during the breeding or non-breeding season, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

COMMENT 4: Swainson's hawk, Mitigation Measure 3.4-14. Compensate for the Loss of Swainson's Hawk Foraging Habitat, page 238

7-5
(Cont.)

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Issue: The project site provides suitable foraging habitat for Swainson's hawk. The Project is anticipated to develop 385.85 acres of suitable foraging habitat. The primary threat to the Swainson's hawk population in California continues to be habitat loss, especially the loss of suitable foraging habitat. This impact may have been the greatest factor in reducing Swainson's hawk range and abundance in California over the last century (California Department of Fish and Game 1993, California Department of Conservation 2011). Swainson's hawk is listed as threatened under CESA and has additional protection under the Migratory Bird Treaty Act and section 3503.5 of the Fish and Game Code; therefore, impacts may be considered potentially significant unless adequate mitigation is incorporated.

Significant loss of Swainson's hawk foraging habitat has occurred in Yolo, Sacramento, and San Joaquin counties due to residential development, economic and resource availability factors, and conversion of riparian and woodland habitat to agriculture and unsuitable urban environments (CDFW 2016). Suitable foraging habitat is necessary to provide an adequate energy source for breeding Swainson's hawk adults, including support of nestlings and fledglings. If prey resources are not sufficient, or if adults must hunt long distances from the nest site, the energetics of the foraging effort may result in reduced nestling health and survival with an increased likelihood of disease and/or starvation. In more extreme cases, the breeding pair, in an effort to assure their own existence, may even abandon the nest and young (Woodbridge 1985). Routine animal grazing activities, increases in human presence, and the permanent impacts associated with solar panel installation, will permanently reduce the amount of Swainson's hawk foraging habitat. Swainson's hawk generally searches for prey by soaring above fields and solar panels reduce their ability to see and catch their prey.

Recommendation or Recommended Mitigation Measure: CDFW recommends that Mitigation Measure 3.4-14 be revised to the following (additions are noted in bold while deletions are noted in strikethrough):

- To offset net impacts on foraging habitat for breeding Swainson's hawks SMUD shall mitigate the loss of Swainson's hawk foraging habitat in accordance with CDFW recommendations (CDFG 1994) but adjusted to local conditions and based on recent studies by providing mitigation lands or securing Swainson's hawk mitigation bank credits as follows:
 - Foraging habitat permanently lost within 5 miles of an active Swainson's hawk nest tree but more than one mile from the nest tree shall be replaced with **1.0 acre** ~~0.75 acres~~ of mitigation land for each acre of foraging habitat permanently lost because of project construction **(1:1 ratio)**. ~~(0.75:1 ratio)~~. Permanent loss resulting from the project includes the approximately 4.1-acre footprint of the BESS, substation, and roads.
 - Foraging habitat permanently lost for nests that are within one mile of the project site shall be mitigated at a 1:1 ratio. Permanent loss resulting from the project includes the approximately 4.1-acre footprint of the BESS,

7-6
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substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of construction during preconstruction surveys as called for in Mitigation Measure 3.4.13.

7-6
(Cont.)

- ~~For foraging habitat under solar panel these mitigation ratios shall be reduced to 0.25:1 for foraging habitat for active nests within 5 miles of the project and 0.5:1 for active nests within 1 mile of the project site. These reduced ratios are appropriate because Swainson's hawks foraging habitat will continue to be available in the solar fields. Foraging habitat will be maintained under the solar panels with pollinator friendly vegetation that would support Swainson's hawk prey such as insects and small mammals. Ample foraging habitat will also remain in adjacent agricultural lands and open space preserves that are permanently protected.~~

COMMENT 5: Mitigation Measure 3.4-12. Conduct Focused Pre-Construction Surveys for Nesting Tricolored Blackbird and Avoid Impacts During Construction, page 234

7-7

Issue: The project site is less than a mile from suitable tricolored blackbird nesting habitat, and construction activities could result in significant impacts to nesting tricolored blackbird through loss of foraging habitat, noise, fugitive dust, human presence, and/or night lighting. Noise from road use, generators, and other equipment may disrupt tricolored blackbird mating calls or songs which could impact their reproductive success (Patricelli and Blickley 2006, Halfwerk et al. 2011). Bayne et al. (2008) found that songbird abundance and density was significantly reduced in areas with high levels of noise.

Recommendation or Recommended Mitigation Measure: CDFW recommends that Mitigation Measure 3.4-12 be revised to the following (additions are noted in bold while deletions are noted in strikethrough):

- Pre-construction Tricolored Blackbird Surveys. Before any ground disturbing activities or vegetation clearing that may result in effects on potential habitat for tricolored Blackbird, a qualified biologist shall conduct a pre-construction survey in potentially suitable nesting habitat (i.e., blackberry thickets and cattail marsh) for this species in the project footprint and a **1300-foot** ~~500-foot~~ buffer to the project footprint. The biologist shall conduct three separate surveys, one each in mid-April, mid-May, and mid-June, and shall **be based on survey methods identified in the Results of the 2017 Tricolored Blackbird Statewide Survey, Appendix 1. If breeding colonies are found, the foraging behavior of the colony shall also be documented.** ~~use methods consistent with survey protocol used by surveyors for the Western Riverside County MSHCP 2018~~
https://www.wrcrca.org/species/survey_protocols/2018_Tricolored_Blackbird_Survey_Protocol.pdf. If an active nesting colony is detected during the surveys CDFW shall be consulted to provide any guidance on appropriate avoidance and minimization measures in addition to those described below.

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- Avoidance and Minimization.** If any active nests are observed during surveys, a qualified biologist shall establish a suitable avoidance (i.e., non-disturbance) buffer from the active nest. The buffer distance for tricolored blackbird shall generally be 1300 feet ~~500 feet~~ and shall be determined based on factors such as topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction shall be established in the field with flagging, fencing, or other appropriate barriers to avoid active nests. This buffer may be modified with written approval from CDFW in areas with dense forest, buildings, or other features between the construction activities and the active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; or where sound curtains have been installed. Construction limits shall be based on the biologist-defined appropriate buffer distance and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. ~~Project activities shall avoid occupied Tricolored Blackbird nesting habitat. If tricolored blackbird colonies are identified during the breeding season, an approximate buffer of up to 500 feet shall be established around the colony, depending on site-specific conditions and at the discretion of a qualified biologist in consultation with CDFW. Any construction-related activities shall be excluded from the buffer until the end of the breeding season.~~
- If an active nest is identified within 1300 feet of the work area after construction has started, work within 1300 feet of the nest shall be suspended until the qualified biologist can provide appropriate avoidance and minimization measures to ensure that the nest is not disturbed by construction. Appropriate measures may include a no-disturbance buffer until the birds have fledged, limitations on construction activities that generate substantial vibration and/or noise, and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest. This buffer may be modified with written approval from CDFW in areas with dense forest, buildings, or other features between the construction activities and the active nest colony; where there is sufficient topographic relief to protect the colony from excessive noise or visual disturbance; or where sound curtains have been installed.

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COMMENT 6: Crotch's Bumble Bee CESA Candidacy, Preconstruction Survey Measure, and Lighting Minimization Measure

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Issue: In June 2019, the California Fish and Game Commission granted Crotch's bumble bee (CBB) candidate species protection under CESA. The candidacy designation temporarily affords CBB broad CESA protections (including prohibitions against "take" without permit authorization) throughout the entirety of California while CDFW conducts a species status review to confirm whether (and where) listing is warranted and to recommend management and recovery actions. Projects with potential impacts to CBB are encouraged to obtain an incidental take permit (ITP) from CDFW in order to comply with

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CESA and avoid take liability. In the event that CDFW does confirm that listing is warranted for CBB in the future when the Project's construction phase is set to occur and take of CBB is unavoidable, then the Project proponent can obtain an ITP from CDFW and provide suitable mitigation for loss of nesting or foraging habitat.

Recommendation or Recommended Mitigation Measure: CDFW recommends that the following mitigation measures for CBB be included in the DIER:

- **Crotch's bumble bee Preconstruction Survey.** Prior to ground-disturbing activities (e.g., earthmoving, excavation, trenching) and/or activities involving removal of vegetation or debris, the qualified biologist will perform visual surveys with a camera during the Colony Active Period (generally April 1 through August 31). Surveys will occur no more than 14 days prior to these activities. Surveys will include a minimum of two survey efforts which shall not occur on sequential days. The second survey will occur no more than 7 days prior to these activities, preferably within 48 hours if all weather conditions in the Plan are met. If project activities involving ground disturbance and/or vegetation removal span multiple years, new surveys will be conducted at the beginning of the survey period for each subsequent year. The surveys will occur at least two hours after sunrise and at least two hours before sunset during appropriate weather conditions (>60°F and <90°F with no rain and no sustained wind of 10 miles per hour or greater). The survey area will include the project site and, as accessible, a surrounding 50-foot buffer area. The survey duration will be appropriate to the size of the area within the project site being worked on based on the metric of approximately one person-hour of searching per three acres of suitable habitat. Surveys shall be visual encounters only, with identification aided by photographs. Surveyors will not capture or handle bumble bees unless authorized by CDFW via a Memorandum of Understanding in accordance with FGC 2081(a).

At a minimum, pre-activity survey methods will include the following, as outlined in CDFW's *Surveys Considerations for CESA Candidate Bumble Bees*:

- Search areas with flowering plants for foraging CBB.
- Survey burrows and other possible nesting habitat.
- Look and listen for concentrated bumble bee activity. Although different bumble bee species may have different habitat affinities and may favor the flowers of different plant species, they are generalists and CBB frequently occur in the same areas, and often use the same flowering plants, as other bumble bee species.

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- If bumble bees are observed, obtain photos of the bees for documentation and to determine if the bees are CBB or not.
- Photographs will be taken with an appropriate camera (e.g., a DSLR camera with a macro or telephoto lens or other cameras equipped with a view finder, continuous shooting mode, and macro or telephoto lens) from multiple angles to capture key features to aid identification, if possible, and be in focus.
- Surveyors will record the date and time of survey; location; weather (temperature, wind speed, and cloud cover); a general description of suitable floral resources and nesting sites (See Habitat Evaluation below); a description of observed bumble bee activity, including the bumble bee species observed; and a determination of whether the survey observations suggest a CBB nest may be present or whether construction activities could harm the species.
- If CBB and/or CBB nests are detected, surveyors should record the location of the nest; nest substrate, slope, aspect, and distance to nearest forage if known; number of CBB observed; and vegetation used by individuals.
- CDFW will be notified of detections of any CBB and/or their nests within 24 hours of the detection.
- **Lighting Minimization.** If feasible, Covered Activities will be restricted to daytime hours. If nighttime construction is needed within 500 feet of CBB habitat, Permittee shall implement ensure that all construction-related lighting shall not have significant illumination pass beyond the immediate work area. Shielding techniques may include, but should not be limited to, the use of fence slats, netting, mesh, or tarps; and all construction lighting used shall be yellow or orange lighting.
- If impacts on CBB individuals cannot be avoided during ground disturbing or vegetation removal activities, obtain an Incidental Take Permit (ITP) from CDFW for anticipated impacts to CBB during construction and O&M activities.

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Comment 7. Pollinators

Issue: The DEIR does not include measures to increase use by pollinators such as dual use farming. The Project should be designed to optimize a balance between electrical generation and agricultural production (Jossi 2018) or native plants. Native plantings or dual use farming techniques provide additional foraging resources for pollinator species

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including but not limited to Crotch's bumblebee (*Bombus crotchii*), a CESA candidate species, and for other native species by increasing the amount of nectar resources on a local level. Incorporating locally native plantings or dual use farming techniques help to increase pollinator populations and would help to reduce project impacts to a less than significant level.

Recommendation or Recommended Mitigation Measure: CDFW recommends the Project be planted with deep-rooted native flowers and grasses that capture and filter storm water, build topsoil, and provide abundant and healthy food for bees and other insects that provide critical services to our food and agricultural systems as described on the Fresh Energy website at <https://fresh-energy.org/beeslovesolar/>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the DEIR for the Oveja Ranch Solar Project to assist SMUD in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or

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further coordination should be directed to Michael Shun, Senior Environmental Scientist (Specialist) at (916) 767-8444 or michael.shun@wildlife.ca.gov.

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Sincerely,

DocuSigned by:

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Morgan Kilgour
Regional Manager

ec: Dylan Wood, Senior Environmental Scientist (Supervisory)
Michael Shun, Senior Environmental Scientist (Specialist)
Harvey Tran, Senior Environmental Scientist (Specialist)
CEQACommentLetters
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento

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REFERENCES

- Bayne, E. M., L. Habib, and S. Boutin. 2008. Impacts of chronic anthropogenic noise from energy-sector activity on abundance of songbirds in the boreal forest. *Conservation Biology* 22:1186–1193.
- California Department of Conservation Agricultural Land Mapping. 2010.
http://www.conservation.ca.gov/dlrp/Pages/qlh_maps.aspx
- California Department of Fish and Game (CDFG). 1993. 5-year Status Review: Swainson's hawk (*Buteo swainsoni*). Prepared for the California Fish and Game Commission. Nongame Bird and Mammal Program 1416 Ninth Street, Sacramento, CA
- California Department of Fish and Wildlife. 2016. Status Review: Swainson's Hawk (*Buteo swainsoni*) in California. Five-year Status Report, received by the Fish and Game Commission April 14, 2016.
http://www.fgc.ca.gov/meetings/2016/Apr/FGC/exhibits/SS_0414_Item_21_SwainsonHawk.pdf
- Halfwerk, W., L. J. M. Holleman, Ck. M. Lessells, and H. Slabbekoorn. 2011. Negative impact of traffic noise on avian reproductive success. *Journal of Applied Ecology* 48:210–219.
- Jossi, Frank. 2008. *Scientific American*. Solar Farms Produce Power—and Food. Retrieved on May 21, 2020
- Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. *Auk* 123:639–649.
- Woodbridge, B. 1985. Biology and management of Swainson's hawk in the Butte Valley, California. U.S. Forest Service Report, 19 pp.

**Letter
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Response****Morgan Kilgour, California Department of Fish and Wildlife
May 2, 2025**

- 7-1 No response is necessary.
- 7-2 Please see response to comments 7-3 through 7-11 for species specific discussions and revisions to mitigation measures, if applicable.
- 7-3 **Western spadefoot.** SMUD agrees to revise Mitigation Measure 3.4-5 for Western spadefoot per the suggested edits provided by CDFW. The measure now reads as follows (additions are noted in underline while deletions are noted in strikeout).

Mitigation Measure 3.4-5.

- Prior to any ground disturbance activity (e.g., grading, disking, road construction, or similar activities that could entomb or excavate spadefoot in grassland habitat near vernal pools) in the overhead collector line and distribution line corridors, a qualified biologist shall survey the project footprint prior to the onset of work for Western spadefoot. The qualified biologist shall identify burrows potentially suitable for Western spadefoot and mark a 50-foot non-disturbance buffer around any burrows mapped. Ground disturbance in these buffer areas shall be avoided, if feasible. If ground disturbance would be required within the 50-foot buffer, activities shall be limited to the minimum footprint necessary and shall be monitored by an onsite qualified biologist, ~~who would be either on-call or onsite,~~ as appropriate to guide activities within the buffer to reduce impacts. Ground disturbing activities within suitable Western spadefoot breeding habitat will be limited during their active period (typically between October and May) to the extent possible.

The qualified biologist shall inform construction personnel to stop construction activities if a Western spadefoot is observed or if, in the biologist's opinion, maintenance activities threaten to cause adverse effects to Western spadefoot. If it is determined that Western spadefoot would be potentially harmed by construction, a qualified biologist with the appropriate handling permits may relocate animals to suitable habitats outside the project footprint. A relocation report will be submitted to SMUD within 48 hours after the species has been relocated.

- 7-4 **Giant garter snake.** SMUD agrees to revise Mitigation Measure 3.4-8 for giant garter snakes per the suggested edits provided by CDFW. The measure now reads as follows (additions noted in underline while deletions are noted in strikeout).

Mitigation Measure 3.4-8

- Project ground-disturbing activities in aquatic habitat and adjacent upland habitat within 200 feet of suitable aquatic habitat (perennial drainages and agricultural ditches carrying year-round water) shall be conducted during the giant garter snake's active season (i.e., after May 1 and before October 1), to the extent feasible. During this period, the potential for direct mortality is reduced, because snakes are expected to mainly occupy aquatic habitat and to actively move and avoid danger. If project activities in upland habitat occur within 200 feet of suitable aquatic habitat must be

started outside of the snake's active season (May 1 to October 1), the following mitigation measures must be implemented:

Within 24-hours prior to commencement of construction activities within 200 feet of potential giant garter snake habitat (perennial streams and agricultural ditches that carry year-round water), the site shall be inspected by a qualified biologist who is approved by SMUD. ~~the CDFW and USFWS~~. Results of this clearance survey shall be reported in memo shared with SMUD and construction should only commence after a negative inspection report. If construction activities are delayed or stop for a period of two weeks or more, another pre-construction clearance survey shall be conducted within 24 hours before resuming construction activity. If snakes, or evidence of snakes, are encountered during pre-construction surveys, a biological monitor shall be present during the commencement of construction activities in upland habitat within 200 feet of suitable aquatic habitat during all ground disturbing activities. ~~the non-active season~~. If any snakes are observed in uplands near drainages during the active season, project activity shall be halted and the snakes shall be allowed to leave the area on their own.

- If take of GGS individuals cannot be avoided during the active or dormant seasons, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

7-5 **Burrowing owl.** Thank you for the suggested revisions. Since publication of the Draft EIR, SMUD has implemented protocol level burrowing owl surveys. To date, only wintering burrowing owls have been observed on the project site. However, SMUD has determined it to be prudent to obtain an Incidental Take Permit (ITP) for burrowing owl ahead of project construction to avoid potential delays once construction is underway. The ITP application would obtain all necessary detail regarding burrowing owl management on the site, thus the additional detail provided by CDFW in the proposed mitigation measure is not necessary at this time. Mitigation Measure 3.4-10 has been revised to as follows (additions are noted in underline while deletions are noted in strikeout):

Mitigation Measure 3.4-10

- If a burrowing owl or evidence of presence at or near a burrow entrance is found to occur within 500 feet of the project site, the following measures shall be implemented:
 - If burrowing owls are found during the breeding season (approximately February 1 to August 31), the project applicant shall:
 - Avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging).
 - Establish a minimum 500-foot, up to 1650-foot non-disturbance buffer zone around nests, consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Should

construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer shall be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.

- Construction may occur only outside of the 500-foot buffer zone during the breeding season and only if a qualified biologist monitors the nest and determines that the activities will not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.
- If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a minimum of 165-foot ~~160-foot~~, up to 1650-foot no-disturbance buffer zone around active burrows consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.
- During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by CDFW, project applicant shall obtain an Incidental Take Permit (ITP) for the project. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from CDFW (e.g., California Department of Fish and Game 2012) and submitted to and approved by CDFW along with the ITP application. Burrow exclusion may not be conducted for burrows located in the project footprint and within a 160-foot buffer zone until the ITP is obtained. All ITP conditions must be followed when excluding owls.
- If take of burrowing owl individuals cannot be avoided during the breeding or non-breeding season, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

7-6 **Swainson's hawk.** A portion of Mitigation Measure 3.4-14 was revised was revised to address the commenter's concern regarding the permanent loss of Swainson's hawk foraging habitat resulting from construction of the BESS, substation and roads. This change minimizes the nexus between the distance of an active Swainson's hawk nest tree and the mitigation ratio, thus increasing the total foraging habitat acreage to be mitigated.

No revisions were made regarding the alleged impact to Swainson's hawk foraging habitat under the solar panels. Based on the assessment of impacts provided in the EIR which included consultation with an expert on the subject and review of relevant literature published on the topic of use of solar fields by raptors including Swainson's hawk, SMUD as lead agency determined that Mitigation Measure 3.4-14, as presented in the Draft EIR, is adequate to offset the loss of foraging habitat under the solar panels

because Swainson's hawks foraging habitat will continue to be available in the solar fields. Under that measure, foraging habitat will be maintained under the solar panels with pollinator-friendly vegetation that would support Swainson's hawk prey such as insects and small mammals.

The measure now reads as follows (additions are noted in underline while deletions are noted in strikeout).

- Foraging habitat permanently lost within 5 miles of an active Swainson's hawk nest tree ~~but more than one mile from the nest tree~~ shall be replaced with 1.0 acre ~~0.75 acre~~ of mitigation land for each acre of foraging habitat permanently lost because of project construction (1:1 ratio). ~~(0.75:1 ratio)~~. Permanent loss resulting from the project includes the approximately 4.1 acre footprint of the BESS, substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of consultation during preconstruction surveys as called for in Mitigation Measure 3.4-13.
- ~~Foraging habitat permanently lost for nests that are within one mile of the project site be mitigated at a 1:1 ratio. Permanent loss resulting from the project includes the approximately 4.1-acre footprint of the BESS, substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of consultation during preconstruction surveys as called for in Mitigation Measures 3.4-13.~~

7-7 **Tricolored blackbird.** SMUD agrees to revise Mitigation Measure 3.4-12 for tricolored blackbird per the suggested edits provided by CDFW with the exception of obtaining CDFW approval for modifying suitable avoidance buffers from active nests; buffers shall be based on the biologist defined appropriate buffer distance and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. The measure now reads as follows (additions noted in underline while deletions are noted in strikeout).

Mitigation Measure 3.4-12

- **Pre-construction Tricolored Blackbird Surveys.** Before any ground disturbing activities or vegetation clearing that may result in effects on potential habitat for tricolored blackbird, a qualified biologist shall conduct a pre-construction survey in potentially suitable nesting habitat (i.e., blackberry thickets and cattail marsh) for this species in the project footprint and a 1300-foot ~~500-foot~~ buffer to the project footprint. The biologist shall conduct three separate surveys, one each in mid-April, mid-May, and mid-June, based on survey methods identified in the Results of the 2017 Tricolored Blackbird Statewide Survey, Appendix 1. If breeding colonies are found, the foraging behavior of the colony shall also be documented. ~~use methods consistent with survey protocol used by surveyors for the Western Riverside County MSHCP 2018~~ https://www.wrcrca.org/species/survey_protocols/2018-Tricolored-Blackbird-Survey-Protocol.pdf. If an active nesting colony is detected during the surveys CDFW shall be consulted to provide any guidance on appropriate avoidance and minimization measures in addition to those described below.

- **Avoidance and Minimization.** If any active nests are observed during surveys, a qualified biologist shall establish a suitable avoidance (i.e., non-disturbance) buffer from the active nest. The buffer distance for tricolored blackbird shall generally be 1300 feet 500 feet and shall be determined based on factors such as topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction shall be established in the field with flagging, fencing, or other appropriate barriers to avoid active nests. This buffer may be modified in consultation with the qualified biologist. The consultation must be documented in writing and include the revised buffer distance, along with the rationale and justification for why the reduction is appropriate. Appropriate rationale for reducing a buffer may include the presence of dense vegetation. Construction limits shall be based on the biologist defined appropriate buffer distance and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. Project activities shall avoid occupied Tricolored Blackbird nesting habitat. If tricolored blackbird colonies are identified during the breeding season, an approximate buffer of up to 500 feet shall be established around the colony, depending on site-specific conditions and at the discretion of a qualified biologist in consultation with CDFW. Any construction-related activities shall be excluded from the buffer until the end of the breeding season.
- If an active nest is identified within 1,300 feet of the Project area after construction has begun, a 1,300-foot no-disturbance buffer will be established, unless construction activities are already occurring within that distance. If an active nest is established within 1,300 feet while construction activities are ongoing, it is assumed the birds have acclimated to the existing disturbance. In such cases, the buffer will be reduced to the greater of: (1) the actual distance between the active nest and the nearest construction activity, or (2) 500 feet.
- Once the reduced buffer is established—and prior to any increase in the intensity or type of disturbance—a qualified biologist will conduct a minimum of two consecutive days of baseline monitoring to document nesting behavior under current conditions. If, during baseline monitoring, project activities cause birds to display agitated or stress-related behaviors, all work within the buffer will cease, and the buffer distance will be reassessed based on what was observed.
- Based on baseline observations, the qualified biologist will prepare a written memorandum summarizing the monitoring results and recommending avoidance and minimization measures tailored to varying levels of anticipated construction activity. The first day of any increased construction activity within the buffer will be monitored by a qualified biologist to verify that the buffer distance and implemented measures are effective in avoiding take.
- Appropriate measures may include an increased no-disturbance buffer with specific levels of disturbance, limitations on construction activities that generate substantial vibration and/or noise, and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest. This buffer may be modified in consultation with the qualified biologist with additional written measures such as the installation of visual shielding or sound curtains.

- 7-8 **Crotch's bumble bee.** Thank you for the recommended mitigation measure. SMUD acknowledges the proposed CESA listing for Crotch's bumble bee (*Bombus crotchii*) and considered this species during the biological resources assessment conducted for the EIR (AECOM 2024a). The assessment concluded that the areas proposed for construction lack suitable habitat.

The assessment concluded that the lack of suitable habitat is attributable to long-term agricultural use, routine irrigation, and repeated soil disturbance, as well as dense non-native vegetation in areas designated for solar panel installation and road shoulders characterized by altered soils, drainage features, wetlands, and other frequently disturbed habitats where the 69 kV lines are proposed. Additionally, further limiting suitability for subterranean nesting, the soils report from the Aquatic Resource Delineation Report (AECOM 2024b), identified heavy claypan and duripan layers that occur across much of the site containing irrigated pasture, cropland, and valley grassland with wetland and vernal pools interspersions.

The segment of the proposed 69 kV alignment along Gerber Road consists of a compact dirt road and valley grassland cover at the road shoulders and beyond with portions of Frye Creek passing through at two points. Similar to the surrounding area, the valley grassland in east of Gerber Road has wetland and vernal pools interspersions scattered throughout upland grass habitat. This area was, however, found to lack suitable habitat due to the presence of wet, poorly drained soils.

In response to this comment provided by CDFW, further assessment of the data presented in the Aquatic Resource Delineation and Biological Resource Report was conducted. The findings of this assessment determined that, although the segment of the proposed 69 kV alignment along Gerber Road consists of grasslands that lack ground squirrels, trees, or shrubs and contain numerous wet habitats, the soils in this area differ from those in the solar panel installation footprint. Unlike the solar panel areas, these soils do not contain the extensive claypan and duripan layers that restrict burrow excavation. As a result, the upland portions of this alignment may provide comparatively more suitable conditions for burrowing animals and ground nesting bumble bees.

SMUD has determined that minimization measures to the segment of the proposed 69 kV alignment along Gerber Road are warranted but maintains that the remainder of the Project does not contain suitable habitat for *B. crotchii*. Additionally, the absence of mature trees or shrubs in the segment of the proposed 69 kV alignment along Gerber Road, still excludes this area's microhabitat suitability and soil stability found to be associated with overwintering queens.

SMUD will implement avoidance and minimization measures, including preconstruction surveys during the colony flight period and/or monitoring if construction begins between the queen emergence and colony flight periods, lighting minimization, and consideration of coverage under an Incidental Take Permit (ITP) in accordance with CDFW guidance.

Avoidance and Minimization Measures for Crotch's Bumble Bee (*Bombus crotchii*)

Preconstruction Survey During Colony Flight Period for Crotch's Bumble Bee (*Bombus crotchii*)

To the extent feasible, work will occur between (April 1- September 1). Preconstruction surveys will be conducted to detect the presence of Crotch's bumble bee and/or active nests within a 100-foot buffer around suitable habitat. A minimum of two surveys will be conducted, no more than 14 days prior to the start of any ground-disturbing activities or vegetation removal in suitable habitat. Annual surveys will be conducted prior to project activities involving initial ground disturbance and/or vegetation removal.

Surveys will be conducted more than two hours after sunrise and at two hours before sunset when temperatures are greater than 60°F and less than 90°F, no precipitation, and sustained wind speeds are less than 10 mph.

Survey methods will include floral resource checks, nesting habitat checks, and behavioral observations, following CDFW's Surveys Considerations for CESA Candidate Bumble Bees. The survey duration will be scaled to the size of the work area, using the metric of approximately one person-hour of searching per three acres of suitable habitat. Surveys will consist of visual encounters only, with species identification aided by photographs. Surveyors will not capture or handle bumble bees unless authorized by CDFW through a Memorandum of Understanding in accordance with Fish and Game Code Section 2081(a).

All Crotch's bumble bee detections, including nests, will be mapped, photographed, and reported to CDFW within 24 hours of confirmation. Surveyors will submit the location of the nest, nest substrate, slope, aspect, and distance to nearest foraging habitat, number observed; and species or type vegetation visited by the bumble bee. Photographs should include the thorax and abdomen, including the last abdominal segment to aid identification.

Biological Monitoring for Work Occurring Prior to the Colony Flight Period

If construction or ground-disturbing activities are scheduled to occur prior to the colony flight period (February 1 to March 31), in addition to the preconstruction surveys, a qualified biologist will be present to monitor the initial ground disturbance for bumble bees.

The biological monitor will visually inspect the work area and immediately adjacent habitat prior to and during the initial disturbance. If a bumble bee or suspected *B. crotchii* queen is observed, or if a potential nest site is encountered, work will be halted until CDFW can be consulted to determine appropriate protective measures. All observations will be documented, including photographs and GPS coordinates, and CDFW will be notified within 24 hours if *B. crotchii* is detected. The monitor will provide on-site guidance to the construction crew regarding any required avoidance or minimization measures before work resumes.

Lighting Minimization. If feasible, construction or ground-disturbing activities will be restricted to daytime hours. If nighttime construction is necessary within 500 feet of *B. crotchii* habitat, nighttime construction-related lighting shall have significant illumination pass beyond the construction site, so all nighttime artificial lighting from Covered Activities must be limited to the work area and must be directed downward and, to the extent feasible, use the fewest safe, yellow, or orange lights of all intensities.

If impacts on *B. crotchii* cannot be avoided during construction activities, an Incidental Take Permit (ITP) from CDFW will be required to address potential take during construction and O&M activities.

- 7-9 **Pollinators.** The project has been designed to avoid sensitive habitat such as the vernal pool grassland at the north end of the southern area. The Project also has further been designed to preserve the agricultural use of the site in areas currently under agricultural production and the existing Williamson Act contracts for the site will be amended to add solar as an allowable use. Specifically, the area under the solar panels will be used for grazing during the lifespan of the Project and will be seeded with forage plants. While insects are expected to use the areas under the solar panels, attracting native bumble bees to the site is not the prime purpose of the plantings. Thus, incorporation of a mitigation measure to specifically plant deep rooted native flowers and grasses as suggested in the comment is not appropriate.
- 7-10 No response is necessary.
- 7-11 No response is necessary.
- 7-12 No response is necessary.

2.8 Letter 8. Defenders of Wildlife, Sophia Markowska, May 2, 2025**Letter 8**

California Program Office
P.O. Box 401, Folsom, California, 95630
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May 2, 2025

Kim Crawford
Sacramento Municipal Utility District
Environmental Services Department
6201 S Street, MS B209
Sacramento, CA 95817

Delivered via email to: OvejaRanchSolar@smud.org

Re: Draft Environmental Impact Report for the Proposed Oveja Ranch Solar Project
(SCH 2024090310)

Dear Ms. Crawford,

Thank you for the opportunity to provide comments in response to the Draft Environmental Impact Report (DEIR) for the proposed Oveja Ranch Solar Project (Project). Defenders of Wildlife (Defenders) is dedicated to protecting all wild animals and plants in their natural communities and has nearly 2.1 million members and supporters in the United States, with more than 311,000 residing in California.

Defenders strongly supports renewable energy generation. A low-carbon energy future is critical for California's economy, communities and environment. As we transition toward a clean energy future, it is imperative that we consider the near-term impacts of solar development on our biodiversity, fish and wildlife habitat and natural landscapes while addressing the long-term impacts of climate change. Therefore, renewable energy projects must be planned, sited, developed and operated to avoid, minimize and mitigate adverse impacts on wildlife and lands with known high-resource values.

The proposed Project is a solar photovoltaic facility that would generate up to 75 MW of renewable energy and includes a battery storage facility, a generation substation, and interconnection lines. The proposed Project would be sited on approximately 543 acres of leased private land in the unincorporated area of southeastern Sacramento County. It is located south of Florin Road and west of Eagles Nest Road and is south of the City of Rancho Cordova and north of the community of Wilton. The site consists of agricultural and vacant, undeveloped land and is currently under Williamson Act contracts; the landowner proposes to retain Williamson Act contracts and amend them to allow for agrivoltaic use with sheep grazing within and surrounding the solar panels and equipment.

8-1

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Comments

We offer the following comments on the DEIR for the proposed Project.

Decommissioning and Site Restoration

The DEIR states “[a]t the end of the project’s useful life (anticipated to be 34 years and 11 months), the solar panels and associated infrastructure would be decommissioned.” The DEIR fails to acknowledge that the Project is unlikely to be retired and instead is likely to be repowered or transitioned to another industrial use. As previously stated within Defenders scoping comments on the Notice of Preparation of the DEIR, California and the United States have and will continue to have an ever-growing demand for renewable energy for the electrification of the residential, commercial, industrial, transportation, and data processing sectors. Generation and storage projects such as Oveja Ranch Solar Project will be in demand far into the future and can reasonably be expected to be “repowered” with newer technologies. That, coupled with the interconnection investment to the site, virtually guarantees the Project site will remain in some form of quasi-industrial use. The DEIR fails to recognize the permanent nature of this conversion of land. We request the section on Decommissioning and Site Restoration acknowledge that it will likely be repowered at the end of its current projected lifespan, and it is unlikely to be restored to its current state. Furthermore, we request all subsequent impact analysis incorporate the permanent impacts beyond the current 34-year term.

8-2

Use of Solar Sites for Swainson’s Hawk (SWHA) Foraging

The DEIR states that recent studies have indicated continued SWHA use of solar fields for foraging. As far as Defenders is aware, these studies are not available to the public. The intent of the California Environmental Quality Act is to “[i]nform governmental decision-makers and the public about the potential significant environmental effects of proposed activities.” When an environmental review document cites confidential studies as evidence that potential project impacts are reduced due to the specific measures within documents is withheld from the public, it undermines the ability of the public to adequately analyze the project and the true environmental impacts. The public and other stakeholders must be able to review the studies and the scientific evidence to ensure the proposed measures are appropriate.

8-3

Defenders requests the reports and documents that are relied on to justify avoidance, minimization and mitigation measures, and assign the level of environmental impact be made available for public review. This includes the following studies and communications:

- Swainson's Hawk and Other Raptor Foraging Use of Solar Array Fields within an Agricultural Landscape in Sacramento County. Prepared for Recurrent Energy. (2013)

- Swainson's Hawk and Other Raptor Foraging Use of Solar Array Fields within an Agricultural Landscape in Sacramento County. Prepared for Dudek. (2021)
- Personal communication between Jim Estep of Estep Environmental Consulting, Kim Crawford of SMUD, and Petra Unger of AECOM. (2024)

8-3
(Cont.)

If the documents are unable to be made publicly available, then the level of impact and the avoidance, minimization and mitigation measures that rely on the confidential documents must be revised and supported by publicly available scientific information and research.

Species-Specific Protocol-Level Surveys

8-4

The DEIR and the Biological Resources Survey Report both state the reconnaissance-level surveys were conducted in 2024 on January 10 through January 12, February 16, May 7 and June 10. However, no comprehensive special-status plant survey nor any wildlife species-specific protocol-level surveys were conducted before the development of the DEIR. Findings cannot be made without such surveys as they are necessary to provide thorough and accurate results that support informed decision-making and enable identification of appropriate mitigation and avoidance measures for each species. To proceed without conducting species-specific protocol-level surveys is folly, as it is impossible to fully identify the risk of significant impact. Defenders requests the following species-specific protocol-level surveys be performed that adhere to California Department of Fish and Wildlife (CDFW) and/or US Fish and Wildlife Service (USFWS) guidance.

- Burrowing owl (BUOW) surveys^{1,2}
- Crotch's bumble bee³
- Swainson's hawk surveys⁴
- Tricolored blackbirds⁵
- Floristic⁶

We also recommend consulting with CDFW for surveys related to vernal pool species and the fully-protected species, white-tailed kite. If the surveys result in conclusions that differ from those premature conclusions made within the DEIR, then the avoidance, minimization

¹ California Burrowing Owl Consortium. 1993. *Burrowing Owl Survey Protocol and Mitigation Guidelines*.

² California Department of Fish and Game. 2012. *Staff Report on Burrowing Owl Mitigation*.

³ California Department of Fish and Wildlife. 2023. *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species*.

⁴ Swainson's Hawk technical Advisory Committee. 2000. *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*.

⁵ Meese, Robert J. 2017. *Results of the 2017 Tricolored Blackbird Statewide Survey. Appendix 1*.

⁶ California Department of Fish and Wildlife. 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*.

and mitigation measures must be altered to ensure there is no significant impact to the biological resources.

8-4
(Cont.)

Vernal Pool Impacts

The southern half of the Project site includes a 19-acre vernal pool area and additional vernal pool habitat is located north of Florin Road and within the preserve areas immediately west and south of the southern area of the Project site. The DEIR states that Project design avoids all vernal pools in the Project area; therefore, the Project is not expected to result in impacts on vernal pool species. The DEIR needs to require a compensatory mitigation ratio for vernal pool impacts in the event that impacts occur. Defenders recommends establishing a 3:1 ratio for any direct and indirect impacts to vernal pools.

8-5

Deficient Mitigation Measures (MM) Require Revision

8-6

MM 3.4-1: SWHA Surveys

This measure states the pre-construction surveys shall be conducted within the project footprint and of all suitable nesting habitat within line of sight of construction activities within a 0.25-mile radius of the project footprint. This does not adhere to the *Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley*.⁷ The surveys should be conducted for 0.50-mile radius around all project activities and not limited to those within suitable nesting habitat or within line of sight within a 0.25-mile radius. Defenders requests the measure is altered to adhere to the guidelines.

MM 3.4-2: Sanford's Arrowhead Compensatory Mitigation

The measure requires the offset of any loss of Sanford's arrowhead on a 1:1 basis through compensatory mitigation. Defenders finds this is not sufficient and requests coordination with CDFW to establish the appropriate compensatory mitigation ratio.

8-7

MM 3.4-5: Western Spadefoot Relocation

The measure states, "If it is determined that Western spadefoot would be potentially harmed by construction, a qualified biologist may relocate animals to suitable habitats outside the project footprint." The qualified biologist must have the proper handling permits to specifically relocate Western spadefoot. Furthermore, Defenders requests the inclusion of a requirement to report any relocation efforts to CDFW within 48 hours.

8-8

MM 3.4-8: Giant Garter Snake (GGS) Biological Monitor

MM 3.4-8 requires an on-site biological monitor if snakes or evidence of snakes are encountered during pre-construction survey for the commencement of construction

8-9

⁷

activities in upland habitat. We request the biological monitor be present during all ground disturbing activities if surveys find GGS or evidence of GGS. Furthermore, Defenders recommends coordinating with CDFW to obtain an incidental take permit.

8-9
(Cont.)

MM 3.4-8: Tricolored Blackbird Buffers

The DEIR requires a 500-foot buffer to be established around a colony during the breeding season. This buffer is not adequate and Defenders requests consultation with CDFW for the appropriate buffer size.

8-10

MM 3.4-9: BUOW Compensatory Mitigation

MM 3.4-9 states SMUD shall mitigate for the permanent loss of foraging habitat for BUOW at a 1:1 ratio. Defenders finds the ratio adequate; however, the DEIR states this would only be for the permanent loss of 4.1 acres for the footprints for substation and BESS and states the majority of the site would be revegetated, and once construction is complete, BUOW would be able to utilize the solar field site. The DEIR states the 322 acres of foraging habitat would only be considered a temporary impact and does not mitigate for this loss. Defenders finds this inadequate as it is anecdotal research and although BUOW may return to the site and forage, it is not the same level of habitat quality; therefore, it is permanently impacted habitat.

8-11

BUOW was recently listed as a candidate species under the California Endangered Species Act (CESA). As a candidate for listing, the species is temporarily afforded the same protections as state-listed endangered or threatened, and any loss or degradation of habitat could significantly impact populations. CESA requires that impacts to state-listed species be fully mitigated; therefore, compensatory mitigation is necessary to offset the **full** loss of foraging caused by the proposed Project. In order for this Project to be fully mitigated, pursuant to CESA, the compensatory mitigation required needs to include the 322 acres of foraging habitat that will be impacted.

MM 3.4-10: BUOW Buffers

MM 3.4-10 requires the establishment of a 500-foot non-disturbance buffer around nests during the breeding season (approximately February 1 to August 31), and a 160-foot no disturbance buffer around active burrows during the non-breeding season (approximately September 1 to January 31). This does not adhere to CDFW recommendations and would not be sufficient to prevent take of BUOW. CDFW recommended buffers are 164 to 1,640 feet (50 to 500 meters), dependent on the time of year. MM 3.4-10 must be revised to be consistent the *Staff Report on Burrowing Owl Mitigation*.⁸

8-12

⁸ California Department of Fish and Game. 2012. *Staff Report on Burrowing Owl Mitigation*.

Table 1: Burrowing Owl Avoidance Buffers

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 meters	500 meters	500 meters
Nesting Sites	Aug 16 – Oct 15	200 meters	200 meters	500 meters
Nesting Sites	Oct 16 – Mar 31	50 meters	100 meters	500 meters

8-12
(Cont.)

MM 3.4-14: SWHA Compensatory Mitigation

MM 3.4-14 states that foraging habitat permanently lost within five miles of an active SWHA nest tree, but more than one mile from the nest tree, shall be replaced at a ratio of 0.75:1. It reduces this ratio even further for foraging habitat under solar panels with a 0.25:1 ratio for foraging habitat for active nests within 5 miles of the project and 0.5:1 for active nests within 1 mile of the project site. The DEIR states the reduced ratios are appropriate because foraging habitat will continue to be available within the solar fields. This seems to be built on the assumption that it is appropriate due to the aforementioned studies and personal communications relating to SWHA foraging potential on solar sites. These are preliminary studies and as Defenders previously noted, it is not appropriate to base mitigation measures of information that is not publicly available.

8-13

Furthermore, elsewhere in the DEIR, it states that the project will adhere to the South Sacramento Habitat Conservation Plan (SSHCP). The SSHCP provides a framework to improve the conservation of natural resources, including endangered habitat, while streamlining the permitting process for development and infrastructure projects on 317,000 acres in south Sacramento County. Coverage for take and conservation actions are provided within the SSHCP to protect 28 species with the potential to occur within the plan area to accommodate for impacts from development. SMUD is not a participating entity to the SSHCP and therefore had determined not to seek coverage under the SSHCP; however, the DEIR states the SSHCP was taken into consideration and the mitigation measures identified in the DEIR are compatible with and complementarity to the SSHCP. The SSHCP states that SWHA habitat be established to meet a minimum 1:1 compensatory mitigation ratio requirement for habitat re-establishment/establishment.⁹ This is not consistent with the ratios established within the DEIR. Furthermore, the low ratios within the DEIR is in conflict with the County's long-standing policy of a 1:1 ratio, as stated within the

⁹ County of Sacramento, City of Rancho Cordova, City of Galt, Sacramento County Water Agency, Sacramento Regional County Sanitation District, and the Southeast Connector Joint Powers Authority. 2018. *Final South Sacramento Habitat Conservation Plan*. Sacramento, CA.

County's Swainson's Hawk Ordinance¹⁰ Defenders requests a 1:1 compensatory mitigation ratio for the loss of SWHA habitat.

8-13
(Cont.)

Lake Effect

Frye Creek runs between the northern and southern end of the Project site, located within the Elder Creek and Lower Deer Creek Watersheds. Furthermore, the Project falls within the Pacific Flyway, which supports millions of migratory birds. Defenders is concerned about the potential impact on protected avian species and what is left of their dwindling wetland habitat. Studies indicate various species of birds may be attracted to the vast arrays of PV solar panels caused by reflected polarized light. This phenomenon is known as "lake effect." Due to the proximity to the creek and watershed, and the abundant bird activity in suitable habitat, there is a higher likelihood for migratory birds to mistake the solar panels for water and become injured or killed because of collisions with Project facilities.

8-14

The DEIR acknowledges that studies have shown that some solar facilities may attract birds but based on the fact that the wetlands and ponds would not be modified, it finds the impacts to be less than significant. However, it fails to mention how the remaining wetlands and ponds would alleviate any "lake effect" or collision concerns. We request the inclusion of clarification and data that supports the claim that collisions are considered a less than significant impact since wetlands and ponds will not be modified. Furthermore, we recommend coordination with CDFW and USFWS on incidental take permit requirements for migratory birds.

Cumulative Impacts

The increasing development within the region is having a significant impact on biological resources and habitats, including but not limited to BUOW, SWHA, tricolored blackbirds vernal pools, western spadefoot and white-tailed kite. This Project is no exception and would significantly add to the cumulative loss of Sacramento County's important and declining biological resources. The cumulative impacts analysis is lacking as it fails to detail the potential impacts on the individual biological resource level and provide specific data on the loss of habitat. We request the analysis include a detailed map of all existing and planned development with the remaining habitat and connectivity corridors for impacted species. We recommend coordination with CDFW regarding the methods of analyzing the cumulative impacts.

8-15

¹⁰ Sacramento County, California County Code. tit. 16 §130.070.

Conclusion

Thank you once again for the opportunity to provide comments on the DEIR for the proposed Oveja Ranch Solar Project and for considering our comments. Defenders looks forward to reviewing the final EIR for the Project and requests to be notified when it is available. Please feel free to contact me with any questions.

8-16

Respectfully submitted,

Sophia Markowska

Sophia Markowska
Senior California Representative
Defenders of Wildlife
Smarkowska@defenders.org

**Letter
8
Response****Sophia Markowska, Defenders of Wildlife
May 2, 2025**

8-1 No response is necessary.

8-2 Describing the Project as a permanent conversion of habitat is not accurate. The Oveja Ranch Solar Project is being proposed under a fixed-term lease agreement between SMUD and the landowner. This lease is for 34 years and 11 months, after which SMUD's rights to the land will terminate. The lease includes an additional 12-month period specifically for decommissioning and site restoration. Importantly, there are no provisions within the lease for an extension, and the project has been engineered, permitted, and economically modeled based on this limited lifespan.

There is no intention or plan to repower the project at the end of its useful life (34 years and 11 months). The project's financial modeling includes funding for decommissioning, and the future project owner/operator (i.e., the Power Purchase Agreement developer) will be required to establish financial security for decommissioning activities. This financial assurance is intended to ensure that the necessary funds are available to remove the project infrastructure and restore the land once the project ends.

As such, the DEIR analyzes the project based on this defined life cycle and restoration plan, and the project is not considered permanent. While it is acknowledged that California's demand for renewable energy will likely continue to increase, and energy projects are often repowered, this specific project has no current planning, permitting, or contractual basis for such a scenario. Any decision to repower the facility in the future would require a new agreement with the landowners, and the current landowners have consistently maintained that they will continue to use the land for agriculture after the end of the lease term.

Moreover, even in the unlikely event the project were to be repowered, in addition to negotiating and executing a new lease, SMUD would need to conduct a new environmental review under CEQA and potentially obtain new land use entitlements and permits. There is currently no plan or indication that SMUD or any other developer would pursue such an option, or that the landowner would support continued solar development on the site. Such, speculative future actions, such as repowering, are not considered "reasonably foreseeable" under CEQA and therefore are not included in the scope of analysis in this DEIR. This approach is consistent with CEQA Guidelines, which direct lead agencies to evaluate a project based on its proposed and defined activities, not on hypothetical future scenarios.

The decommissioning and site restoration process itself will be addressed in a separate, project-specific decommissioning plan closer to the end of the project's operational term. However, the land lease includes provisions for documenting existing baseline conditions, including vegetation, soil health, and other resources, to guide future restoration efforts. This ensures that when the project is decommissioned, the site can be restored as closely as feasible to its pre-project condition.

Regarding your concern about the impacts being permanent: even though the project is not classified as permanent, the mitigation measures in the DEIR already conservatively

assume long-term or permanent impacts for the purposes of resource protection and compliance. For example, impacts to agricultural resources, biological resources, and visual resources are analyzed as if the solar facility will be present for the full lease term and potentially beyond. Thus, the level of impact assessment and mitigation provided in the DEIR remains appropriate and protective, even under the assumption of a longer-term presence.

In conclusion, the DEIR correctly characterizes the project as a fixed-term solar facility with a defined decommissioning and restoration plan, and any future land use changes or redevelopment proposals—including repowering—would be subject to separate CEQA review and new agreements with the landowner. No revisions are necessary.

- 8-3 The studies requested by the commenter have been provided by SMUD.
- 8-4 The Draft EIR and supporting biological resources report provide all documentation necessary to support the analysis. Where potential habitat for special-status species is present, and the habitat may be impacted by project development, the Draft EIR acknowledges and quantifies these potential impacts and provides appropriate steps such as surveys, refinement of impacts, avoidance and minimization, and mitigation, as appropriate. Some special-status species surveys have been conducted since publication of the Draft EIR or are currently underway. CDFW participated in the scoping process and also provided comments on the Draft EIR. Please refer to letter 7 regarding the species CDFW commented on, and the responses provided by SMUD, including minor revisions to specific avoidance and minimization measures, as recommended by CDFW. No further revisions are necessary.
- 8-5 As described in the Draft EIR and shown in the maps contained in the biological resources section, the project has been designed to avoid vernal pools and the surrounding grasslands and the Draft EIR includes further measures to protect vernal pools species from indirect impacts. Thus, no vernal pool impacts will occur and no compensatory measures or mitigation ratios are necessary.
- 8-6 CDFW commented on proposed mitigation measures for Swainson's hawk (see comment 7-6), but did not request revisions to the survey methodology stated in the Draft EIR. Therefore, no revisions are necessary.
- 8-7 CDFW did not comment on proposed mitigation ratios for Sanford's arrowhead. The documented population of Sanford's arrowhead will not be impacted by the project. Focused surveys for Sanford's arrowhead will be conducted where Project development may affect suitable habitat and these areas are extremely limited. No impacts to Sanford's arrowhead are anticipated. No revisions are necessary.
- 8-8 CDFW commented on the proposed mitigation measures for Western spadefoot, and Mitigation Measure 3.4-5 has been revised to include suggested edits from CDFW. Please see response to comment 7-3.
- 8-9 CDFW commented on the proposed mitigation measures for giant garter snake, and Mitigation Measure 3.4-8 has been revised to include suggested edits from CDFW. Please see response to comment 7-4.

- 8-10 CDFW commented on the proposed mitigation measures for tricolored blackbird, and Mitigation Measure 3.4-12 has been revised to include suggested edits from CDFW. Please see response to comment 7-7.
- 8-11 CDFW commented on the proposed mitigation measures for burrowing owl, and Mitigation Measure 3.4-10 has been revised to include some of the edits suggested by CDFW. SMUD will obtain an ITP for the Project for burrowing owl. Please see response to comment 7-5. We respectfully disagree that solar fields are a permanent conversion of foraging habitat for burrowing owl and CDFW does not take that position either.
- 8-12 Please see response to comment 7-5.
- 8-13 Please see response to comment 7-6. No revisions are necessary. The Draft EIR does not state that the project will “adhere” to the SSHCP. The Draft EIR considers the goals of the SSHCP, and the Project aims to ensure avoidance of adverse effects that would keep the participating entities from achieving the SSHCP conservation goals. The project is not a covered activity and not subject to the SSHCP measures.
- 8-14 The comment states the birds may be attracted to reflected polarized light from the Project solar panels as part of a hypothesis known as the “lake effect” and wants additional information how birds will not mistake the solar panels for water despite the Project’s proximity to the creek and connecting watershed and how the remaining wetlands and pond would alleviate any “lake effect” or collision concerns.

As discussed in the impact discussion for Impact 3.4-10 in the Draft EIR, studies have shown that some solar facilities may attract birds, which can result in birds flying into solar panels, resulting in injury or mortality. Kagen et al. (2014) hypothesized that water-dependent species (loons, grebes, rails, coots, shorebirds, waterbirds, and waterfowl) may be vulnerable to collisions at PV facilities because of the potential for them to confuse solar arrays for bodies of water (the lake effect hypothesis). However, due to the limited and inconsistent dataset (i.e., six studies of incidental and systematic observations), Walston et al (2015) concluded that it was too speculative to make any conclusions about the influence of lake effect fatality on water-dependent birds.

Based on the studies conducted on this topic and the fact that the wetlands and pond would not be modified within the project footprint and immediately adjacent to the project, it is considered unlikely that the project would result in substantial fatalities of waterfowl or other water dependent birds due to collisions with solar panels. Nor would the presence of solar panels interfere substantially with the movement of waterfowl and other migratory birds. Therefore, this impact is less than significant.

Also as discussed in the Draft EIR there is only limited and inconclusive evidence that birds consistently confuse solar panels with lakes. The “lake effect” has been observed particularly in desert regions where natural water sources are scarce. The proposed project is not located in a desert region and natural water sources (wetlands and pond) will remain within the project footprint and immediately adjacent to the project.

A 2021 study of five solar facilities in the Southwest compared bird use and bird fatalities to adjacent reference sites without solar panels (Rapp 2021). The study observed higher bird diversity at a real lake than at the solar or reference sites, but no clear differences between the solar and non-solar reference sites. One of the solar facilities and its

reference site were located near agricultural land and the study found an increased presence of aquatic birds in the agricultural area due to various aquatic features like canals for them to use in these areas. In the solar facility near agricultural land, they found five dead birds and six dead birds at the agricultural land reference site. The study concluded there was limited evidence of attraction of aquatic habitat birds to the solar facility sites. This study suggests that real water sources may reduce, not enhance, the likelihood of birds mistaking panels for water and implies that providing alternative, natural water features near solar farms could potentially redirect birds away from panels, though more targeted research is needed to confirm this effect (Rapp 2021).

The California Energy Commission's 2024 report 'Investigating the "lake effect" Influence of Avian Behavior from California's Utility-Scale Photovoltaic Solar Facilities' found the evidence is inconclusive whether birds change flight direction toward solar facilities, made no direct observations of any bird deaths caused by a solar facility, and that evidence was not sufficient to confirm or reject the hypothesis (California Energy Commission 2024). The study suggested that the hypothesis may be more applicable in desert landscapes without nearby waterbodies. In addition, it noted that solar sites don't substitute for real lakes, natural and artificial water bodies had 25-800 times greater bird diversity and abundance than solar facilities and only solar facilities in desert and grassland had bird fatalities reinforcing that solar sites are not equivalent attractors to real lakes. The study found that in agricultural settings with irrigation create background conditions that attract water-associated birds regardless of solar facilities. As result, solar attraction signals are less distinct, and mortality rates inside and outside solar sites can be similar, reducing the clarity of the lake effect mechanism. Therefore, the study could not conclusively attribute bird mortality patterns to solar panel attraction rather than to the regional presence of birds (California Energy Commission 2024). This nuance underscores the importance of context - location, irrigation, habitat type - when assessing the lake effect hypothesis.

Overall, the level of impact to avian species from construction and operation of the proposed project, with implementation of Mitigation Measures 3.4-1, 3.4-10, 3.4-11, 3.4-12, 3.4-13, 3.4-14, 3.4-16 would be considered less than significant, as described in the Draft EIR. Mitigation Measure 3.4-11 includes a provision that dead or wounded special-status birds found from any cause of fatality or injury during project operation are reported to CDFW.

The analysis of potential lake effects in the Draft EIR is adequate. Based on the description above, revisions to the EIR are not necessary to clarify the conclusions.

- 8-15 The cumulative impacts analysis presented in the Draft EIR is adequate, and the requested analysis is beyond what is required by CEQA. No revisions are necessary.
- 8-16 No revisions are necessary. Defenders will be notified of the availability of the Final EIR, along with all other comments.

3.0 CORRECTIONS AND REVISIONS TO THE DRAFT EIR

This chapter contains changes to the text of the Draft EIR in response to certain comments. These changes are generally referenced in the responses to comments in Chapter 2, or are provided to be consistent with changes referenced in Chapter 2. The changes are presented in the order in which they appear in the Draft EIR and are identified by Draft EIR page number. Text deletions are shown in ~~strikeout~~ and additions are shown in underline. The changes identified below do not alter the conclusions of the EIR with respect to any of the significant impacts of the project and do not necessitate recirculation of the Draft EIR.

3.1 Revisions to Maximum Daily Construction-Related and Operational Emissions of Criteria Air Pollutants and Precursors

The following table on page 3.3-29 was edited as follows:

Table 3.3-7. Summary of Maximum Unmitigated Daily and Annual Construction-Related Emissions of Criteria Air Pollutants and Precursors

Description	ROG (lbs/day)	NO _x (lbs/day)	PM ₁₀ ^a (lbs/day)	PM _{2.5} ^a (lbs/day)	PM ₁₀ ^a (tons/year)	PM _{2.5} ^a (tons/year)
Construction Emissions	85.4	320.3	62.6 77.0	20.9	7.8	1.7
SMAQMD Threshold of Significance	N/A	85	80	82	14.6	15
Threshold Exceeded?	N/A	Yes	No	No	No	No

Notes: NO_x = oxides of nitrogen; PM₁₀ = respirable particulate matter; PM_{2.5} = fine particulate matter; lbs = pounds; ROG = reactive organic gases; SMAQMD = Sacramento Metropolitan Air Quality Management District.

^a Fugitive dust emissions include implementation of fugitive dust BMPs consistent with SMAQMD Rule 403 requirements (watering 2x daily and limiting vehicle speeds on unpaved roads to 15 miles per hour).

The following table on page 3.3-30 was edited as follows:

Table 3.3-8. Summary of Unmitigated Maximum Daily and Annual Operational Emissions of Criteria Air Pollutants and Precursors

Emissions Source	ROG (lbs/day)	NO _x (lbs/day)	PM ₁₀ ^a (lbs/day)	PM _{2.5} ^a (lbs/day)	PM ₁₀ ^a (tons/year)	PM _{2.5} ^a (tons/year)
Emissions^b	2.3	10.5	0.6	0.5	0.04 0.02	0.005 0.01
SMAQMD Threshold of Significance	65	65	80	82	14.6	15
Threshold Exceeded?	No	No	No	No	No	No

Notes: lbs = pounds; NO_x = oxides of nitrogen; PM₁₀ = respirable particulate matter; PM_{2.5} = fine particulate matter; ROG = reactive organic gases; SMAQMD = Sacramento Metropolitan Air Quality Management District.

^a Fugitive dust emissions include implementation of fugitive dust BMPs consistent with SMAQMD Rule 403 requirements (watering 2x daily and limiting vehicle speeds on unpaved roads to 15 miles per hour).

^b Maximum daily emissions conservatively assume operation of two emergency generators for 24 hours per day, which would be anticipated to occur infrequently. Actual anticipated operation of the emergency generators would be limited to a few hours intermittently throughout the year for testing and maintenance activities or in the event of power outages.

In addition, as shown in the tables below, Appendix AQ-1 was updated to present unmitigated and mitigated construction equipment and vehicle emissions to additional decimal places.

Criteria Air Pollutant Emissions
Construction Emissions
Unmitigated

Description	ROG	NOX	PM10	PM2.5	PM10	PM2.5
	lb/day		ton/year			
Construction Equipment and Vehicles	82.4	319.9	64.4	19.5	6.2	1.6
ATVs	3.1	3.4	12.6	1.4	1.6	0.2
Total	85.4	320.3	77.0	20.9	7.8	1.7
SMAQMD Threshold	N/A	85	80	82	14.6	15
Threshold Exceeded?	No	Yes	No	No	No	No

Notes:

1. Construction equipment and vehicle emissions modeled in CalEEMod. ATV emissions calculated using CARB OFFROAD.

Mitigated

Description	ROG	NOX	PM10	PM2.5	PM10	PM2.5
	lb/day		ton/year			
Construction Equipment and Vehicles	57.4	118.7	53.7	9.7	5.5	0.9
ATVs	3.1	3.4	12.6	1.4	1.6	0.2
Total	60.5	122.1	66.3	11.1	7.1	1.1
SMAQMD Threshold	N/A	85	80	82	14.6	15
Threshold Exceeded?	No	Yes	No	No	No	No

3.2 Revisions to Air Quality Mitigation Measure 3.3-1e

The following revision has been made to Mitigation Measure 3.3-1e. Implement Best Management Practices for Reducing Operational PM Emissions on page 3.3-24 as follows:

- As part of the PV facility operations and maintenance contract bid package, SMUD shall include the following best management practice requirements for fugitive dust control during operational and maintenance activities associated with the project:
- Limit vehicle speeds on unpaved roads to 15 mph.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. Limit vehicle speeds on unpaved roads to 15 mph.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site

3.3 Revisions to Biological Resources Mitigation Measure 3.4-5

The following revision has been made to Mitigation Measure 3.4-5. Avoid impacts to Western Spadefoot during Construction on page 3.4-47 as follows:

Prior to any ground disturbance activity (e.g., grading, disking, road construction, or similar activities that could entomb or excavate spadefoot in grassland habitat near vernal pools) in the overhead collector line and distribution line corridors, a qualified biologist shall survey the project footprint prior to the onset of work for Western spadefoot. The qualified biologist shall identify burrows potentially suitable for Western spadefoot and mark a 50-foot non-disturbance buffer around any burrows mapped. Ground disturbance in these buffer areas shall be avoided, if feasible. If ground disturbance would be required within the 50-foot buffer, activities shall be limited to the minimum footprint necessary and shall be monitored by an onsite qualified biologist, ~~who would be either on-call or onsite~~, as appropriate to guide activities within the buffer to reduce impacts. Ground disturbing activities within suitable Western spadefoot breeding

habitat will be limited during their active period (typically between October and May) to the extent possible.

The qualified biologist shall inform construction personnel to stop construction activities if a Western spadefoot is observed or if, in the biologist's opinion, maintenance activities threaten to cause adverse effects to Western spadefoot. If it is determined that Western spadefoot would be potentially harmed by construction, a qualified biologist with the appropriate handling permits may relocate animals to suitable habitats outside the project footprint. A relocation report will be submitted to SMUD within 48 hours after the species has been relocated.

3.4 Revisions to Biological Resources Mitigation Measure 3.4-8

The following revision has been made to Mitigation Measure 3.4-8 Conduct Pre-construction Surveys for Giant Garter Snake and Implement Avoidance and Minimization Measures on pages 3.4-51 and 3.4-52 as follows:

Project ground-disturbing activities in aquatic habitat and adjacent upland habitat within 200 feet of suitable aquatic habitat (perennial drainages and agricultural ditches carrying year-round water) shall be conducted during the giant garter snake's active season (i.e., after May 1 and before October 1), to the extent feasible. During this period, the potential for direct mortality is reduced, because snakes are expected to mainly occupy aquatic habitat and to actively move and avoid danger. If project activities in upland habitat occur within 200 feet of suitable aquatic habitat must be started outside of the snake's active season (May 1 to October 1), the following mitigation measures must be implemented:

- Within 24-hours prior to commencement of construction activities within 200 feet of potential giant garter snake habitat (perennial streams and agricultural ditches that carry year-round water), the site shall be inspected by a qualified biologist who is approved by SMUD. ~~the CDFW and USFWS~~. Results of this clearance survey shall be reported in memo shared with SMUD and construction should only commence after a negative inspection report. If construction activities are delayed or stop for a period of two weeks or more, another pre-construction clearance survey shall be conducted within 24 hours before resuming construction activity. If snakes, or evidence of snakes, are encountered during pre-construction surveys, a biological monitor shall be present during the commencement of construction activities in upland habitat within 200 feet of suitable aquatic habitat during all ground disturbing activities. ~~the non-active season~~. If any snakes are observed in uplands near drainages during the active season, project activity shall be halted and the snakes shall be allowed to leave the area on their own.

If take of GGS individuals cannot be avoided during the active or dormant seasons, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

3.5 Revisions to Biological Resources Mitigation Measure 3.4-10

The following revision has been made to Mitigation Measure 3.4-10 Conduct Pre-construction Surveys for Western Burrowing Owl and Implement Avoidance and Minimization Measures on pages 3.4-54 through 3.4-56 as follows:

If a burrowing owl or evidence of presence at or near a burrow entrance is found to occur within 500 feet of the project site, the following measures shall be implemented:

- If burrowing owls are found during the breeding season (approximately February 1 to August 31), the project applicant shall:
 - Avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging).
 - Establish a minimum 500-foot, up to 1,650-foot non-disturbance buffer zone around nests, consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer shall be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.
 - Construction may occur only outside of the 500-foot buffer zone during the breeding season and only if a qualified biologist monitors the nest and determines that the activities will not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls. ○
- If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a minimum of 165-foot ~~160-foot~~, up to 1,650-foot no-disturbance buffer zone around active burrows consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.
- During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by CDFW, project applicant shall obtain an Incidental Take Permit (ITP) for the project. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from CDFW (e.g., California Department of Fish and Game 2012) and submitted to and approved

by CDFW along with the ITP application. Burrow exclusion may not be conducted for burrows located in the project footprint and within a 160-foot buffer zone until the ITP is obtained. All ITP conditions must be followed when excluding owls.

- If take of burrowing owl individuals cannot be avoided during the breeding or non-breeding season, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

3.6 Revisions to Biological Resources Mitigation Measure 3.4-12

The following revision has been made to Mitigation Measure 3.4-12 Conduct Focused Pre-Construction Surveys for Nesting Tricolored Blackbird and Avoid Impacts During Construction on pages 3.4-59 to 3.4-60 as follows:

- **Pre-construction Tricolored Blackbird Surveys.** Before any ground disturbing activities or vegetation clearing that may result in effects on potential habitat for tricolored Blackbird, a qualified biologist shall conduct a pre-construction survey in potentially suitable nesting habitat (i.e., blackberry thickets and cattail marsh) for this species in the project footprint and a 1,300-foot 500-foot buffer to the project footprint. The biologist shall conduct three separate surveys, one each in mid-April, mid-May, and mid-June, based on survey methods identified in the Results of the 2017 Tricolored Blackbird Statewide Survey, Appendix 1. If breeding colonies are found, the foraging behavior of the colony shall also be documented. use methods consistent with survey protocol used by surveyors for the Western Riverside County MSHCP 2018 https://www.wrcrca.org/species/survey_protocols/2018_Tricolored_Blackbird_Survey_Protocol.pdf. If an active nesting colony is detected during the surveys CDFW shall be consulted to provide any guidance on appropriate avoidance and minimization measures in addition to those described below.
- **Avoidance and Minimization.** If any active nests are observed during surveys, a qualified biologist shall establish a suitable avoidance (i.e., non-disturbance) buffer from the active nest. The buffer distance for tricolored blackbird shall generally be 1300 feet 500 feet and shall be determined based on factors such as topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction shall be established in the field with flagging, fencing, or other appropriate barriers to avoid active nests. This buffer may be modified in consultation with the qualified biologist. The consultation must be documented in writing and include the revised buffer distance, along with the rationale and justification for why the reduction is appropriate. Appropriate rationale for reducing a buffer may include the presence of dense vegetation, Construction limits shall be based on the biologist defined appropriate buffer distance and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. Project activities shall avoid occupied Tricolored Blackbird nesting habitat. If tricolored blackbird colonies are identified during the breeding season, an approximate buffer of up to 500 feet shall be established around the colony, depending on site-specific conditions and at the discretion of a qualified biologist in consultation with CDFW. Any construction-related activities shall be excluded from the buffer until the end of the breeding season.

- If an active nest is identified within 1,300 feet of the Project area after construction has begun, a 1,300-foot no-disturbance buffer will be established, unless construction activities are already occurring within that distance. If an active nest is established within 1,300 feet while construction activities are ongoing, it is assumed the birds have acclimated to the existing disturbance. In such cases, the buffer will be reduced to the greater of: (1) the actual distance between the active nest and the nearest construction activity, or (2) 500 feet.
- Once the reduced buffer is established—and prior to any increase in the intensity or type of disturbance—a qualified biologist will conduct a minimum of two consecutive days of baseline monitoring to document nesting behavior under current conditions. If, during baseline monitoring, project activities cause birds to display agitated or stress-related behaviors, all work within the buffer will cease, and the buffer distance will be reassessed based on what was observed.
- Based on baseline observations, the qualified biologist will prepare a written memorandum summarizing the monitoring results and recommending avoidance and minimization measures tailored to varying levels of anticipated construction activity. The first day of any increased construction activity within the buffer will be monitored by a qualified biologist to verify that the buffer distance and implemented measures are effective in avoiding take.
- Appropriate measures may include an increased no-disturbance buffer with specific levels of disturbance, limitations on construction activities that generate substantial vibration and/or noise, and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest. This buffer may be modified in consultation with the qualified biologist with additional written measures such as the installation of visual shielding or sound curtains.

3.7 Revisions to Biological Resource Mitigation Measure 3.4-14

The following revision has been made to Mitigation Measure 3.4-14 Compensate for the Loss of Swainson's Hawk Foraging Habitat on pages 3.4-63 through 3.4-64 as follows:

- Foraging habitat permanently lost within 5 miles of an active Swainson's hawk nest tree ~~but more than one mile from the nest tree~~ shall be replaced with 1.0 acre ~~0.75-acre~~ of mitigation land for each acre of foraging habitat permanently lost because of project construction (1:1 ratio). ~~(0.75:1 ratio)~~. Permanent loss resulting from the project includes the approximately 4.1 acre footprint of the BESS, substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of consultation during preconstruction surveys as called for in Mitigation Measure 3.4-13.
- ~~Foraging habitat permanently lost for nests that are within one mile of the project site be mitigated at a 1:1 ratio. Permanent loss resulting from the project includes the approximately 4.1-acre footprint of the BESS, substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of consultation during preconstruction surveys as called for in Mitigation Measures 3.4-13.~~

3.8 Revisions to Tribal Cultural Resources Mitigation Measure 3.18-1

The following revision has been made to Mitigation Measure 3.18-1 Inadvertent/Unanticipated TCR Discoveries on pages 3.18-10 and 3.18-11 as follows:

Worker Environmental Awareness Program (WEAP):

SMUD shall prepare a Worker Environmental Awareness Program (WEAP) that shall educate staff regarding archaeological sensitivity and the potential presence of tribal cultural resources. This WEAP shall include tribal cultural resources avoidance and minimization measures/mitigation measures from the project's CEQA Mitigation Monitoring and Reporting Program (MMRP). The WEAP shall provide specific details on the kinds of Tribal cultural resources that may be identified during construction of the project and explain the protocol for treatment in the event of an unanticipated discovery, including the legal implications of violating applicable laws and regulations. The WEAP can be provided in the form of a handout and/or video presentation. All staff working onsite shall attend the WEAP training prior to commencing onsite work. Staff that attend the training shall fill out a sign-in sheet indicating that they completed the training.

Discovery Procedure:

If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist. A Tribal Representative and SMUD shall be immediately notified, and the Tribal Representative in coordination with the SMUD shall determine if the find is a TCR (PRC Section 21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.

3.9 Revisions to Description of an LTA

The following paragraph on page 3.17-7 was edited as follows:

Up to 64 daily construction-related truck trips for delivery of materials and hauling would be spread over an eight-hour workday during the peak period of construction in terms of trip generation, which is during the site preparation phase. In addition, a maximum of 263 worker trips would occur during the a.m. and p.m. hours before and after each workday during the peak construction phase, resulting in a total of up to 654 daily vehicle and truck trips added each day to local roadways during the peak trip-generating phase of construction. If the equipment and material delivery and haul trips are spread evenly across an eight-hour workday, and the worker commute trips occur during the first and last hour of the eight-hour workday, the peak hourly trip generation would be approximately 483. It is assumed that the worker trips will be distributed along

area roadways. A more detailed, focused Local Transportation Analysis (LTA) is required only when a project's final use is expected to generate greater than 1,000 daily trips or 100 peak hour trips. However, an LTA is not required for project-related construction traffic. Therefore, because the number of daily and peak trips is below the threshold, an LTA is not required for this project. and the volume on any single roadway segment will fall below 100 peak hour vehicle trip ends, thereby avoiding the need for a more detailed, focused Local Transportation Analysis (LTA) based on this threshold beyond what is provided in this analysis. Furthermore, work hours during the construction season would likely be longer than 8 hours to make maximum use of each workday, thus worker arrival and departure would likely typically occur before and after main commuter hours

3.10 Revisions to Description of Coordination with Southgate Recreation & Park District

The following paragraph on page 3.16-3 was edited as follows:

During scoping, the Southgate Recreation and Park District provided a comment letter that indicated their long-term plans to construct bicycle and pedestrian trails along the Laguna Creek corridor. ~~Additional details about this project were not available online, and SMUD attempted to reach out to the Southgate Recreation and Park District for more information.~~ In late January 2025, SMUD and the Southgate Recreation and Park District staff met and exchanged information about existing easements east of Excelsior Road and along the Gerber Road right-of-way. The Southgate Recreation and Park District expressed a desire for a future trail alignment northeast of Excelsior Road and possibly aligning with the Gerber Road right-of-way. The precise alignment for the trail is not yet determined and will be driven by the Southgate Recreation and Park District with consideration of physical, environmental, and other constraints and the involvement of the community and property owners. SMUD will take any information obtained in coordination with the District into account when designing the powerline crossings of Laguna Creek to ensure the plans for bicycle and pedestrian trails in the Laguna Creek corridor are not adversely affected by the project. Therefore, **no impact** would occur.

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

This mitigation monitoring and reporting program (MMRP) summarizes the mitigation measures, implementation schedule, and responsible parties for monitoring the mitigation measures required of the proposed Oveja Ranch Solar Project, as set forth in the EIR prepared for the project.

Section 21081.6 of the California Public Resources Code and Section 15091(d) and Section 15097 of the State CEQA Guidelines require public agencies “to adopt a reporting or monitoring program for changes to the project which it has adopted or made conditions of project approval to mitigate or avoid significant effects on the environment.” A MMRP is required for the project because the EIR for the project identified potentially significant adverse impacts related to construction and operation of the project, and mitigation measures have been identified to reduce most of those impacts to a less-than-significant-level.

This MMRP will be adopted by SMUD if it approves the project and will be kept on file at SMUD’s Headquarters Building at 6201 S Street, Sacramento, CA 95817. SMUD will use this MMRP to ensure that identified mitigation measures, adopted as a condition of project approval, are implemented appropriately.

4.1 Mitigation Implementation and Monitoring

SMUD shall be responsible for monitoring the implementation of mitigation measures designed to minimize impacts associated with the project. Although SMUD shall have ultimate responsibility for ensuring implementation, others may be assigned the responsibility of actually implementing the mitigation. SMUD shall retain the primary responsibility for ensuring that the project meets the requirements of this MMRP and other permit conditions imposed by participating regulatory agencies.

SMUD shall designate specific personnel who will be responsible for monitoring implementation of the mitigation that will occur during project construction. The designated personnel will be responsible for submitting documentation and reports to SMUD on a schedule consistent with the mitigation measure and in a manner necessary for demonstrating compliance with mitigation requirements. SMUD shall ensure that the designated personnel have authority to require implementation of mitigation requirements and shall be capable of terminating project construction activities found to be inconsistent with mitigation objectives or project approval conditions.

SMUD and its appointed contractor also shall be responsible for ensuring that its construction personnel understand their responsibilities for adhering to the performance requirements of the mitigation plan and other contractual requirements related to the implementation of mitigation as part of project construction. In addition to the prescribed mitigation measures, Table 4-1 lists each identified environmental resource being affected (in the same order and using the same numbering system as in the EIR), the associated CEQA checklist question (used as the thresholds of significance in the EIR), the corresponding monitoring and reporting requirement, the party responsible for ensuring implementation of the mitigation measure and monitoring effort, and the project component to which the mitigation measure applies.

If an issue addressed in the EIR does not result in mitigation, it is not included in the table.

4.2 Mitigation Enforcement

SMUD shall be responsible for enforcing mitigation measures. If alternative measures are identified that would be equally effective in mitigating the identified impacts, implementation of these alternative measures will not occur until agreed on by SMUD.

4.3 Reporting

SMUD shall, or may require the developer to, prepare a monitoring report on completion of the project describing the compliance of the activity with the required mitigation measures. Information regarding inspections and other requirements will be compiled and explained in the report. The report will be designed to simply and clearly identify whether mitigation measures have been adequately implemented. At a minimum, each report will identify the mitigation measures or conditions to be monitored for implementation, whether compliance with the mitigation measures or conditions has occurred, the procedures used to assess compliance, and whether further action is required. The report will be presented to SMUD's Board of Directors.

4.4 Mitigation Monitoring and Reporting Program Table

The categories identified in Table 4-1 are described below.

CEQA Issue Area – This column identifies which CEQA issue area the mitigation measure is attributed to in the EIR.

Impacts – This column provides the potential impacts summary.

Mitigation Measures – This column provides the verbatim text of the adopted mitigation measure.

Implementation Duration – This column identifies when the mitigation measure will be implemented (e.g., before construction, during construction, during operations-maintenance, during decommissioning).

Monitoring Duration – This column identifies the period within which monitoring will be conducted.

Responsibility – This column identifies the party(ies) responsible for implementation and/or enforcing compliance with the requirements of the mitigation measure.

Applicable Project Component – This column identifies with what component or under what conditions the mitigation measure will be implemented (e.g., all project components, project components during construction, project components during operations and maintenance, construction near sensitive habitat, decommissioning).

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Agriculture and Forestry Resources	Impact 3.2-1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use	Mitigation Measure 3.2-1. Preserve Farmland of Statewide Importance <ul style="list-style-type: none"> SMUD shall compensate for the loss of 3.8 acres of Farmland of Statewide Importance by preserving land of the same designation at a 1:1 ratio (i.e., 1 acre on which easements are acquired to 1 acre of Farmland of Statewide Importance removed from agricultural use). SMUD shall acquire agricultural conservation easement(s) that provide in-kind resource value protection in the region, with a strong preference for locating the agricultural conservation easement(s) in Sacramento County. This can be achieved by the acquisition of conservation easement(s), farmland deed restriction, or other appropriate farmland conservation mechanism to ensure the preservation of the land in perpetuity. The impact acreage requiring offset shall be based on the most current FMMP at the time of Sacramento County's approval of the Williamson Act contract amendment. 	If Farmland of Statewide Importance is impacted as described in the MM, appropriate farmland conservation shall be provided.	Before construction	SMUD	SMUD	Construction activities that result in Farmland of Statewide Importance conversion
Air Quality	Impact 3.3-1. Conflicts with the applicable air quality plan.	Mitigation Measure 3.3-1a. Implement Basic Construction Emission Control Practices (Best Management Practices) and Enhanced Fugitive PM Dust Control Practices during Construction <ul style="list-style-type: none"> SMUD shall include as a condition of the construction bidding, incorporation of dust control measures that shall include, at a minimum, the requirements of SMAQMD Rule 403. All fugitive dust control measures shall be shown on grading, improvement, and demolition plans, to be initiated at the start and maintained throughout the duration of the construction activities. <ul style="list-style-type: none"> Water all exposed active work areas two times daily, or with adequate frequency for continued moist soil. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. However, do not overwater to the extent that sediment flows off the site. Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered. Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited. Limit vehicle speeds on unpaved roads to 15 miles per hour (mph). Suspend excavation, grading, and/or demolition activity when average wind speeds exceed 20 mph. All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used. Install wheel washers, rattle plates and/or rock aprons for all exiting trucks or equipment leaving the site. Treat site accesses from the paved road with a 6 to 12- inch layer of gravel to reduce generation of road dust and road dust carryout onto public roads. Post a publicly visible sign with the telephone number and person to contact at the County of Sacramento regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the SMAQMD shall also be visible to ensure compliance. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html. <p>Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.</p>	Basic construction emission control practices (best management practices) and enhanced fugitive pm dust control practices shall be implemented during construction.	During construction	Contractor	SMUD	Construction of the PV solar panels, BESS and substation

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Air Quality	Impact 3.3-1. Conflicts with the applicable air quality plan.	Mitigation Measure 3.3-1b. Reduce Off-Road Equipment Exhaust-Related Emissions During Construction <ul style="list-style-type: none"> SMUD shall require off-road diesel-fueled equipment with engines larger than 50 horsepower to meet or exceed EPA/CARB Tier 4 Final emissions standards. An exemption from these requirements may be granted if SMUD documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment (see completion of the Construction Emissions Control Plan in Mitigation Measure 3.3-3c below). Before an exemption may be considered by SMUD, the applicant shall be required to demonstrate that two construction fleet owners/operators in Sacramento County were contacted and that those owners/operators confirmed Tier 4 equipment could not be located within Sacramento County. 	Implement during construction	During construction	Contractor and SMUD	SMUD	All project components during construction
Air Quality	Impact 3.3-1. Conflicts with the applicable air quality plan.	Mitigation Measure 3.3-1c. Submit Construction Emissions Control Plans <ul style="list-style-type: none"> Prior to SMUD's approval of contractor grading plans, the construction contractor shall submit a Construction Emissions Control Plan to the SMAQMD and provide written evidence to SMUD that the plan has been submitted to and approved by SMAQMD. The construction contractor shall not initiate any on-site or off-site construction activity until SMAQMD has approved the Construction Emissions Control Plan and proof of approval has been submitted to SMUD by the contractor. <p>The Construction Emissions Control Plan shall cover all construction activities and include the following:</p> <ul style="list-style-type: none"> A comprehensive equipment inventory (e.g., make, model, year, emission (tier) rating, projected hours of use, and CARB equipment identification number) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used throughout the construction duration. If any new equipment is added after submission of the inventory, the contractor shall notify the SMAQMD and SMUD before using the new equipment. At least three business days before the use of subject heavy-duty off-road equipment, the project representative shall provide the SMAQMD and SMUD with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman. An anticipated off-site heavy-duty truck trip activity schedule (duration of truck trip activity, anticipated origin/destination of truck trips, and estimated total and daily truck trips per day) and anticipated truck fleet inventory (e.g., make, model, engine year) throughout the construction duration. With submittal of the equipment inventory and anticipated on-road heavy-duty truck trip activity, the contractor shall provide a written calculation of the project's total and daily construction emissions to the SMAQMD for approval. If any new equipment or haul truck activity is added after the submission and approval of the inventory, the construction contractor shall update the inventory and construction emissions calculations and provide to the SMAQMD and SMUD prior to the use of such equipment and trucks. The emissions calculations shall be calculated using SMAQMD's Construction Mitigation Calculator; this tool is currently available on the SMAQMD's website at the following link: http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation. 	Submit Construction Emissions Control Plans to SMAQMD prior to approval of contractor grading plan.	Before and during construction	Contractor	SMUD	Construction of the PV solar panels, BESS and substation

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Air Quality	Impact 3.3-1. Conflicts with the applicable air quality plan.	Mitigation Measure 3.3-1d. Off-Site Construction Mitigation If, based upon the incorporation of all measures described above in Mitigation Measures 3.3-1a through 3.3-1c, NO _x emissions still exceed the daily SMAQMD threshold for NO _x , the project shall participate in the SMAQMD's Off-site Mitigation Program by paying to SMAQMD a mitigation fee for construction activities, to be determined at the time of construction based on the submitted equipment inventories and heavy-duty truck activity and emissions calculations for NO _x emissions, such that emissions are reduced to less-than-significant. The fee calculation to mitigate daily emissions shall be based on the most recent SMAQMD mitigation fee rate at the time of calculation, which is reviewed and adjusted annually. The current mitigation fee rate is \$30,000 per ton of emissions with a 5 percent administrative fee in addition to the mitigation fee. The total fee shall be determined based on the total emissions reductions of NO _x needed to reduce emissions to be less than the SMAQMD thresholds of 85 pounds per day for NO _x . The fee shall be submitted for approval by SMAQMD as the total required to achieve emissions reductions that would reduce total emissions to less-than-significant after all other mitigation measures are implemented. The fee shall be calculated, approved by SMAQMD, and paid by SMUD prior to SMUD's approval of grading or improvement plans to the construction contractor.	Prior to Grading or Improvement Plan approval.	Before and during construction	Contractor	SMUD	Construction of the PV solar panels, BESS and substation
Air Quality	Impact 3.3-1. Conflicts with the applicable air quality plan.	Mitigation Measure 3.3-1e. Implement Best Management Practices for Reducing Operational PM Emissions <ul style="list-style-type: none"> As part of the PV facility operations and maintenance contract, SMUD shall include the following best management practice requirements for fugitive dust control during operational and maintenance activities associated with the project: Limit vehicle speeds on unpaved roads to 15 mph. Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site. Compliance with anti-idling regulations for diesel powered commercial motor vehicles (greater than 10,000 gross vehicular weight rating). The current requirements include limiting idling time to 5 minutes and installing technologies on the vehicles that support anti-idling. Information can be found on the California Air Resources Board's website: https://ww2.arb.ca.gov/ourwork/programs/idle-reduction-technologies/idle-reduction-technologies .	Implement Best Management Practices during operational and maintenance activities	During operational and maintenance activities	Contractor	SMUD	PV solar, BESS and substation during operations and maintenance
Air Quality	Impact 3.3-2. Cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment.	Mitigation Measure 3.3-2. Implement Mitigation Measures 3.3-1a (Implement Basic Construction Emission Control Practices [Best Management Practices] and Enhanced Fugitive PM Dust Control Practices during Construction), 3.3-1b (Reduce Off-Road Equipment Exhaust-Related Emissions During Construction), 3.3-1c (Submit Construction Emissions Control Plans), 3.3-1d (Off-Site Construction Mitigation), and 3.3-1e (Implement Best Management Practices for Reducing Operational PM Emissions).	See MM 3.3-1a – 3.3-1e	See MM 3.3-1a – 3.3-1e	See MM 3.3-1a – 3.3-1e	See MM 3.3-1a – 3.3-1e	During construction, operations, and maintenance

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Biological Resources	Impact 3.4-1. Impacts on special-status plant species.	<p>Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection</p> <p>SMUD shall prepare a Worker Environmental Awareness Program (WEAP) that shall educate staff regarding the presence or potential presence of all special-status species, sensitive natural communities, and protected wetlands and other waters that are known to occur, within the project site. The program shall describe species and sensitive community identification, special-status species habitat requirements, and penalties for special-status species impacts, as well as immediate steps to take should special-status species be observed by staff onsite.</p> <p>This WEAP shall include biological resource avoidance and minimization measures/mitigation measures from the project's CEQA Mitigation Monitoring and Reporting Program (MMRP), and any resource permits, as applicable. The WEAP shall educate workers regarding sensitive species and their habitats, the need to avoid impacts, state and federal protection status, and the legal implications of violating environmental laws and regulations. The WEAP can be provided in the form of a handout and/or video presentation. All staff working onsite shall attend the WEAP training prior to commencing onsite work. Staff that attend the training shall fill out a sign-in sheet indicating that they completed the training.</p> <p>Prior to construction, a qualified biologist shall inspect all areas within the project site with the potential to support sensitive biological resources to ensure the proper implementation of all avoidance and minimization and mitigation measures, agency permit requirements, and environmentally sensitive area exclusion flagging and/or fencing have been properly implemented, and to deliver WEAP training, as needed.</p> <p>The biologist shall remain available on an on-call basis for the duration of project construction to conduct inspections and follow up surveys, as needed or required by permit conditions, and to ensure compliance with permit conditions. The biologist shall have the experience, education and training necessary to conduct special-status species surveys and monitoring as described in the mitigation measures below.</p>	Prior to commencing construction activities onsite. Prior to construction, qualified biological monitors shall ensure environmentally sensitive areas are properly flagged and/or fenced. Ongoing biological monitoring inspections.	Before and during construction	Contractor's and SMUD's qualified biologists	SMUD	All project components
Biological Resources	Impact 3.4-1. Impacts on special-status plant species.	<p>Mitigation 3.4-2. Conduct Pre-construction Surveys for Sanford's Arrowhead and Avoid Impacts to Known Occurrences</p> <p>Prior to culvert improvements or other project work that may affect the agricultural drainage in the southern area that provides suitable habitat for Sanford's arrowhead, and within the blooming period for Sanford's arrowhead (May 1 through October 1), a qualified botanist shall conduct a focused survey for the species within suitable habitat in this area. The botanist shall map all observations of this species and establish a no-disturbance buffer around these plants. Before construction commences, Sanford's arrowhead occurrences shall be marked with pin flags in the field, and all construction personnel shall be instructed as to the location and extent of the special-status plants or populations and the importance of avoiding impacts to the species and its habitat.</p> <p>If construction must occur within the no-disturbance buffer, and Sanford's arrowhead cannot be avoided, SMUD shall develop a mitigation plan for Sanford's arrowhead in coordination with CDFW. The plan shall include measures to minimize impacts and to offset any loss of Sanford's arrowhead on a 1:1 basis through protection, replanting, or purchase of credits. The plan shall be in place prior to construction activities in these areas.</p> <p>Information about avoidance and minimization measures for Sanford's arrowhead shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>	Pre-construction survey and no-disturbance buffer to be installed in coordination with qualified biologist before start of construction. Buffer to be maintained during construction.	Before and during construction	Contractor's qualified biologist	SMUD	All project components during construction that require work within suitable habitat.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Biological Resources	Impact 3.4-1. Impacts on special-status plant species.	<p>Mitigation Measure 3.4-3. Establish Non-Disturbance Buffers around Vernal Pools along the Collection and Distribution Lines</p> <p>Along the collection line connecting the northern area to the southern area of the project site, and the distribution lines along Florin Road, Excelsior Road, Gerber Road, and Eagles Nest Road, SMUD or their contracted engineer shall design the placement of new electricity poles and replacement of existing poles to avoid the edges of vernal pools by at least 50 feet.</p> <p>The perimeter of this 50-foot no-disturbance buffer shall be marked in the field prior to construction through flagging or fencing with a wildlife friendly material that allows the movement of wildlife, including western spadefoot (and also wide-ranging wildlife, such as coyotes), through the area. The marked buffer shall be maintained for the duration of project construction. No construction or ground-disturbing activities shall occur within the 50-foot buffer.</p> <p>Information about avoidance and minimization measures for vernal pool habitat shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>	Flagging or fencing to be installed in coordination with qualified biologist before start of construction. Fencing to be maintained during construction.	Before and during construction	SMUD	SMUD	All project components along the connection line and the distribution lines
Biological Resources	Impact 3.4-4. Potential impacts on Western spadefoot during construction	<p>Mitigation Measure 3.4-5. Avoid impacts to Western Spadefoot during Construction</p> <p>Prior to any ground disturbance activity (e.g., grading, diking, road construction, or similar activities that could entomb or excavate spadefoot in grassland habitat near vernal pools) in the overhead collector line and distribution line corridors, a qualified biologist shall survey the project footprint prior to the onset of work for Western spadefoot. The qualified biologist shall identify burrows potentially suitable for Western spadefoot and mark a 50-foot non-disturbance buffer around any burrows mapped. Ground disturbance in these buffer areas shall be avoided, if feasible. If ground disturbance would be required within the 50-foot buffer, activities shall be limited to the minimum footprint necessary and shall be monitored by an onsite qualified biologist, as appropriate to guide activities within the buffer to reduce impacts. Ground disturbing activities within suitable Western spadefoot breeding habitat will be limited during their active period (typically between October and May) to the extent possible.</p> <p>The qualified biologist shall inform construction personnel to stop construction activities if a Western spadefoot is observed or if, in the biologist's opinion, maintenance activities threaten to cause adverse effects to Western spadefoot. If it is determined that Western spadefoot would be potentially harmed by construction, a qualified biologist with the appropriate handling permits may relocate animals to suitable habitats outside the project footprint. A relocation report will be submitted to SMUD within 48 hours after the species has been relocated.</p> <p>Information about avoidance and minimization measures for Western spadefoot shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>	Identify burrows and mark no-disturbance buffers in coordination with qualified biologist before start of construction. Buffers to be maintained during construction.	Before and during construction	SMUD's qualified biologist	SMUD	All project components during construction in the overhead collector line and distribution line corridors.
<ul style="list-style-type: none"> Biological Resources 	<ul style="list-style-type: none"> Impact 3.4-5. Potential impacts on Western pond turtle during construction. 	<p>Mitigation Measure 3.4-6. Conduct Pre-Construction Surveys for Western Pond Turtle</p> <ul style="list-style-type: none"> A qualified biologist shall conduct a pre-construction survey for Western pond turtle within 48 hours prior to the start of construction activities within 300 feet of suitable aquatic habitat (e.g., any adjacent waterway, marsh, or emergent wetland). Concurrently with the pre-construction survey, searches for nesting sites in suitable upland habitat shall be conducted by a qualified biologist and any active nest sites identified during the survey shall be delineated with high-visibility flagging or fencing and avoided during construction activities as described below in Mitigation Measure 3.4-7. 	Surveys to be conducted and fencing to be installed within 48 hours of start of construction within 300 feet of suitable habitat. Flagging/fencing and monitoring required for nest sites if identified.	Before construction and during construction (if nests are found).	Contractor's and SMUD's qualified biologists	SMUD	All project components during construction that require work within 300 feet of suitable habitat.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Biological Resources	Impact 3.4-5. Potential impacts on Western pond turtle during construction.	<p>Mitigation Measure 3.4-7. Avoid Impacts on Western Pond Turtle during Construction</p> <p>Project ground-disturbing activities near suitable breeding habitat shall be conducted outside of Western pond turtle's active breeding and dispersal season (i.e., after May 1 and before September 15), to the extent feasible. If project activities must be implemented during the breeding season, they shall not start until 30 minutes after sunrise and must be completed 30 minutes prior to sunset.</p> <p>If a turtle nest is encountered during the pre-construction survey (Mitigation Measure 3.4-6), a 100-foot non-disturbance buffer shall be maintained during construction and regularly monitored by a qualified biologist. Construction may resume in the buffer area after the qualified biologist has determined that the turtle eggs have hatched.</p> <p>Onsite personnel shall observe a 20-mile-per-hour speed limit at all times. In addition, all BMPs identified in the project's Stormwater Pollution Prevention Plan shall be implemented, to avoid adverse effects from water quality impacts such as sedimentation and spills.</p> <p>Information about avoidance and minimization measures for Western pond turtles shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>	Biological monitor shall be present during ground-disturbing activities near suitable breeding habitat if turtles or nests are found during pre-construction survey.	During construction	Contractor's and SMUD's qualified biologists	SMUD	All project components during construction that require work within 100 feet of suitable habitat.
Biological Resources	Impact 3.4-6. Potential impacts on giant garter snake during construction and impacts to their aquatic habitat.	<p>Mitigation Measure 3.4-8. Conduct Pre-construction Surveys for Giant Garter Snake and Implement Avoidance and Minimization Measures</p> <p>Project ground-disturbing activities in aquatic habitat and adjacent upland habitat within 200 feet of suitable aquatic habitat (perennial drainages and agricultural ditches carrying year-round water) shall be conducted during the giant garter snake's active season (i.e., after May 1 and before October 1), to the extent feasible. During this period, the potential for direct mortality is reduced, because snakes are expected to mainly occupy aquatic habitat and to actively move and avoid danger. If project activities in upland habitat occur within 200 feet of suitable aquatic habitat must be started outside of the snake's active season (May 1 to October 1), the following mitigation measures must be implemented:</p> <ul style="list-style-type: none"> Within 24-hours prior to commencement of construction activities within 200 feet of potential giant garter snake habitat (perennial streams and agricultural ditches that carry year-round water), the site shall be inspected by a qualified biologist who is approved by SMUD. Results of this clearance survey shall be reporting in memo shared with SMUD and construction should only commence after a negative inspection report. If construction activities are delayed or stop for a period of two weeks or more, another pre-construction clearance survey shall be conducted within 24 hours before resuming construction activity. If snakes, or evidence of snakes, are encountered during pre-construction surveys, a biological monitor shall be present during the commencement of construction activities in upland habitat within 200 feet of suitable aquatic habitat during all ground disturbing activities. If any snakes are observed in uplands near drainages during the active season, project activity shall be halted and the snakes shall be allowed to leave the area on their own. <p>If take of GGS individuals cannot be avoided during the active or dormant seasons, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.</p>	If construction is proposed between October 1 and May 1, a pre-construction survey within 24 hours before construction within aquatic and adjacent upland habitat within 200 feet of aquatic habitat shall be conducted. If construction activities stop for 2 weeks or more, another preconstruction clearance survey will be required.	Before and during construction Species observations to be reported to CDFW and USFWS within 24 hours of detection	Contractor's and SMUD's qualified biologists	SMUD, CDFW, and USFWS	All project components during construction occurring within 200 feet of suitable aquatic habitat.
Biological Resources	Impact 3.4-7. Potential impacts on burrowing owl during construction and operation.	<p>Mitigation Measure 3.4.9 Compensate for permanent loss of Western Burrowing Owl Habitat.</p> <ul style="list-style-type: none"> SMUD shall mitigate for the permanent loss of 4.1 acres of burrowing owl foraging habitat at a 1:1 basis. This may be achieved through purchasing credits at an approved bank, dedicating credits at SMUD's own conservation bank, or by placing a permanent easement on 4.1 acres of suitable foraging habitat in the vicinity of the project site. 	Purchase credits to mitigate for permanent loss of burrowing owl foraging habitat.	Before construction	SMUD	SMUD and CDFW	All project components that would result in permanent impacts to burrowing owl foraging habitat

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Biological Resources		<p>Mitigation Measure 3.4-10. Conduct Pre-construction Surveys for Western Burrowing Owl and Implement Avoidance and Minimization Measures</p> <ul style="list-style-type: none"> SMUD shall conduct pre-construction burrowing owl surveys in all areas that may provide suitable nesting habitat according to CDFW (CDFG 2012) guidelines and based on protocol level surveys conducted in support of this project (AECOM 2025). A qualified wildlife biologist shall conduct the surveys, including documentation of burrows and burrowing owls, in all suitable burrowing owl habitat within 500 feet of proposed construction. Two surveys shall be conducted within 15 days prior to ground disturbance to establish the presence or absence of burrowing owls. The surveys shall be conducted at least 7 days apart (if burrowing owls are detected on the first survey, a second survey is not needed) for both breeding and non-breeding season surveys. All burrowing owls observed shall be counted and mapped. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or within 500 feet of project construction activities. During the non-breeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent (within 500 feet) to any area to be disturbed. Survey results would be valid only for the season (breeding or non-breeding) during which the survey was conducted. The qualified biologist shall survey the proposed footprint of disturbance and a 500-foot buffer from the perimeter of the proposed footprint to determine the presence or absence of burrowing owls. The site shall be surveyed by walking line transects, spaced 20 to 60 feet apart, adjusting for vegetation height and density. At the start of each transect and, at least, every 300 feet, the surveyor, with use of binoculars, shall scan the entire visible project site for burrowing owls. During walking surveys, the surveyor shall record all potential burrows used by burrowing owls, as determined by the presence of one or more burrowing owls, pellets, prey remains, whitewash, or decoration. Some burrowing owls may be detected by their calls; therefore, observers shall also listen for burrowing owls while conducting the survey. The presence of burrowing owl or their sign anywhere on the site or within the 500-foot accessible buffer around the site shall be recorded and mapped. Surveys shall map all burrows and occurrence of sign of burrowing owl on the project site. Surveys must begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites <p>If a burrowing owl or evidence of presence at or near a burrow entrance is found to occur within 500 feet of the project site, the following measures shall be implemented:</p> <ul style="list-style-type: none"> If burrowing owls are found during the breeding season (approximately February 1 to August 31), the project applicant shall: <ul style="list-style-type: none"> Avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging). Establish a minimum 500-foot, up to 1650-foot non-disturbance buffer zone around nests, consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer shall be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist. 	Two (2) preconstruction surveys within 15 days prior to ground disturbance conducted 7 days apart. If burrowing owl or evidence of presence is found, implement additional measures as described in MM.	Before and during construction	SMUD to obtain permit, if required Contractor to implement permit	SMUD and CDFW	All project components during construction involving work within 500 feet of suitable nesting habitat.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
		<ul style="list-style-type: none"> Construction may occur only outside of the 500-foot buffer zone during the breeding season and only if a qualified biologist monitors the nest and determines that the activities will not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls. If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a minimum of 165-foot, up to 1650-foot no-disturbance buffer zone around active burrows consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls. During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by CDFW, project applicant shall obtain an Incidental Take Permit (ITP) for the project. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from CDFW (e.g., California Department of Fish and Game 2012) and submitted to and approved by CDFW along with the ITP application. Burrow exclusion may not be conducted for burrows located in the project footprint and within a 160-foot buffer zone until the ITP is obtained. All ITP conditions must be followed when excluding owls. If take of burrowing owl individuals cannot be avoided during the breeding or non-breeding season, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities. Information about the status of and avoidance and minimization measures for western burrowing owl shall be included in the WEAP described above in Mitigation Measure 3.4-1. 					
Biological Resources		<p>Mitigation Measure 3.4-11. WEAP Training for Operations and Maintenance Personnel</p> <p>Following project construction, WEAP Training pertaining to the operation and maintenance phase of the project shall be provided each year to onsite personnel. The purpose of the training shall be to raise awareness of the potential use of the site by wintering and breeding burrowing owls and to avoid and minimize potential take of owls during project operation. The training shall describe the identification and natural history of burrowing owls and shall cover the avoidance and minimization measures described below. New onsite personnel shall be provided the training before they begin work at the site.</p> <ul style="list-style-type: none"> Speed Limit. All project traffic must observe a 20-mph speed limit. Pets. No pets are allowed on the project site. Equipment and Material Inspection. All construction pipe, culverts, or similar structures greater than 3 inches in diameter shall be inspected before being moved, buried or capped. Firearms. No firearms are permitted on the project site. Survey before Ground Disturbing Activities. If maintenance or repair activities require ground disturbing activities in areas potentially used by western burrowing owl (grazing land under solar panels, berms along roads, areas containing ground squirrel holes), a pre-construction survey for western burrowing owl shall be conducted by a qualified biologist in the disturbance area. Surveys shall be conducted using the same steps described in Mitigation Measure 3.4-9 (Pre-construction Western Burrowing Owl Measures) of the project MMRP. If burrowing owls are detected during the surveys non-disturbance buffers shall be established as described in the MMRP and a Region 2 CDFW representative) shall be contacted to discuss whether additional avoidance and minimization measures are warranted. Reporting of Bird Mortality. If operations and maintenance staff detect a bird carcass on the project site that may be a burrowing owl, Swainson's hawk, tricolored blackbird or other special status species, they shall notify SMUD who shall arrange to identify the bird. If the bird is a special-status species, SMUD shall notify a Region 2 CDFW representative immediately, record the date and the location of the carcass, collect the carcass and store it in a freezer. CDFW shall provide guidance on the disposition of the carcass. 	Annual WEAP training to be provided to all operations and maintenance and prior to maintenance or repair activities, qualified biological monitors shall ensure environmentally sensitive areas are properly flagged and/or fenced.	Following project construction, before operations and maintenance.	Contractor's qualified biologist	SMUD	All project components Operations and maintenance of PV solar, BESS and substation

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
		<ul style="list-style-type: none"> Injured bird. If an injured bird is detected by the operation and maintenance staff the site operator, they shall notify SMUD who shall arrange to identify the bird and advise on how to proceed. If the injured bird is a special status bird, SMUD shall contact a Region 2 CDFW representative. With concurrence of CDFW, and if the bird is sufficiently immobile that it can be safely and readily retrieved, the bird shall be captured by a qualified biologist experienced with handling raptors and placed into an animal crate/box and stored in a cool location while being transported. The biologist shall transport the injured bird to the appropriate wildlife care facility such as the U.C. Davis California Raptor Center, 1340 Equine Lane, Davis: (530) 752-6091 California Raptor Center / School of Veterinary Medicine - Found a Sick or Injured Raptor?. 					
Biological Resources	Impact 3.4-8. Potential impacts on tricolored blackbirds during construction and permanent conversion of foraging habitat.	<p>Mitigation Measure 3.4-12. Conduct Focused Pre-Construction Surveys for Nesting Tricolored Blackbird and Avoid Impacts During Construction</p> <p>Construction shall occur outside of the breeding period for tricolored blackbirds (March 15 to August 1). If construction must occur within the breeding period, the following measures shall be implemented to avoid impacts to tricolored blackbirds:</p> <ul style="list-style-type: none"> Pre-construction Tricolored Blackbird Surveys. Before any ground disturbing activities or vegetation clearing that may result in effects on potential habitat for tricolored blackbird, a qualified biologist shall conduct a pre-construction survey in potentially suitable nesting habitat (i.e., blackberry thickets and cattail marsh) for this species in the project footprint and a 1,300-foot buffer to the project footprint. The biologist shall conduct three separate surveys, one each in mid-April, mid-May, and mid-June, based on survey methods identified in the Results of the 2017 Tricolored Blackbird Statewide Survey, Appendix 1. If breeding colonies are found, the foraging behavior of the colony shall also be documented. If an active nesting colony is detected during the surveys CDFW shall be consulted to provide any guidance on appropriate avoidance and minimization measures in addition to those described below. Avoidance and Minimization. If any active nests are observed during surveys, a qualified biologist shall establish a suitable avoidance (i.e., non-disturbance) buffer from the active nest. The buffer distance for tricolored blackbird shall generally be 1300 feet 500 feet and shall be determined based on factors such as topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction shall be established in the field with flagging, fencing, or other appropriate barriers to avoid active nests. This buffer may be modified in consultation with the qualified biologist. The consultation must be documented in writing and include the revised buffer distance, along with the rationale and justification for why the reduction is appropriate. Appropriate rationale for reducing a buffer may include the presence of dense vegetation, Construction limits shall be based on the biologist defined appropriate buffer distance and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. Project activities shall avoid occupied Tricolored Blackbird nesting habitat. If tricolored blackbird colonies are identified during the breeding season, an approximate buffer of up to 500 feet shall be established around the colony, depending on site-specific conditions and at the discretion of a qualified biologist in consultation with CDFW. Any construction-related activities shall be excluded from the buffer until the end of the breeding season. If an active nest is identified within 1,300 feet of the Project area after construction has begun, a 1,300-foot no-disturbance buffer will be established, unless construction activities are already occurring within that distance. If an active nest is established within 1,300 feet while construction activities are ongoing, it is assumed the birds have acclimated to the existing disturbance. In such cases, the buffer will be reduced to the greater of: (1) the actual distance between the active nest and the nearest construction activity, or (2) 500 feet. 	Prior to ground-disturbing activities or vegetation clearing during the breeding period that may result in effects on potential habitat for tricolored Blackbirds, one survey in mid-April, one in mid-May, and one in mid-June shall be conducted. If tricolored blackbird nests are found, a 1,300-foot no-disturbance zone created prior to construction. Biological monitoring required if an active colony is present within 1,300 feet of construction activities.	Before and during construction	SMUD's and contractor's qualified biologist	SMUD	All project components during construction that could result in impacts to tricolored blackbird habitat.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
		<ul style="list-style-type: none"> Once the reduced buffer is established—and prior to any increase in the intensity or type of disturbance—a qualified biologist will conduct a minimum of two consecutive days of baseline monitoring to document nesting behavior under current conditions. If, during baseline monitoring, project activities cause birds to display agitated or stress-related behaviors, all work within the buffer will cease, and the buffer distance will be reassessed based on what was observed. Based on baseline observations, the qualified biologist will prepare a written memorandum summarizing the monitoring results and recommending avoidance and minimization measures tailored to varying levels of anticipated construction activity. The first day of any increased construction activity within the buffer will be monitored by a qualified biologist to verify that the buffer distance and implemented measures are effective in avoiding take. Appropriate measures may include an increased no-disturbance buffer with specific levels of disturbance, limitations on construction activities that generate substantial vibration and/or noise, and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest. This buffer may be modified in consultation with the qualified biologist with additional written measures such as the installation of visual shielding or sound curtains. Construction Monitoring. If construction takes place during the breeding season when an active colony is present within 500 feet of construction activities, a qualified biologist shall regularly monitor construction to ensure that the buffer zone is enforced and to verify that construction is not disrupting the colony. The intensity and frequency of the monitoring shall be established in consultation with CDFW. If monitoring indicates that construction outside of the buffer is affecting a breeding colony, the buffer shall be increased, as needed, in consultation with CDFW. <p>Information about avoidance and minimization measures for tricolored blackbird shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>					
Biological Resources	Impact 3.4-9. Potential impact of Swainson's hawk during construction and permanent conversion of foraging habitat.	<p>Mitigation Measure 3.4-13. Conduct Focused Pre-construction Surveys for Nesting Swainson's hawks and Implement Protective Buffers</p> <ul style="list-style-type: none"> Pre-construction Surveys. A qualified biologist shall conduct pre-construction surveys for Swainson's hawks during the nesting season (March 1 through August 21) within the project footprint and of all suitable nesting habitat within line of sight of construction activities within a 0.25-mile radius of the project footprint. The surveys shall be conducted no more than 15 days prior to ground disturbance and shall be conducted using methods consistent with guidelines provided in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (SHTAC 2000) with the following exceptions: <ul style="list-style-type: none"> Surveys shall be required within a 0.25-mile (1,320-foot) radius around the project site. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all potential nest tree(s) from the adjacent property, road sides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for Swainson's hawk nesting activity; Surveys shall be required from February 1 to September 15 (or sooner if it is found that birds are nesting earlier in the year); and If a Swainson's hawk nest is located and presence confirmed, only one follow-up visit is required (to avoid disturbance of the nest due to repeated visits). Nest Buffers. If active Swainson's hawk nests are found, appropriate buffers shall be established around active nest sites, in coordination with CDFW, to provide adequate protection for nesting raptors and their young. No project activity shall commence during the nesting season within the buffer areas until the qualified biologist has determined that the young have fledged, the nest is no longer active, or if reducing the buffer would not result in nest abandonment. 	Preconstruction surveys no more than 15 days prior to ground disturbing activities within the nesting season (March 1 to August 21). If nests are found, implement appropriate no-disturbance nest buffers and monitoring during construction if construction could adversely affect any observed nests.	Before and during construction	Contractor's Qualified Biologist	SMUD	All project components during construction with potential to disturb Swainson's hawk nests.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
		<ul style="list-style-type: none"> ● Nest Monitoring. Monitoring of the nest by a qualified biologist during construction activities may be required if the qualified biologist determines that the activity has potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer shall be increased until the agitated behavior ceases. The exclusionary buffer shall remain in place until the qualified biologist has confirmed that the chicks have fledged. <p>Information about avoidance and minimization measures for Swainson's hawk shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>					
Biological Resources	Impact 3.4-9. Potential impact of Swainson's hawk during construction and permanent conversion of foraging habitat.	<p>Mitigation Measure 3.4-14. Compensate for the Loss of Swainson's Hawk Foraging Habitat</p> <p>To offset net impacts on foraging habitat for breeding Swainson's hawks SMUD shall mitigate the loss of Swainson's hawk foraging habitat in accordance with CDFW recommendations (CDFG 1994) but adjusted to local conditions and based on recent studies by providing mitigation lands or securing Swainson's hawk mitigation bank credits as follows:</p> <ul style="list-style-type: none"> ● Foraging habitat permanently lost within 5 miles of an active Swainson's hawk nest tree shall be replaced with 1.0 acre of mitigation land for each acre of foraging habitat permanently lost because of project construction (1:1 ratio). Permanent loss resulting from the project includes the approximately 4.1-acre footprint of the BESS, substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of construction during preconstruction surveys as called for in Mitigation Measure 3.4.13. ● For foraging habitat under solar panel these mitigation ratios shall be reduced to 0.25:1 for foraging habitat for active nests within 5 miles of the project and 0.5:1 for active nests within 1 mile of the project site. These reduced ratios are appropriate because Swainson's hawks foraging habitat will continue to be available in the solar fields. Foraging habitat will be maintained under the solar panels with pollinator-friendly vegetation that would support Swainson's hawk prey such as insects and small mammals. Ample foraging habitat will also remain in adjacent agricultural lands and open space preserves that are permanently protected. <p>All mitigation lands protected under this mitigation measure shall be protected in a form acceptable to CDFW (e.g., through fee title acquisition or conservation easement) on agricultural lands or other suitable habitats that provide foraging habitat for Swainson's hawk.</p>	If Swainson's hawk foraging habitat is impacted as described in the MM, mitigated land or bank credits shall be provided.	Before and during construction	SMUD	SMUD	All components that result in loss of Swainson's hawk foraging habitat or nesting habitat
Biological Resources	Impact 3.4-11. Disturbance of nesting white-tailed kite, northern harrier, Cooper's hawk, loggerhead shrike, song sparrow "Modesto" population, and other protected birds.	<p>Mitigation Measure 3.4-15. Conduct Pre-Construction Surveys for Nesting Birds and Raptors</p> <p>Tree trimming (if required) or vegetation removal shall be conducted outside of the nesting season (i.e., the nesting season is defined as February 1 through August 31) to the greatest extent feasible. If construction activities begin during the nesting season, a qualified biologist shall conduct a survey for nesting birds no more than 3 days prior to vegetation removal or ground-disturbing activities during the nesting season within suitable habitat (i.e., February 1 through August 31). The survey shall cover the limits of construction and accessible suitable nesting habitat within 500 feet. If any active nests are observed during surveys, a qualified biologist should establish a suitable avoidance buffer from the active nest. The buffer distance shall typically range from 50 feet (for nesting passerines) to 500 feet (for nesting raptors) and shall be determined based on factors such as the species of bird, topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. If vegetation removal activities are delayed, additional nest surveys shall be conducted such that no more than 7 days are allowed to pass between the survey and vegetation removal activities.</p>	If construction occurs within nesting season (February 1 to August 31), conduct preconstruction nesting survey no more than 3 days prior to vegetation removal or ground-disturbing activities.	Before and during construction	SMUD's and contractor's qualified biologist	SMUD	All project components during construction that involve tree or vegetation removal or ground-disturbing activities.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
			If vegetation removal activities are delayed, additional nest surveys should be conducted so that no more than 7 days pass between survey and vegetation removal. If any active nests are observed, establish suitable avoidance buffer. If required, biological monitor shall be present on-site to monitor construction activities near nest.				
Biological Resources	Impact 3.4-11. Disturbance of nesting white-tailed kite, northern harrier, Cooper's hawk, loggerhead shrike, song sparrow "Modesto" population, and other protected birds.	Mitigation Measure 3.4-16. Avoid Impacts on Nesting Birds and Raptors during Construction Limits of construction to avoid active nests shall be established in the field with flagging, fencing, or other appropriate barriers and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. If an active nest is identified in or adjacent to the construction zone after construction has started, work in the vicinity of the nest shall be halted until the qualified biologist can provide appropriate avoidance and minimization measures to ensure that the nest is not disturbed by construction. Appropriate measures may include a no-disturbance buffer until the nest has fledged and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest. Information about avoidance measures to protect nesting birds and raptors shall be included in the WEAP described above in Mitigation Measure 3.4-1.	Limits of construction shall be established to avoid active nests. Active nests to be monitored during construction.	Before and during construction	SMUD's and contractor's qualified biologist	SMUD	All project components during construction occurring near active nests.
Biological Resources	Impact 3.4-13. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.	Mitigation Measure 3.4-17. Avoid, Minimize and Compensate for Impacts on state and federally protected wetlands and other waters. Prior to project implementation, SMUD shall confirm project related potential impacts on state and federally protected wetlands based on advanced designs and obtain the necessary permits for impacts on any wetlands. These may include the following permits: <ul style="list-style-type: none"> Section 1600 Streambed Alteration Agreement from CDFW (for impact on streams in the project site, including horizontal directional drilling, if necessary). CWA Section 404 permit from USACE for impacts to WUS (not expected to be necessary based on 30 percent design). CWA Section 401 Clean Water Certification from the Regional Water Quality Control Board for impacts to WUS (not expected to be necessary based on 30 percent design). Waste Discharge Permit from RWQCB for impacts to WOS (anticipated, based on project impacts to a small amount of agricultural ditch qualifying as WOS based on current delineation). 	Necessary permits, if applicable, shall be obtained before project implementation. Develop a habitat mitigation plan to be submitted with permit applications. Compensate for impacts to state and federally protected wetlands as described in MM.	Prior to project implementation and during construction.	SMUD or contractor may obtain permits, if required. Contractor to abide by conditions set forth in permits Contractor's Qualified Biologist to ensure compliance.	SMUD, Regional Water Quality Control Board, and CDFW	All project components during construction that could impact state and federally protected wetlands.

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
		<ul style="list-style-type: none"> As part of any permit applications, SMUD shall identify a habitat mitigation plan that shall include mitigation for impacted wetlands and waters on a no-net-loss basis. The plan may include onsite restoration, if feasible, offsite preservation, or purchasing mitigation credits from an agency-approved wetlands mitigation bank, paying an agency-approved in-lieu fee, and/or developing conservation lands to compensate for permanent loss of resources. Mitigation ratios shall be no less than 1:1 and shall be determined during the permitting process based on advanced project design. SMUD shall implement all conditions of the permits, including any performance monitoring, if required, for onsite restoration and report on the results of the monitoring to the appropriate agencies at the frequency and duration included in the permits. <p>Wetlands and other waters protection shall be included in the WEAP described above in Mitigation Measure 3.4-1.</p>					
Cultural Resources	Impact 3.5-1 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.	<p>Mitigation Measure 3.5.1: Halt ground-disturbing activity upon discovery of subsurface archaeological features.</p> <p>In the event that any pre-contact or historic-era subsurface archaeological features or deposits, including locally darkened soil ("midden"), that could conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either an historical resource, a unique archaeological resource, or a tribal cultural resource), the archaeologist shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected. Procedures could include, but would not be limited to, preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).</p>	If any pre-contact or historic-era subsurface archaeological features or deposits are discovered during construction, all ground-disturbing activity shall cease within 100 feet of the resource(s) discovered until an archaeologist can assess the significance of the find.	During construction	SMUD, Qualified Archaeologist, and Contractor	SMUD	All project components during construction
Cultural Resources	Impact 3.5-2. Disturb any human remains, including those interred outside of dedicated cemeteries.	<p>Mitigation Measure 3.5-2: Halt ground-disturbing activity upon discovery of human remains.</p> <p>If human remains are discovered during any construction activities, potentially damaging ground-disturbing activities within 100 feet of the remains shall be halted immediately, and SMUD will notify the Sacramento County coroner and the NAHC immediately, according to PRC Section 5097.98 and Section 7050.5 of the California Health and Safety Code. If the remains are determined by the NAHC to be Native American, the guidelines of the NAHC shall be followed during the treatment and disposition of the remains. SMUD shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. Following the coroner's and NAHC's findings, the archaeologist and the NAHC-designated Most Likely Descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. PRC Section 5097.94 identifies the responsibilities for acting upon notification of a discovery of Native American human remains.</p>	If human remains are discovered during construction, potentially damaging ground-disturbing activities within 100 feet of the remains will be halted immediately. SMUD will notify Sacramento County coroner and the NAHC immediately.	During construction	SMUD, Qualified Archaeologist, and Contractor	SMUD, Sacramento County, and NAHC	All project components during construction

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Cultural Resources	Impact 3.7-5. Directly or indirectly destroy a unique paleontological resource or site.	Mitigation Measure 3.7-1: Avoid Impacts to Unique Paleontological Resources. To minimize the potential for destruction of or damage to previously unknown unique, scientifically important paleontological resources during earthmoving activities at the project site, SMUD shall do the following: <ul style="list-style-type: none"> • Prior to the start of earthmoving activities, retain either a qualified archaeologist or paleontologist to develop relevant materials related to paleontological resources for inclusion in the project's Worker Environmental Awareness Program (WEAP) program to inform all construction personnel involved with earthmoving activities regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered. • If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify SMUD. SMUD shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan. The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum curation for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by SMUD to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resource or resources were discovered. 	Before earthmoving activities, a qualified paleontologist or archaeologist will inform construction personnel on what paleontological resources are and what to do if one is found. Qualified paleontologist to evaluate resources if found and prepare a recovery plan.	Before and during construction activities	SMUD, Qualified Paleontologist, and Contractor	SMUD	All project components during construction
Greenhouse Gas Emissions	Impact 3.8-1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Mitigation Measure 3.8-1: Implement Construction GHG Emission Best Management Practices during Construction Activities Improve fuel efficiency from construction equipment by: <ul style="list-style-type: none"> • Minimizing idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 3 minutes (5-minute limit is required by the state airborne toxics control measure [Title 13, sections 2449(d)(3) and 2485 of the CCR]). Provide clear signage that posts this requirement for workers at the entrances to the site. • Maintaining all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated. • Training equipment operators in proper use of equipment. • Using the proper size of equipment for the job. • Using equipment with new technologies (repowered engines, electric drive trains). • Perform on-site material hauling with trucks equipped with on-road engines (if determined to be less emissive than the off-road engines). • Use alternative fuels for generators at construction sites such as propane or solar or use electrical power. • Use CARB-approved low carbon fuel for construction equipment. • Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes. • Develop a plan to efficiently use water for adequate dust control. • Reduce electricity use in the construction office by using compact fluorescent bulbs or light emitting diodes, powering off computers every day, and replacing heating and cooling units with more efficient ones. • Recycle or salvage non-hazardous construction and demolition debris, when practicable (goal of at least 75% by weight). 	Best Management Practices shall be implemented during construction.	During construction	SMUD and Contractor	SMUD	All project components during construction

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Noise	Impact 3.13-1. Temporary, Short-Term Exposure of Sensitive Receptors to Construction Noise.	<p>Mitigation Measure 3.13-1. For Construction Outside of Permitted Construction Hours ((Section 6.68.090[e] of the County of Sacramento Code)), Implement Noise-Reducing Construction Practices and Monitor and Record Construction Noise near Sensitive Receptors.</p> <p>The project applicant(s) and their construction contractors shall employ noise-reducing construction practices to avoid and minimize construction noise effects on sensitive receptors outside permitted construction hours:</p> <ul style="list-style-type: none"> ● Pile driving shall be limited to the hours between 6 a.m. and 8 p.m. Monday through Friday and Sunday, and between 7 a.m. and 6 p.m. on Saturdays. ● Construction equipment and equipment staging areas for equipment that generates noise levels of 70 dB or more at 50 feet shall be located as far as possible from nearby noise-sensitive land uses. ● All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation. ● All motorized construction equipment shall be shut down when not in use to prevent idling. ● Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off-site instead of on-site). ● Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators). ● Written notification of construction activities shall be provided to all noise-sensitive receptors located within 500 feet of the project site. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification. ● Should nighttime construction (including very early morning) become necessary, the project applicant shall conduct a preliminary noise assessment to evaluate the potential for exceedances at the property boundaries of the nearest sensitive receptors. This assessment will determine if additional mitigation, such as real-time noise monitoring or other measures, is warranted. This ensures compliance with the County Noise Ordinance while maintaining flexibility and practicality in project execution. 	Noise-generating construction operations shall be limited to 6 a.m. to 8 p.m. on weekdays and Sunday and 7 a.m. to 6 p.m. on Saturdays. Written notification of construction activities to sensitive noise receptors located within 500 feet of construction activities will be distributed prior to construction. Preliminary noise assessment shall be conducted if nighttime construction becomes necessary.	During construction	SMUD and Contractor	SMUD	All project components during construction
Transportation	Impact 3.17-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).	<p>Mitigation Measure 3.17-1. Prepare and Implement a Traffic Control Plan.</p> <p>To address potential traffic hazards during construction, prior to the commencement of construction or demolition activities, SMUD or its construction contractor shall prepare a traffic control plan for review and approval by Sacramento County Department of Transportation. The measures to be included in the traffic control plan include signage, traffic cones, and flaggers to help ensure safe and efficient movement of traffic through the affected area, with a focus on safety on roadways adjacent to project site and project activities. In addition, the traffic control plan would provide for notification of emergency responders regarding the planned construction activities.</p>	Prior to the commencement of construction or demolition activities, SMUD or contractor will submit Traffic Control Plan to Sacramento County Department of Transportation Traffic Control Plan implemented during construction	Before and during construction	Contractor	SMUD and Sacramento County Department of Transportation	PV solar panels, BESS and substation construction

Table 4-1. Summary of Impacts and Mitigation Measures

CEQA Issue Area	Impacts	Mitigation Measures	Implementation Duration	Monitoring Duration	Implementation	Monitoring	Applicable Project Component
Tribal Cultural Resources	<p>Impact 3.18.1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:</p> <p>Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> <p>A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?</p>	<p>Mitigation Measure 3.18-1. Inadvertent/Unanticipated TCR Discoveries.</p> <p><u>Worker Environmental Awareness Program (WEAP):</u></p> <p>SMUD shall prepare a Worker Environmental Awareness Program (WEAP) that shall educate staff regarding archaeological sensitivity and the potential presence of tribal cultural resources. This WEAP shall include tribal cultural resources avoidance and minimization measures/mitigation measures from the project's CEQA Mitigation Monitoring and Reporting Program (MMRP). The WEAP shall provide specific details on the kinds of tribal cultural resources that may be identified during construction of the project and explain the protocol for treatment in the event of an unanticipated discovery, including the legal implications of violating applicable laws and regulations. The WEAP can be provided in the form of a handout and/or video presentation. All staff working onsite shall attend the WEAP training prior to commencing onsite work. Staff that attend the training shall fill out a sign-in sheet indicating that they completed the training.</p> <p><u>Discovery Procedure:</u></p> <p>If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.</p> <p>A Tribal Representative and SMUD shall be immediately notified, and the Tribal Representative in coordination with the SMUD shall determine if the find is a TCR (PRC Section 21074) and the Tribal Representative shall make recommendations for further evaluation and treatment as necessary.</p> <p><u>Treatment and Documentation:</u></p> <p>The culturally affiliated Tribe shall consult with SMUD to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs shall not take place unless approved in writing by the culturally affiliated Tribe.</p> <p>The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a Conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.</p> <p>The construction contractor(s) and SMUD shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.</p> <p>Any discoveries shall be documented on a Department of Parks and Recreation 523 form within 2 weeks of the discovery and submitted to the appropriate California Historical Resources Information System Information Center in a timely manner.</p> <p>Work at the TCR discovery location shall not resume until authorization is granted by SMUD in coordination with the culturally affiliated Tribe.</p> <p>If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the Sacramento County Coroner shall be contacted immediately. Upon determination by the Sacramento County Coroner that the find is Native American in origin, the NAHC shall assign the Most Likely Descendent who shall work with the project proponent to define appropriate treatment and disposition of the burials.</p>	Before construction and in the event of an inadvertent/unanticipated TCR discovery	Before and during construction	Tribal Monitor/cultural resources specialist/professional archaeologist, Contractor, and SMUD	SMUD and NAHC	All project components during construction

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5.0 REFERENCES

California Energy Commission. 2024. Investigating the “Lake Effect” Influence on Avian Behavior from California’s Utility-Scale Photovoltaic Solar Facilities. Available: [Investigating the “Lake Effect” Influence on Avian Behavior From California’s Utility-Scale Photovoltaic Solar Facilities.](#)

Rapp Learn, J. 2021. *TWS2021: Limited evidence birds confuse solar panels with lakes*. The Wildlife Society. Available: <https://wildlife.org/tws2021-limited-evidence-birds-confuse-solar-panels-with-lakes/>.

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6.0 FINAL EIR AUTHORS/PREPARERS

6.1 Sacramento Municipal Utility District (Lead Agency)

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Sarah Cheney Senior Project Development Manager
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President Fishman then called for public comment for items not on the agenda.

John Weber stated he had forgotten to recognize SMUD staffperson, Rhonda Staley-Brooks, in his comments the previous evening. He stated she was a moderator for a Zero Carbon Workshop, and she did an excellent job. He then stated he had read the bios of all Board members and felt their combined education and experience made them the perfect team for SMUD. Written comments submitted by Mr. Weber are attached to these minutes.

Glaiol Saba, MD, a Facilitator for Third Act Sacramento, requested that the Board send a letter of support for legislation proposing to make "Polluters Pay Climate Superfund Act" bills that have previously been approved in New York and Vermont and are pending in California as Senate Bill (SB) 684 (Menjivar) and Assembly Bill (AB) 243 (Addis). She stated the bills would basically allow for the California Environmental Protection Agency (EPA) to assess fees to companies who have polluted over one billion metric tons of greenhouse gases since 1990.

Vice President Tamayo stated he had spoken with Dr. Saba about this topic and requested staff to get in touch with her and Third Act Sacramento to have a more detailed discussion about the legislation.

Scott Slotterbeck requested that the Board use better dissemination methods for information than the *Sacramento Bee* since it no longer had a print edition, such as including information in the monthly bill. He stated he was not able to come to a previous Board meeting when a decision was made pertaining to the purchase of wind power. He stated he was against wind power and that wind farms kill approximately one million birds per year. He requested the Board to never purchase energy or electricity from wind farms.

President Fishman then turned to Directors' Reports.

Director Rose reported on his tours of SMUD's transmission distribution control room and the Upper American River Project (UARP) Loon Lake facility and thanked staff for their time and for coordinating the tours. He

**CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH**

Oveja Ranch Solar Project

**SACRAMENTO MUNICIPAL UTILITY DISTRICT, OVEJA RANCH SOLAR
PROJECT**

I. Introduction

The Sacramento Municipal Utility District (SMUD) is lead agency under the California Environmental Quality Act (CEQA) for purposes of the Oveja Ranch Solar Project, hereafter the Project. CEQA prohibits an agency from approving or carrying out a project for which significant effects have been identified, unless the agency can make one or more of a set of three findings set forth in Public Resources Code (PRC) section 21081, subdivision (a):

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report. (See also California Code of Regulations [CCR] Title 14, section 15091.)

When significant effects are subject to a finding under paragraph (3) of subdivision (a), it means that a significant and unavoidable environmental impact would result from project implementation. If this occurs, the public agency must find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment, if the agency approves the project. (PRC section 21081, subd.(b).)

CEQA requires public agencies to prepare a program for monitoring or reporting on the revisions which it requires in the project and the measures it has imposed to mitigate or avoid significant environmental effects. (CCR Title 14, section 15097, subd. (a).)

Under PRC section 21002.1, subdivision (d), when issuing an approval for an aspect of a project for which a lead agency has performed CEQA review, a responsible agency considers only the aspects of the project that the agency is required by law to carry out or approve. SMUD therefore provides the following CEQA findings and mitigation monitoring and reporting plan (MMRP) (Attachment 1) that concern potentially significant impacts to resources identified by the lead agency as part of the CEQA review and in fulfillment of CCR Title 14, section 15097, subd. (a).

II. CEQA Compliance

SMUD, as the lead agency pursuant to CEQA, has prepared a Draft and Final Environmental Impact Report (EIR) for the proposed Oveja Ranch Solar Project (Project). The SMUD Board of Directors (Board) hereby issues these Findings and concurrently certifies the EIR.

The Final EIR has been assigned State Clearinghouse Number 2024090310. The Final EIR consists of both the Draft EIR, as amended through the Final EIR, and an MMRP. The Final EIR assesses the potential environmental effects of implementation of the Project, identifies the means to eliminate or reduce potentially significant adverse environmental impacts, and evaluates a reasonable range of alternatives to the Project. The Final EIR explains Project updates and includes an MMRP that outlines the substance and timing of mitigation measures required for the Project.

Pursuant to PRC section 21081 and CCR Title 14, section 15090, the Board hereby certifies that it completed the following activities prior taking action related to activities/phases evaluated under the Oveja Ranch Solar Project EIR: the Board has received the Final EIR; the Board has reviewed and considered the information contained in the Final EIR and received through public comments; and the Board has considered all additional written and oral statements received prior to or at its public hearing on the Final EIR. The Board additionally certifies that the Final EIR was completed in compliance with CEQA (PRC section 21000 et seq.), the CEQA Guidelines (CCR Title 14, section 15000 et seq.), and SMUD's policies and procedures for the implementation of CEQA and that the Final EIR reflects SMUD's independent judgment and analysis. The conclusions presented in these Findings are based on the Final EIR and other evidence in the administrative record.

The findings set forth below pertain to the certification of the EIR for the Oveja Ranch Solar Project.

Findings

Having received, reviewed, and considered the Final EIR and all other information in the administrative record, the Board hereby adopts the following Findings for the Oveja Ranch Solar Project EIR in compliance with CEQA, the CEQA Guidelines, and SMUD's procedures for implementing CEQA. The Board adopts these Findings in conjunction

with its approval of the Oveja Ranch Solar Project, as set forth below.

a. Project Description and Background

Project Background

California's energy supply and demand is continually evolving as a result of state mandates to address climate change and supply a growing population. SMUD has designed its resource procurement plans to meet the directive by its Board of Directors to use dependable renewable resources to eliminate carbon emissions from its power supply by 2030, as described in SMUD's 2030 Zero Carbon Plan (SMUD 2021). This goal is consistent with Senate Bill 350, which was signed into law in 2015. Senate Bill 100 accelerated the deadline for reaching the 50 percent milestone to 2026, and 60 percent by 2030. The law also establishes as state policy that renewable energy resources and zero-carbon resources are to supply 100 percent of retail sales of electricity to California end use customers by 2045. SMUD has the ambitious goal of becoming 100 percent carbon free by 2030, ahead of the state target. The proposed project is an important element in helping SMUD achieve this goal.

Project Description

The Oveja Ranch Solar Project includes construction and operation of a PV solar power and battery storage facility and interconnection facilities, including a generation substation, and interconnection lines, that would provide new power production capacity of up to 75 MW delivered at the point of interconnection with the electrical grid managed by SMUD. The project components would generally comprise PV solar modules, foundation piles, racking, direct current (DC) collection, alternative current (AC) collection, fencing, roads, inverters, medium voltage transformers, generation substation equipment, BESS equipment, and interconnection lines and poles to the existing SMUD distribution system. During construction, a temporary construction trailer/office complex and staging areas would be established. During operation, the proposed Project would likely include a small structure or storage container that would provide space for an onsite office for the site operator, equipment storage, and portable sanitary facilities.

SMUD would lease up to 400 acres of land for the duration of the Project within the 534-acre project site. The Project includes constructing PV solar panels, a battery energy storage system (BESS), a substation, and new and upgraded distribution lines to interconnect the project to SMUD's existing distribution system.

Project construction would take approximately 18 to 24 months and is proposed to begin as early as the third quarter of 2026 and conclude in 2028. At the end of the Project's useful life (anticipated to be 30 to 35 years), the site and all project components (except for the upgraded distribution lines) would be decommissioned.

b. Absence of Significant New Information

CEQA Guidelines section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public

notice is given of the availability of the draft EIR but before certification. New information includes: (i) changes to the project; (ii) changes in the environmental setting; or (iii) additional data or other information. CEQA Guidelines section 15088.5 further provides that “[n]ew information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.”

During the public review of the Draft EIR from March 17, 2025 to May 2, 2025, comment letters were received on the Draft EIR from the Sacramento Department of Transportation, Southgate Recreation and Park District, Sacramento County Department of Community Development, East Bay Municipal Utility District, Sacramento County Water Agency – Water Supply Planning, Sacramento Metropolitan Air Quality Management District, California Department of Fish and Wildlife, and Defenders of Wildlife.

Revisions were made to the Draft EIR at that time to clarify information regarding maximum daily construction-related and operational emissions of criteria air pollutants and precursors biological mitigation measures, Tribal Cultural Resources mitigation measure 3.18-1, revisions to description of a Local Transportation Analysis, and revisions to description of coordination with Southgate Recreation & Park District.

Having reviewed the information contained in the Draft and Final EIR, and in the administrative record, including all comments received, as well as the requirements under CEQA Guidelines section 15088.5, the Board specifically finds that: no new significant environmental impact would result from the Project or from the implementation of a mitigation measure; no substantial increase in the severity of an environmental impact would result, or if such an increase would result, SMUD has adopted mitigation measures to reduce the impact to a level of insignificance; SMUD has not declined to adopt any feasible Project alternative or mitigation measures that would clearly lessen the environmental impacts of the Project; and the Draft EIR is not so fundamentally and basically inadequate in nature that it precluded meaningful public review.

Having reviewed the information in the Draft EIR, Final EIR, and administrative record, the Board finds that no new significant information was added to the EIR following public review, and recirculation of the EIR is therefore unnecessary and not required by CEQA.

c. Environmental Impacts Summary

As required by CEQA and the CEQA Guidelines, the following section summarizes the direct, indirect, and cumulative environmental impacts of the Project identified in the Final EIR and includes the Board’s Findings regarding those impacts and any mitigation measures set forth in the Final EIR, adopted by the Board, and incorporated as requirements of the Project. These Findings summarize the determinations of the Final EIR with respect to the Project’s impacts before and after mitigation and do not attempt to describe the full analysis of each environmental impact considered in the Final EIR. Instead, the Findings provide a summary of each impact, describe the applicable

mitigation measures identified in the Final EIR and adopted by the Board, and state the Board's Findings regarding the significance of each impact with the adopted mitigation measures. The Final EIR contains a full explanation of each impact, mitigation measure, and the analysis that led SMUD to its conclusions on that impact. These Findings hereby incorporate by reference the discussion and analysis in the Final EIR, which support the Final EIR's determinations regarding the Project's environmental impacts and mitigation measures. In making these Findings, the Board ratifies, adopts, and incorporates by reference the Final EIR's analysis, determinations, and conclusions relating to environmental impacts and mitigation measures. The substantial evidence supporting these findings and conclusions is set forth in the Final EIR and the record of proceedings.

The Board hereby adopts, and incorporates as conditions of approval, the mitigation measures set forth in the findings below to reduce or avoid the potentially significant impacts of the Project. In adopting the mitigation measures described below, the Board intends to adopt each of the mitigation measures recommended in the Final EIR. Accordingly, in the event that a mitigation measure recommended in the Final EIR has been inadvertently omitted from these Findings, that mitigation measure is hereby adopted and incorporated by reference in the Findings. Additionally, in the event that the description of mitigation measures set forth below fails accurately to capture the substance of a given mitigation measure due to a clerical error (as distinct from specific and express modification by the Board through these Findings), the language of the mitigation measure as set forth in the Final EIR shall govern.

1. Significant and Unavoidable Adverse Impacts and Related Mitigation Measures

Pursuant to PRC section 21081(b) and CEQA Guidelines section 15093, where the lead agency identifies significant adverse environmental impacts that cannot feasibly be mitigated to a less-than-significant level, the lead agency may nonetheless approve the project if it finds that specific economic, legal, social, technological, or other benefits of the project outweigh the unavoidable significant environmental impacts.

As detailed in the Draft EIR and Final EIR, there are no significant and unavoidable impacts associated with the Project. Therefore, there are no findings required for significant and unavoidable impacts.

2. Issues for which the Project would have a Less-than-Significant Impact with Project-specific Mitigation Measures Incorporated

Pursuant to PRC section 21081(a)(1) and CEQA Guidelines section 15091(a)(1), the following potentially significant impacts identified in the Final EIR will be reduced to less-than-significant impacts through the implementation of the mitigation measures hereby incorporated into the Project.

Agriculture and Forestry Resources

Impact 3.2-1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the FMMP of the California Resources Agency, to non-agricultural use?

The project site contains a total of 501 acres of Important Farmland, with 421 acres in the southern area and 80 acres in the northern area. Of this, 258.4 acres are designated as Farmland of Statewide Importance (205.4 acres in the southern area and 53 acres in the northern area) and 242.6 acres are designated as Farmland of Local Importance (215.6 acres in the southern area and 27 acres in the northern area). The proposed Project anticipates long-term impacts to approximately 4.1 acres of Important Farmland (0.3 acres of Farmland of Local Importance and 3.8 acres of Farmland of Statewide Importance), where the substation and BESS would be located. Farmland of Local Importance is not classified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. As such, any potential conversion of this land would not be considered an impact under CEQA. However, per Appendix G of the CEQA Guidelines, the conversion of Farmland of Statewide Importance to a non-agricultural use is a potentially significant impact under CEQA. This would be a potentially significant impact.

Mitigation Measure 3.2-1. Preserve Farmland of Statewide Importance

SMUD shall compensate for the loss of 3.8 acres of Farmland of Statewide Importance by preserving land of the same designation at a 1:1 ratio (i.e., 1 acre on which easements are acquired to 1 acre of Farmland of Statewide Importance removed from agricultural use). SMUD shall acquire agricultural conservation easement(s) that provide in-kind resource value protection in the region, with a strong preference for locating the agricultural conservation easement(s) in Sacramento County. This can be achieved by the acquisition of conservation easement(s), farmland deed restriction, or other appropriate farmland conservation mechanism to ensure the preservation of the land in perpetuity.

The impact acreage requiring offset shall be based on the most current FMMP¹ at the time of Sacramento County's approval of the Williamson Act contract amendment.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project would result in the conversion of Farmland of Statewide Importance to a non-agricultural use that would be potentially significant. With implementation of Mitigation Measures 3.2-1, potential impacts would be reduced to a less-than-significant level.

¹ Acronyms are defined in the EIR.

Air Quality

Impact 3.2-1: Conflict with or obstruct implementation of the applicable air quality plan?

Project construction and operation would not generate emissions in excess of the Sacramento Metropolitan Air Quality Management District (SMAQMD) thresholds of significance. However, because the Project would generate particulate matter (PM) emissions during construction activities and routine maintenance activities, implementation of best management practices would be required in order to use the SMAQMD thresholds of significance. Therefore, without implementation of SMAQMD best management practices, project emissions have the potential to conflict with or obstruct implementation of the applicable air quality plans related to PM. This would be a potentially significant impact.

Mitigation Measure 3.3-1a. Implement Basic Construction Emission Control Practices (Best Management Practices) and Enhanced Fugitive PM Dust Control Practices during Construction

- SMUD shall include as a condition of the construction bidding, incorporation of dust control measures that shall include, at a minimum, the requirements of SMAQMD Rule 403. All fugitive dust control measures shall be shown on grading, improvement, and demolition plans, to be initiated at the start and maintained throughout the duration of the construction activities.
 - Water all exposed active work areas two times daily, or with adequate frequency for continued moist soil. Exposed surfaces include, but are not limited to soil piles, graded areas, unpaved parking areas, staging areas, and access roads. However, do not overwater to the extent that sediment flows off the site.
 - Cover or maintain at least two feet of free board space on haul trucks transporting soil, sand, or other loose material on the site. Any haul trucks that would be traveling along freeways or major roadways should be covered.
 - Use wet power vacuum street sweepers to remove any visible trackout mud or dirt onto adjacent public roads at least once a day. Use of dry power sweeping is prohibited.
 - Limit vehicle speeds on unpaved roads to 15 miles per hour (mph).
 - Suspend excavation, grading, and/or demolition activity when average wind speeds exceed 20 mph.
 - All roadways, driveways, sidewalks, parking lots to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used.

- Install wheel washers, rattle plates and/or rock aprons for all exiting trucks or equipment leaving the site.
- Treat site accesses from the paved road with a 6 to 12- inch layer of gravel to reduce generation of road dust and road dust carryout onto public roads.
- Post a publicly visible sign with the telephone number and person to contact at the County of Sacramento regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the SMAQMD shall also be visible to ensure compliance.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Provide current certificate(s) of compliance for CARB's In-Use Off-Road Diesel-Fueled Fleets Regulation [California Code of Regulations, Title 13, sections 2449 and 2449.1]. For more information contact CARB at 877-593-6677, doors@arb.ca.gov, or www.arb.ca.gov/doors/compliance_cert1.html.
- Maintain all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determine to be running in proper condition before it is operated.

Mitigation Measure 3.3-1b. Reduce Off-Road Equipment Exhaust-Related Emissions During Construction

- SMUD shall require off-road diesel-fueled equipment with engines larger than 50 horsepower to meet or exceed EPA/CARB Tier 4 Final emissions standards. An exemption from these requirements may be granted if SMUD documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment (see completion of the Construction Emissions Control Plan in Mitigation Measure 3.3-3c below). Before an exemption may be considered by SMUD, the applicant shall be required to demonstrate that two construction fleet owners/operators in Sacramento County were contacted and that those owners/operators confirmed Tier 4 equipment could not be located within Sacramento County.

Mitigation Measure 3.3-1c. Submit Construction Emissions Control Plans

- Prior to SMUD's approval of contractor grading plans, the construction contractor shall submit a Construction Emissions Control Plan to the SMAQMD and provide written evidence to SMUD that the plan has been submitted to and approved by SMAQMD. The construction contractor shall not initiate any on-site or off-site construction activity until SMAQMD has approved the Construction Emissions Control Plan and proof of approval has been submitted to SMUD by the contractor.

The Construction Emissions Control Plan shall cover all construction activities and include the following:

- A comprehensive equipment inventory (e.g., make, model, year, emission (tier) rating, projected hours of use, and CARB equipment identification number) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used throughout the construction duration. If any new equipment is added after submission of the inventory, the contractor shall notify the SMAQMD and SMUD before using the new equipment. At least three business days before the use of subject heavy-duty off-road equipment, the project representative shall provide the SMAQMD and SMUD with the anticipated construction timeline including start date, name, and phone number of the property owner, project manager, and on-site foreman.
- An anticipated off-site heavy-duty truck trip activity schedule (duration of truck trip activity, anticipated origin/destination of truck trips, and estimated total and daily truck trips per day) and anticipated truck fleet inventory (e.g., make, model, engine year) throughout the construction duration.
- With submittal of the equipment inventory and anticipated on-road heavy-duty truck trip activity, the contractor shall provide a written calculation of the Project's total and daily construction emissions to the SMAQMD for approval. If any new equipment or haul truck activity is added after the submission and approval of the inventory, the construction contractor shall update the inventory and construction emissions calculations and provide to the SMAQMD and SMUD prior to the use of such equipment and trucks. The emissions calculations shall be calculated using SMAQMD's Construction Mitigation Calculator; this tool is currently available on the SMAQMD's website at the following link: <http://www.airquality.org/businesses/ceqa-land-use-planning/mitigation>.

Mitigation Measure 3.3-1d. Off-Site Construction Mitigation

If, based upon the incorporation of all measures described above in Mitigation Measures 3.3-1a through 3.3-1c, NO_x emissions still exceed the daily SMAQMD threshold for NO_x, the Project shall participate in the SMAQMD's Off-site Mitigation Program by paying to SMAQMD a mitigation fee for construction activities, to be determined at the time of construction based on the submitted equipment inventories and heavy-duty truck activity and emissions calculations for NO_x emissions, such that emissions are reduced to less-than-significant. The fee calculation to mitigate daily emissions shall be based on the most recent SMAQMD mitigation fee rate at the time of calculation, which is reviewed and adjusted annually. The current mitigation fee rate is \$30,000 per ton of emissions with a 5 percent administrative fee in addition to the mitigation fee. The total fee shall be determined based on the total emissions reductions of NO_x needed to reduce emissions to be less than the SMAQMD thresholds of 85 pounds per day for NO_x. The fee shall be submitted for approval by SMAQMD as the total required to achieve emissions reductions that would reduce total emissions to less-than-significant after

all other mitigation measures are implemented. The fee shall be calculated, approved by SMAQMD, and paid by SMUD prior to SMUD's approval of grading or improvement plans to the construction contractor.

Mitigation Measure 3.3-1e. Implement Best Management Practices for Reducing Operational PM Emissions

- As part of the PV facility operations maintenance contract, SMUD shall include the following best management practice requirements for fugitive dust control during operational and maintenance activities associated with the project:
- Limit vehicle speeds on unpaved roads to 15 mph.
- Minimize idling time either by shutting equipment off when not in use or reducing the time of idling to 5 minutes [California Code of Regulations, Title 13, sections 2449(d)(3) and 2485]. Provide clear signage that posts this requirement for workers at the entrances to the site.
- Compliance with anti-idling regulations for diesel powered commercial motor vehicles (greater than 10,000 gross vehicular weight rating). The current requirements include limiting idling time to 5 minutes and installing technologies on the vehicles that support anti-idling. Information can be found on the California Air Resources Board's website: <https://ww2.arb.ca.gov/ourwork/programs/idle-reduction-technologies/idle-reduction-technologies>.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project would result in the generation of air pollutant emissions during construction and operation that would be potentially significant without implementation of applicable SMAQMD best management practices. Adoption and incorporation of Mitigation Measures 3.3-1a through 3.3-1e into the Project will reduce the impact to a less-than-significant level. Therefore, the Project with mitigation will not cause significant cumulative air quality impacts during construction and operation activities.

Impact 3.2-2. 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?

Project construction would exceed SMAQMD's recommended threshold for NO_x, an ozone precursor. Since the Project would generate PM emissions during operation, implementation of BMPs would be required in order to use the SMAQMD non-zero thresholds of significance. This would be a potentially significant impact.

Mitigation Measure 3.3-2. Implement Mitigation Measures 3.3-1a (Implement Basic Construction Emission Control Practices [Best Management Practices] and Enhanced Fugitive PM Dust Control Practices during Construction), 3.3-1b (Reduce Off-Road Equipment Exhaust-Related Emissions During Construction), 3.3-1c (Submit Construction Emissions Control Plans), 3.3-1d (Off-Site Construction Mitigation), and

3.3-1e (Implement Best Management Practices for Reducing Operational PM Emissions) (described above)

Finding: The Board finds that implementation of the Oveja Ranch Solar Project would result in the generation of air pollutant emissions during construction and operation that would be potentially significant without implementation of applicable SMAQMD Basic Construction Emission Control Practices and Best Management Practices. Adoption and incorporation of Mitigation Measures 3.3-1a through 3.3-1e into the Project will reduce the impact to a less-than-significant level. Therefore, the Project with mitigation will not cause significant cumulative air quality impacts during construction and operation activities.

Biological Resources***Impact 3.4-1. Impacts on special-status plant species.***

Sanford's arrowhead could occur within agricultural ditches within the southern area. Limited Project impacts may occur in an agricultural ditch in the southwestern corner of the southern area, where culvert improvements are likely. Seven additional special-status plant species were also identified to have a moderate to high potential to occur within the vernal pool habitat within the project site, including Dwarf Downingia, Boggs Lake hedge-hyssop, Ahart's dwarf rush, legenera, pincushion navarretia, Slender Orcutt grass, and Sacramento Orcutt grass. Construction could result in indirect impacts to these species, through the alteration of hydrology or from construction runoff. Changing the hydrology or introducing hazardous materials runoff could result in mortality (take) of these species. This would be a potentially significant impact.

Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection

SMUD shall prepare a Worker Environmental Awareness Program (WEAP) that shall educate staff regarding the presence or potential presence of all special-status species, sensitive natural communities, and protected wetlands and other waters that are known to occur, within the project site. The program shall describe species and sensitive community identification, special-status species habitat requirements, and penalties for special-status species impacts, as well as immediate steps to take should special-status species be observed by staff onsite.

This WEAP shall include biological resource avoidance and minimization measures/mitigation measures from the Project's CEQA Mitigation Monitoring and Reporting Program (MMRP), and any resource permits, as applicable. The WEAP shall educate workers regarding sensitive species and their habitats, the need to avoid impacts, state and federal protection status, and the legal implications of violating environmental laws and regulations. The WEAP can be provided in the form of a handout and/or video presentation. All staff working onsite shall attend the WEAP training prior to commencing onsite work. Staff that attend the training shall fill out a sign-in sheet indicating that they completed the training.

Prior to construction, a qualified biologist shall inspect all areas within the project site with the potential to support sensitive biological resources to ensure the proper implementation of all avoidance and minimization and mitigation measures, agency permit requirements, and environmentally sensitive area exclusion flagging and/or fencing have been properly implemented, and to deliver WEAP training, as needed.

The biologist shall remain available on an on-call basis for the duration of Project construction to conduct inspections and follow up surveys, as needed or required by permit conditions, and to ensure compliance with permit conditions. The biologist shall have the experience, education and training necessary to conduct special-status species surveys and monitoring as described in the mitigation measures below.

Mitigation Measure 3.4-2. Conduct Pre-construction Surveys for Sanford's Arrowhead and Avoid Impacts to Known Occurrences

Prior to culvert improvements or other project work that may affect the agricultural drainage in the southern area that provides suitable habitat for Sanford's arrowhead, and within the blooming period for Sanford's arrowhead (May 1 through October 1), a qualified botanist shall conduct a focused survey for the species within suitable habitat in this area. The botanist shall map all observations of this species and establish a no-disturbance buffer around these plants. Before construction commences, Sanford's arrowhead occurrences shall be marked with pin flags in the field, and all construction personnel shall be instructed as to the location and extent of the special-status plants or populations and the importance of avoiding impacts to the species and its habitat.

If construction must occur within the no-disturbance buffer, and Sanford's arrowhead cannot be avoided, SMUD shall develop a mitigation plan for Sanford's arrowhead in coordination with CDFW. The plan shall include measures to minimize impacts and to offset any loss of Sanford's arrowhead on a 1:1 basis through protection, replanting, or purchase of credits. The plan shall be in place prior to construction activities in these areas.

Information about avoidance and minimization measures for Sanford's arrowhead shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Mitigation Measure 3.4-3. Establish Non-Disturbance Buffers around Vernal Pools along the Collection and Distribution Lines

Along the collection line connecting the northern area to the southern area of the project site, and the distribution lines along Florin Road, Excelsior Road, Gerber Road, and Eagles Nest Road, SMUD or its contracted engineer shall design the placement of new electricity poles and replacement of existing poles to avoid the edges of vernal pools by at least 50 feet.

The perimeter of this 50-foot no-disturbance buffer shall be marked in the field prior to construction through flagging or fencing with a wildlife friendly material that allows the movement of wildlife, including Western spadefoot (and also wide-ranging wildlife, such as coyotes), through the area. The marked buffer shall be maintained for the duration of

Project construction. No construction or ground-disturbing activities shall occur within the 50-foot buffer.

Information about avoidance and minimization measures for vernal pool habitat shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact special-status plant species, including Sanford's arrowhead. With implementation of Mitigation Measures 3.4-1 through 3.4-3, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-2. Potential impacts on vernal pool fairy shrimp, Midvalley fairy shrimp, vernal pool tadpole shrimp, and Ridsecker's water scavenger beetle and impacts to their habitat during construction.

Project construction could result in indirect impacts to special-status invertebrates, through the alteration of hydrology or from construction runoff. Changing the hydrology or introducing toxins could result in mortality (take) of these species, and could displace Ridsecker's water scavenger beetle. This would potentially result in indirect impacts to habitat for these species. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-3. Establish Non-Disturbance Buffers around Vernal Pools along the Collection and Distribution Lines (discussed above)

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact vernal pool fairy shrimp, Midvalley fairy shrimp, vernal pool tadpole shrimp, and Ridsecker's water scavenger beetle. With implementation of Mitigation Measure 3.4-3, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-4. Potential impacts on Western spadefoot during construction.

Project construction could indirectly impact Western spadefoot eggs, tadpoles, and breeding habitat from alteration of the hydrology of these features or from construction and operation runoff, resulting in degradation or loss of suitable habitat. Changing the hydrology or introducing hazardous materials runoff from construction could result in mortality (i.e., take) of this species. This would potentially result in indirect impacts to up to 0.75 acres of aquatic habitat for this species. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Implement Mitigation Measure 3.4-3. Establish Non-Disturbance Buffers around Vernal Pools along the Collection and Distribution Lines (discussed above)

Mitigation Measure 3.4-5. Avoid impacts to Western Spadefoot during Construction

Prior to any ground disturbance activity (e.g., grading, disking, road construction, or similar activities that could entomb or excavate spadefoot in grassland habitat near vernal pools) in the overhead collector line and distribution line corridors, a qualified biologist shall survey the project footprint prior to the onset of work for Western spadefoot. The qualified biologist shall identify burrows potentially suitable for Western spadefoot and mark a 50-foot non-disturbance buffer around any burrows mapped. Ground disturbance in these buffer areas shall be avoided, if feasible. If ground disturbance would be required within the 50-foot buffer, activities shall be limited to the minimum footprint necessary and shall be monitored by an onsite qualified biologist, as appropriate to guide activities within the buffer to reduce impacts. Ground disturbing activities within suitable Western spadefoot breeding habitat will be limited during their active period (typically between October and May) to the extent possible.

The qualified biologist shall inform construction personnel to stop construction activities if a Western spadefoot is observed or if, in the biologist's opinion, maintenance activities threaten to cause adverse effects to Western spadefoot. If it is determined that Western spadefoot would be potentially harmed by construction, a qualified biologist with the appropriate handling permits may relocate animals to suitable habitats outside the project footprint. A relocation report will be submitted to SMUD within 48 hours after the species has been relocated.

Information about avoidance and minimization measures for Western spadefoot shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact Western spadefoot. With implementation of Mitigation Measures 3.4-1, 3.4-3, and 3.4-5, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-5. Potential impacts on Western pond turtle during construction.

Construction activities associated with the proposed collection line that runs between the northern and southern areas of the project site could result in direct impacts to Western pond turtle. Western pond turtles could be crushed and killed during construction activities within suitable upland habitat (annual grassland), typically within 1,500 feet of aquatic habitat. Additionally, hatchlings or eggs in pond turtle nests could be crushed and killed during the

movement of construction equipment in these habitat areas during the Western pond turtle nesting season (generally, March to November). This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Mitigation Measure 3.4-6. Conduct Pre-Construction Surveys for Western Pond Turtle

A qualified biologist shall conduct a pre-construction survey for Western pond turtle within 48 hours prior to the start of construction activities within 300 feet of suitable aquatic habitat (e.g., any adjacent waterway, marsh, or emergent wetland).

Concurrently with the pre-construction survey, searches for nesting sites in suitable upland habitat shall be conducted by a qualified biologist and any active nest sites identified during the survey shall be delineated with high-visibility flagging or fencing and avoided during construction activities as described below in Mitigation Measure 3.4-7.

Mitigation Measure 3.4-7. Avoid Impacts on Western Pond Turtle during Construction

Project ground-disturbing activities near suitable breeding habitat shall be conducted outside of Western pond turtle's active breeding and dispersal season (i.e., after May 1 and before September 15), to the extent feasible. If project activities must be implemented during the breeding season, they shall not start until 30 minutes after sunrise and must be completed 30 minutes prior to sunset.

If a turtle nest is encountered during the pre-construction survey (Mitigation Measure 3.4-6), a 100-foot non-disturbance buffer shall be maintained during construction and regularly monitored by a qualified biologist. Construction may resume in the buffer area after the qualified biologist has determined that the turtle eggs have hatched.

Onsite personnel shall observe a 20-mile-per-hour speed limit at all times. In addition, all BMPs identified in the Project's Stormwater Pollution Prevention Plan shall be implemented, to avoid adverse effects from water quality impacts such as sedimentation and spills.

Information about avoidance and minimization measures for Western pond turtles shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact Western pond turtles. With implementation of Mitigation Measures 3.4-1, 3.4-6, and 3.4-7, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-6. Potential impacts on giant garter snake during construction and impacts to their aquatic habitat.

Temporary construction activities within the 200 feet upland buffer along agricultural ditches on the Project site and near Laguna Creek and other perennial drainages in the Project area

could present a risk of mortality (e.g., construction vehicles crushing giant garter snakes basking on roads, direct impacts) for giant garter snakes. This risk would be reduced if construction within this upland buffer occurred during the active season (May 1 to October 1) when giant garter snakes can move away from and avoid impacts from construction activities. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Mitigation Measure 3.4-8. Conduct Pre-construction Surveys for Giant Garter Snake and Implement Avoidance and Minimization Measures

Project ground-disturbing activities in aquatic habitat and adjacent upland habitat within 200 feet of suitable aquatic habitat (perennial drainages and agricultural ditches carrying year-round water) shall be conducted during the giant garter snake's active season (i.e., after May 1 and before October 1), to the extent feasible. During this period, the potential for direct mortality is reduced, because snakes are expected to mainly occupy aquatic habitat and to actively move and avoid danger. If project activities in upland habitat occur within 200 feet of suitable aquatic habitat must be started outside of the snake's active season (May 1 to October 1), the following mitigation measures must be implemented:

- Within 24 hours prior to commencement of construction activities within 200 feet of potential giant garter snake habitat (perennial streams and agricultural ditches that carry year-round water), the site shall be inspected by a qualified biologist who is approved by SMUD. Results of this clearance survey shall be reported in memo shared with SMUD and construction should only commence after a negative inspection report. If construction activities are delayed or stop for a period of two weeks or more, another pre-construction clearance survey shall be conducted within 24 hours before resuming construction activity. If snakes, or evidence of snakes, are encountered during pre-construction surveys, a biological monitor shall be present during the commencement of construction activities in upland habitat within 200 feet of suitable aquatic habitat during all ground disturbing activities. If any snakes are observed in uplands near drainages during the active season, project activity shall be halted and the snakes shall be allowed to leave the area on their own.
- If take of GGS individuals cannot be avoided during the active or dormant seasons, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact giant garter snake. With implementation of Mitigation Measures 3.4-1 and 3.4-8, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-7. Potential impacts on burrowing owl during construction and operation.

Project construction activities, such as grading access roads, during the breeding season (generally February 1-August 31) for burrowing owls could result in the excavation or

collapse of occupied burrows containing adults, nestlings, or eggs, if present. Additionally, construction-generated noise and increased human presence have the potential to disturb burrowing owls nesting near construction activities. Construction-related disturbance resulting in the loss of reproductive success of an active burrowing owl pair for one year could have a significant impact on the local population. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Mitigation Measure 3.4.9 Compensate for permanent loss of Western Burrowing Owl Habitat.

- SMUD shall mitigate for the permanent loss of 4.1 acres of burrowing owl foraging habitat at a 1:1 basis. This may be achieved through purchasing credits at an approved bank, dedicating credits at SMUD's own conservation bank, or by placing a permanent easement on 4.1 acres of suitable foraging habitat in the vicinity of the project site.

Mitigation Measure 3.4-10. Conduct Pre-construction Surveys for Western Burrowing Owl and Implement Avoidance and Minimization Measures

- SMUD shall conduct pre-construction burrowing owl surveys in all areas that may provide suitable nesting habitat according to CDFW (CDFG 2012) guidelines and based on protocol level surveys conducted in support of this Project. (Appendix BR-3). A qualified wildlife biologist shall conduct the surveys, including documentation of burrows and burrowing owls, in all suitable burrowing owl habitat within 500 feet of proposed construction.
- Two surveys shall be conducted within 15 days prior to ground disturbance to establish the presence or absence of burrowing owls. The surveys shall be conducted at least 7 days apart (if burrowing owls are detected on the first survey, a second survey is not needed) for both breeding and non-breeding season surveys. All burrowing owls observed shall be counted and mapped.
- During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or within 500 feet of project construction activities.
- During the non-breeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent (within 500 feet) to any area to be disturbed. Survey results would be valid only for the season (breeding or non-breeding) during which the survey was conducted.
- The qualified biologist shall survey the proposed footprint of disturbance and a 500-foot buffer from the perimeter of the proposed footprint to determine the presence or absence of burrowing owls. The site shall be surveyed by walking line transects, spaced 20 to 60 feet apart, adjusting for vegetation height and density.

At the start of each transect and, at least, every 300 feet, the surveyor, with use of binoculars, shall scan the entire visible project site for burrowing owls. During walking surveys, the surveyor shall record all potential burrows used by burrowing owls, as determined by the presence of one or more burrowing owls, pellets, prey remains, whitewash, or decoration. Some burrowing owls may be detected by their calls; therefore, observers shall also listen for burrowing owls while conducting the survey.

- The presence of burrowing owl or their sign anywhere on the site or within the 500-foot accessible buffer around the site shall be recorded and mapped. Surveys shall map all burrows and occurrence of sign of burrowing owl on the project site. Surveys must begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites.

If a burrowing owl or evidence of presence at or near a burrow entrance is found to occur within 500 feet of the project site, the following measures shall be implemented:

- If burrowing owls are found during the breeding season (approximately February 1 to August 31), the project applicant shall:
 - Avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging).
 - Establish a minimum 500-foot, up to 1650-foot non-disturbance buffer zone around nests, consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Should construction activities cause the nesting bird to vocalize, make defensive flights at intruders, or otherwise display agitated behavior, then the exclusionary buffer shall be increased such that activities are far enough from the nest so that the bird(s) no longer display this agitated behavior. The exclusionary buffer shall remain in place until the chicks have fledged or as otherwise determined by a qualified biologist.
 - Construction may occur only outside of the 500-foot buffer zone during the breeding season and only if a qualified biologist monitors the nest and determines that the activities will not disturb nesting behavior, or the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged and moved off site. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.
- If burrowing owls are found during the non-breeding season (approximately September 1 to January 31), the project applicant shall establish a minimum of 165-foot, up to 1650-foot no-disturbance buffer zone around active burrows

consistent with CDFW's 2012 Staff Report guidelines. The buffer zone shall be flagged or otherwise clearly marked. Measures such as visual screens may be used to further reduce the buffer with CDFW approval and provided a biological monitor confirms that such measures do not agitate the owls.

- During the non-breeding season only, if a project cannot avoid occupied burrows after all alternative avoidance and minimization measures are exhausted, as confirmed by CDFW, project applicant shall obtain an Incidental Take Permit (ITP) for the project. A burrowing owl exclusion plan must be developed by a qualified biologist consistent with the most recent guidelines from CDFW (e.g., California Department of Fish and Game 2012) and submitted to and approved by CDFW along with the ITP application. Burrow exclusion may not be conducted for burrows located in the project footprint and within a 160-foot buffer zone until the ITP is obtained. All ITP conditions must be followed when excluding owls.
- If take of burrowing owl individuals cannot be avoided during the breeding or non-breeding season, an Incidental Take Permit (ITP) shall be obtained from CDFW for construction and O&M activities.

Mitigation Measure 3.4-11. WEAP Training for Operations and Maintenance Personnel

Following project construction, WEAP Training pertaining to the operation and maintenance phase of the Project shall be provided each year to onsite personnel. The purpose of the training shall be to raise awareness of the potential use of the site by wintering and breeding burrowing owls and to avoid and minimize potential take of owls during project operation. The training shall describe the identification and natural history of burrowing owls and shall cover the avoidance and minimization measures described below. New onsite personnel shall be provided the training before they begin work at the site.

- **Speed Limit.** All project traffic must observe a 20-mph speed limit.
- **Pets.** No pets are allowed on the project site.
- **Equipment and Material Inspection.** All construction pipe, culverts, or similar structures greater than 3 inches in diameter shall be inspected before being moved, buried or capped.
- **Firearms.** No firearms are permitted on the project site.
- **Survey before Ground Disturbing Activities.** If maintenance or repair activities require ground disturbing activities in areas potentially used by western burrowing owl (grazing land under solar panels, berms along roads, areas containing ground squirrel holes), a pre-construction survey for western burrowing owl shall be conducted by a qualified biologist in the disturbance area. Surveys shall be conducted using the same steps described in Mitigation Measure 3.4-9 (Pre-construction Western Burrowing Owl Measures) of the Project MMRP. If burrowing owls are detected during the surveys non-disturbance buffers shall be established

as described in the MMRP and a Region 2 CDFW representative) shall be contacted to discuss whether additional avoidance and minimization measures are warranted.

- **Reporting of Bird Mortality.** If operations and maintenance staff detect a bird carcass on the project site that may be a burrowing owl, Swainson's hawk, tricolored blackbird or other special status species, they shall notify SMUD who shall arrange to identify the bird. If the bird is a special-status species, SMUD shall notify a Region 2 CDFW representative immediately, record the date and the location of the carcass, collect the carcass and store it in a freezer. CDFW shall provide guidance on the disposition of the carcass.
- **Injured bird.** If an injured bird is detected by the operation and maintenance staff the site operator, they shall notify SMUD who shall arrange to identify the bird and advise on how to proceed. If the injured bird is a special status bird, SMUD shall contact a Region 2 CDFW representative.

With concurrence of CDFW, and if the bird is sufficiently immobile that it can be safely and readily retrieved, the bird shall be captured by a qualified biologist experienced with handling raptors and placed into an animal crate/box and stored in a cool location while being transported. The biologist shall transport the injured bird to the appropriate wildlife care facility such as the U.C. Davis California Raptor Center, 1340 Equine Lane, Davis: (530) 752-6091 California Raptor Center / School of Veterinary Medicine - Found a Sick or Injured Raptor?.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact burrowing owls. With implementation of Mitigation Measures 3.4-1, 3.4-9, 3.4-10, and 3.4-11, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-8. Potential impacts on tricolored blackbirds during construction and permanent conversion of foraging habitat.

Project construction could impact vegetation types such as Himalayan blackberry, cattails, and bulrushes, which provide nesting habitat for tricolored blackbirds. Construction activities within 500 feet of active nests could disturb breeding colonies, leading to nest abandonment or loss of eggs and nestlings. Abandonment of an active tricolored blackbird colony and loss of numerous nests containing eggs or young could result in a substantial decline in the local nesting population of tricolored blackbirds and contribute to the statewide decline of this species. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Mitigation Measure 3.4-12. Conduct Focused Pre-Construction Surveys for Nesting Tricolored Blackbird and Avoid Impacts During Construction

Construction shall occur outside of the breeding period for tricolored blackbirds (March 15 to August 1). If construction must occur within the breeding period, the following measures shall be implemented to avoid impacts to tricolored blackbirds:

- **Pre-construction Tricolored Blackbird Surveys.** Before any ground disturbing activities or vegetation clearing that may result in effects on potential habitat for tricolored blackbird, a qualified biologist shall conduct a pre-construction survey in potentially suitable nesting habitat (i.e., blackberry thickets and cattail marsh) for this species in the project footprint and a 1,300-foot buffer to the project footprint. The biologist shall conduct three separate surveys, one each in mid-April, mid-May, and mid-June, based on survey methods identified in the Results of the 2017 Tricolored Blackbird Statewide Survey, Appendix 1. If breeding colonies are found, the foraging behavior of the colony shall also be documented. If an active nesting colony is detected during the surveys CDFW shall be consulted to provide any guidance on appropriate avoidance and minimization measures in addition to those described below.
- **Avoidance and Minimization.** If any active nests are observed during surveys, a qualified biologist shall establish a suitable avoidance (i.e., non-disturbance) buffer from the active nest. The buffer distance for tricolored blackbird shall generally be 1300 feet 500 feet and shall be determined based on factors such as topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule. Limits of construction shall be established in the field with flagging, fencing, or other appropriate barriers to avoid active nests. This buffer may be modified in consultation with the qualified biologist. The consultation must be documented in writing and include the revised buffer distance, along with the rationale and justification for why the reduction is appropriate. Appropriate rationale for reducing a buffer may include the presence of dense vegetation, Construction limits shall be based on the biologist defined appropriate buffer distance and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist. Project activities shall avoid occupied Tricolored Blackbird nesting habitat. If tricolored blackbird colonies are identified during the breeding season, an approximate buffer of up to 500 feet shall be established around the colony, depending on site-specific conditions and at the discretion of a qualified biologist in consultation with CDFW. Any construction-related activities shall be excluded from the buffer until the end of the breeding season.
- If an active nest is identified within 1,300 feet of the Project area after construction has begun, a 1,300-foot no-disturbance buffer will be established, unless construction activities are already occurring within that distance. If an active nest is established within 1,300 feet while construction activities are ongoing, it is assumed

the birds have acclimated to the existing disturbance. In such cases, the buffer will be reduced to the greater of: (1) the actual distance between the active nest and the nearest construction activity, or (2) 500 feet.

- Once the reduced buffer is established—and prior to any increase in the intensity or type of disturbance—a qualified biologist will conduct a minimum of two consecutive days of baseline monitoring to document nesting behavior under current conditions. If, during baseline monitoring, project activities cause birds to display agitated or stress-related behaviors, all work within the buffer will cease, and the buffer distance will be reassessed based on what was observed.
- Based on baseline observations, the qualified biologist will prepare a written memorandum summarizing the monitoring results and recommending avoidance and minimization measures tailored to varying levels of anticipated construction activity. The first day of any increased construction activity within the buffer will be monitored by a qualified biologist to verify that the buffer distance and implemented measures are effective in avoiding take.
- Appropriate measures may include an increased no-disturbance buffer with specific levels of disturbance, limitations on construction activities that generate substantial vibration and/or noise, and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest. This buffer may be modified in consultation with the qualified biologist with additional written measures such as the installation of visual shielding or sound curtains.
- **Construction Monitoring.** If construction takes place during the breeding season when an active colony is present within 500 feet of construction activities, a qualified biologist shall regularly monitor construction to ensure that the buffer zone is enforced and to verify that construction is not disrupting the colony. The intensity and frequency of the monitoring shall be established in consultation with CDFW. If monitoring indicates that construction outside of the buffer is affecting a breeding colony, the buffer shall be increased, as needed, in consultation with CDFW.
- Information about avoidance and minimization measures for tricolored blackbird shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact tricolored blackbird. With implementation of Mitigation Measures 3.4-1 and 3.4-12, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-9. Potential impact on Swainson's hawk during construction and permanent conversion of foraging habitat.

Project construction activities, including grading and grubbing near, suitable nesting habitat (individual trees or riparian woodland habitats) within the project site or within 0.5 miles of the project site could disturb an active Swainson's hawk nest. Construction-generated disturbances also have the potential to indirectly affect Swainson's hawks if the species is nesting near project activities. Increased levels of noise and human activity in the vicinity of an active nest could result in nest abandonment or forced fledging and subsequent loss of fertile eggs, nestlings, or juveniles. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Mitigation Measure 3.4-13. Conduct Focused Pre-construction Surveys for Nesting Swainson's hawks and Implement Protective Buffers

- **Pre-construction Surveys.** A qualified biologist shall conduct pre-construction surveys for Swainson's hawks during the nesting season (March 1 through August 21) within the project footprint and of all suitable nesting habitat within line of sight of construction activities within a 0.25-mile radius of the project footprint. The surveys shall be conducted no more than 15 days prior to ground disturbance and shall be conducted using methods consistent with guidelines provided in Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in the Central Valley (SHTAC 2000) with the following exceptions:
 - Surveys shall be required within a 0.25-mile (1,320-foot) radius around the project site. In instances where an adjacent parcel is not accessible to survey because the qualified biologist was not granted permission to enter, the qualified biologist shall scan all potential nest tree(s) from the adjacent property, roadsides, or other safe, publicly accessible viewpoints, without trespassing, using binoculars and/or a spotting scope to look for Swainson's hawk nesting activity;
 - Surveys shall be required from February 1 to September 15 (or sooner if it is found that birds are nesting earlier in the year); and
 - If a Swainson's hawk nest is located and presence confirmed, only one follow-up visit is required (to avoid disturbance of the nest due to repeated visits).
- **Nest Buffers.** If active Swainson's hawk nests are found, appropriate buffers shall be established around active nest sites, in coordination with CDFW, to provide adequate protection for nesting raptors and their young. No project activity shall commence during the nesting season within the buffer areas until the qualified biologist has determined that the young have fledged, the nest is no longer active, or if reducing the buffer would not result in nest abandonment.
- **Nest Monitoring.** Monitoring of the nest by a qualified biologist during construction activities may be required if the qualified biologist determines that the activity has potential to adversely affect the nest. If construction activities cause the nesting bird to vocalize, make defensive flights at intruders, get up from a brooding position, or fly off the nest, then the no-disturbance buffer shall be increased until the agitated behavior ceases. The exclusionary buffer shall remain in place until the qualified biologist has confirmed that the chicks have fledged.

Information about avoidance and minimization measures for Swainson's hawk shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Mitigation Measure 3.4-14. Compensate for the Loss of Swainson's Hawk Foraging Habitat

To offset net impacts on foraging habitat for breeding Swainson's hawks SMUD shall mitigate the loss of Swainson's hawk foraging habitat in accordance with CDFW recommendations (CDFG 1994) but adjusted to local conditions and based on recent studies by providing mitigation lands or securing Swainson's hawk mitigation bank credits as follows:

- Foraging habitat permanently lost within 5 miles of an active Swainson's hawk nest tree shall be replaced with 1.0 acre of mitigation land for each acre of foraging habitat permanently lost because of project construction (1:1 ratio). Permanent loss resulting from the Project includes the approximately 4.1-acre footprint of the BESS, substation, and roads. The nearest location relative to this area shall be confirmed prior to initiation of construction during preconstruction surveys as called for in Mitigation Measure 3.4.13
- For foraging habitat under solar panel these mitigation ratios shall be reduced to 0.25:1 for foraging habitat for active nests within 5 miles of the Project and 0.5:1 for active nests within 1 mile of the project site. These reduced ratios are appropriate because Swainson's hawks foraging habitat will continue to be available in the solar fields. Foraging habitat will be maintained under the solar panels with pollinator-friendly vegetation that would support Swainson's hawk prey such as insects and small mammals. Ample foraging habitat will also remain in adjacent agricultural lands and open space preserves that are permanently protected.

All mitigation lands protected under this mitigation measure shall be protected in a form acceptable to CDFW (e.g., through fee title acquisition or conservation easement) on agricultural lands or other suitable habitats that provide foraging habitat for Swainson's hawk.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact Swainson's hawks. With implementation of Mitigation Measures 3.4-1, 3.4-13, and 3.4-14, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-11. Disturbance of nesting white-tailed kite, northern harrier, Cooper's hawk, loggerhead shrike, song sparrow "Modesto" population, and other protected birds.

Project construction activities during the bird and raptor breeding season (generally February 1 through August 31) could disturb or remove occupied nests of special-status and non-special-status birds and raptors. Removal of suitable nesting habitat associated with vegetation removal, including mowing, could result in the incidental loss of fertile eggs or nestlings, or lead to nest abandonment. Increased levels of noise and human activity in the vicinity of an active nest could result in nest abandonment or forced fledging and subsequent loss of fertile eggs, nestlings, or juveniles. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Mitigation Measure 3.4-15. Conduct Pre-Construction Surveys for Nesting Birds and Raptors

Tree trimming (if required) or vegetation removal shall be conducted outside of the nesting season (i.e., the nesting season is defined as February 1 through August 31) to the greatest extent feasible.

If construction activities begin during the nesting season, a qualified biologist shall conduct a survey for nesting birds no more than 3 days prior to vegetation removal or ground-disturbing activities during the nesting season within suitable habitat (i.e., February 1 through August 31). The survey shall cover the limits of construction and accessible suitable nesting habitat within 500 feet. If any active nests are observed during surveys, a qualified biologist should establish a suitable avoidance buffer from the active nest. The buffer distance shall typically range from 50 feet (for nesting passerines) to 500 feet (for nesting raptors) and shall be determined based on factors such as the species of bird, topographic features, intensity and extent of the disturbance, timing relative to the nesting cycle, and anticipated ground disturbance schedule.

If vegetation removal activities are delayed, additional nest surveys shall be conducted such that no more than 7 days are allowed to pass between the survey and vegetation removal activities.

Mitigation Measure 3.4-16. Avoid Impacts on Nesting Birds and Raptors during Construction

Limits of construction to avoid active nests shall be established in the field with flagging, fencing, or other appropriate barriers and shall be maintained until the chicks have fledged and the nests are no longer active, as determined by the qualified biologist.

If an active nest is identified in or adjacent to the construction zone after construction has started, work in the vicinity of the nest shall be halted until the qualified biologist can provide appropriate avoidance and minimization measures to ensure that the nest is not disturbed by construction. Appropriate measures may include a no-disturbance buffer until the nest has fledged and/or full-time monitoring by a qualified biologist during construction activities conducted near the nest.

Information about avoidance measures to protect nesting birds and raptors shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact special-status and other nesting birds. With implementation of Mitigation Measures 3.4-1, 3.4-15, and 3.4-16, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-13. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Construction could result in indirect impacts to vernal pools, through the alteration of hydrology or from construction runoff. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-3. Establish Non-Disturbance Buffers around Vernal Pools along the Collection and Distribution Lines (discussed above)

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact vernal pools. With implementation of Mitigation Measure 3.4-3, potential impacts would be reduced to a less-than-significant level.

Impact 3.4-14. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Project activities would result in minor impacts to 0.03 acres of an agricultural ditch in the southwest corner of the southern area of the project site, where road improvements are anticipated. This ditch qualifies as a potential Waters of the United States. This would be a potentially significant impact.

Implement Mitigation Measure 3.4-1. Worker Environmental Awareness Program (WEAP) and Biological Monitor Inspection (discussed above)

Implement Mitigation Measure 3.4-3. Establish Non-Disturbance Buffers around Vernal Pools along the Collection and Distribution Lines (discussed above)

Mitigation Measure 3.4-17. Avoid, Minimize and Compensate for Impacts on state and federally protected wetlands and other waters.

Prior to project implementation, SMUD shall confirm Project related potential impacts on state and federally protected wetlands based on advanced designs and obtain the necessary permits for impacts on any wetlands. These may include the following permits:

- Section 1600 Streambed Alteration Agreement from CDFW (for impact on streams in the project site, including horizontal directional drilling, if necessary).
- CWA Section 404 permit from USACE for impacts to WUS (not expected to be necessary based on 30 percent design).
- CWA Section 401 Clean Water Certification from the Regional Water Quality Control Board for impacts to WUS (not expected to be necessary based on 30 percent design).

- Waste Discharge Permit from RWQCB for impacts to WOS (anticipated, based on project impacts to a small amount of agricultural ditch qualifying as WOS based on current delineation.
- As part of any permit applications, SMUD shall identify a habitat mitigation plan that shall include mitigation for impacted wetlands and waters on a no-net-loss basis. The plan may include onsite restoration, if feasible, offsite preservation, or purchasing mitigation credits from an agency-approved wetlands mitigation bank, paying an agency-approved in-lieu fee, and/or developing conservation lands to compensate for permanent loss of resources. Mitigation ratios shall be no less than 1:1 and shall be determined during the permitting process based on advanced project design.
- SMUD shall implement all conditions of the permits, including any performance monitoring, if required, for onsite restoration and report on the results of the monitoring to the appropriate agencies at the frequency and duration included in the permits.

Wetlands and other waters protection shall be included in the WEAP described above in Mitigation Measure 3.4-1.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact state and federally protected wetlands and other waters. With implementation of Mitigation Measures 3.4-1, 3.4-3, and 3.4-17, potential impacts would be reduced to a less-than-significant level.

Cultural Resources

Impact 3.5-1 Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Project-related ground-disturbing activities could result in discovery or damage of yet undiscovered archaeological resources as defined in State CEQA Guidelines Section 15064.5. These activities could damage or destroy previously undiscovered archaeological resources. This would be a potentially significant impact.

Mitigation Measure 3.5.1: Halt ground-disturbing activity upon discovery of subsurface archaeological features.

In the event that any pre-contact or historic-era subsurface archaeological features or deposits, including locally darkened soil (“midden”), that could conceal cultural deposits, are discovered during construction, all ground-disturbing activity within 100 feet of the resources shall be halted and a qualified professional archaeologist shall be retained to assess the significance of the find. If the find is determined to be significant by the qualified archaeologist (i.e., because it is determined to constitute either an historical resource, a unique archaeological resource, or a tribal cultural resource), the archaeologist shall develop appropriate procedures to protect the integrity of the resource and ensure that no additional resources are affected.

Procedures could include, but would not be limited to, preservation in place (which shall be the preferred manner of mitigating impacts to archaeological sites), archival research, subsurface testing, or contiguous block unit excavation and data recovery (when it is the only feasible mitigation, and pursuant to a data recovery plan).

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact previously undocumented significant archaeological resources. With implementation of Mitigation Measure 3.5-1 potential impacts would be reduced to a less-than-significant level.

Impact 3.5-2 Disturb any human remains, including those interred outside of dedicated cemeteries?

Project construction could inadvertently damage human remains discovered during subsurface activities. This would be a potentially significant impact.

Mitigation Measure 3.5-2: Halt ground-disturbing activity upon discovery of human remains.

If human remains are discovered during any construction activities, potentially damaging ground-disturbing activities within 100 feet of the remains shall be halted immediately, and SMUD will notify the Sacramento County coroner and the NAHC immediately, according to PRC Section 5097.98 and Section 7050.5 of the California Health and Safety Code. If the remains are determined by the NAHC to be Native American, the guidelines of the NAHC shall be followed during the treatment and disposition of the remains. SMUD shall also retain a professional archaeologist with Native American burial experience to conduct a field investigation of the specific site and consult with the Most Likely Descendant, if any, identified by the NAHC. Following the coroner's and NAHC's findings, the archaeologist and the NAHC-designated Most Likely Descendant shall determine the ultimate treatment and disposition of the remains and take appropriate steps to ensure that additional human interments are not disturbed. PRC Section 5097.94 identifies the responsibilities for acting upon notification of a discovery of Native American human remains.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact undiscovered human remains. With implementation of Mitigation Measure 3.5-2, potential impacts would be reduced to a less-than-significant level.

Geology, Soils, and Paleontological Resources

Impact 3.7-5. Directly or indirectly destroy a unique paleontological resource or site?

The project site and distribution line alignments are primarily underlain by the Riverbank Formation, with smaller areas of the Turlock Lake and Laguna Formations. While the Laguna Formation has low paleontological sensitivity, the Riverbank and Turlock Lake Formations are considered highly sensitive due to past fossil discoveries in the region. Construction activities, including excavation for solar arrays, foundations, and utility trenches, could disturb native

sediments within these formations. As a result, there is potential for accidental damage to significant paleontological resources during earthmoving activities. This would be a potentially significant impact.

Mitigation Measure 3.7-1: Avoid Impacts to Unique Paleontological Resources.

To minimize the potential for destruction of or damage to previously unknown unique, scientifically important paleontological resources during earthmoving activities at the project site, SMUD shall do the following:

- Prior to the start of earthmoving activities, retain either a qualified archaeologist or paleontologist to develop relevant materials related to paleontological resources for inclusion in the Project's Worker Environmental Awareness Program (WEAP) program to inform all construction personnel involved with earthmoving activities regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered.
- If paleontological resources are discovered during earthmoving activities, the construction crew shall immediately cease work in the vicinity of the find and notify SMUD. SMUD shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan. The recovery plan may include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum curation for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by SMUD to be necessary and feasible shall be implemented before construction activities can resume at the site where the paleontological resource or resources were discovered.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact unique paleontological resources. With implementation of Mitigation Measure 3.7-1, potential impacts would be reduced to a less-than-significant level.

Greenhouse Gas Emissions

Impact 3.8-1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Construction of the Project would generate greenhouse gas (GHG) emissions from off-road equipment, on-site vehicles, and construction-related traffic, with emissions varying by construction phase intensity. Total construction-related GHG emissions are estimated to be approximately 11,745 MT CO₂e. Based on the anticipated construction schedule and phasing, the most intensive activities and overlap of construction phases would occur in 2027. During this year, approximately 48 percent of the total construction duration, including overlapping phases, is projected to take place and generate approximately 6,216 MT CO₂e. Even with this conservative assumption, the maximum annual emissions would exceed SMAQMD's mass emissions- Oveja Ranch Solar Project EIR MARCH 2025 Page 3.8-15 of 3.8-18 based screening threshold of 1,100 MT CO₂e per year. This would be a potentially

significant impact.

Mitigation Measure 3.8-1: Implement Construction GHG Emission Best Management Practices during Construction Activities

Improve fuel efficiency from construction equipment by:

- Minimizing idling time either by shutting equipment off when not in use or reducing the time of idling to no more than 3 minutes (5-minute limit is required by the state airborne toxics control measure [Title 13, sections 2449(d)(3) and 2485 of the CCR]). Provide clear signage that posts this requirement for workers at the entrances to the site.
- Maintaining all construction equipment in proper working condition according to manufacturer's specifications. The equipment must be checked by a certified mechanic and determined to be running in proper condition before it is operated.
- Training equipment operators in proper use of equipment.
- Using the proper size of equipment for the job.
- Using equipment with new technologies (repowered engines, electric drive trains).
- Perform on-site material hauling with trucks equipped with on-road engines (if determined to be less emissive than the off-road engines).
- Use alternative fuels for generators at construction sites such as propane or solar or use electrical power.
- Use CARB-approved low carbon fuel for construction equipment.
- Encourage and provide carpools, shuttle vans, transit passes and/or secure bicycle parking for construction worker commutes.
- Develop a plan to efficiently use water for adequate dust control.
- Reduce electricity use in the construction office by using compact fluorescent bulbs or light emitting diodes, powering off computers every day, and replacing heating and cooling units with more efficient ones.
- Recycle or salvage non-hazardous construction and demolition debris, when practicable (goal of at least 75% by weight).

Finding: The Board finds that implementation of the Oveja Ranch Solar Project would outweigh the construction-related emissions within the first year of operations through the renewable electricity generated by the Project. With implementation of Mitigation Measure 3.8-1, potential construction-related exhaust emissions impacts would be reduced to a less than cumulatively considerable level.

Noise***Impact 3.13-1. Temporary, Short-Term Exposure of Sensitive Receptors to Construction Noise***

Project construction activities would exceed the ambient levels and the County's exterior nighttime noise standard. While the majority of construction activities would conform to the Sacramento County Noise Ordinance, if construction activities were to occur during more noise-sensitive hours outside of those prescribed by the Ordinance, construction source noise levels could result in annoyance and/or sleep disruption to occupants of existing noise-sensitive land uses and create a substantial temporary increase in ambient noise levels. This would be a potentially significant impact.

Mitigation Measure 3.13-1. For Construction Outside of Permitted Construction Hours ((Section 6.68.090[e] of the County of Sacramento Code)), Implement Noise-Reducing Construction Practices and Monitor and Record Construction Noise near Sensitive Receptors.

The project applicant(s) and their construction contractors shall employ noise-reducing construction practices to avoid and minimize construction noise effects on sensitive receptors outside permitted construction hours:

- Pile driving shall be limited to the hours between 6 a.m. and 8 p.m. Monday through Friday and Sunday, and between 7 a.m. and 6 p.m. on Saturdays.
- Construction equipment and equipment staging areas for equipment that generates noise levels of 70 dB or more at 50 feet shall be located as far as possible from nearby noise-sensitive land uses.
- All construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.
- All motorized construction equipment shall be shut down when not in use to prevent idling.
- Individual operations and techniques shall be replaced with quieter procedures (e.g., using welding instead of riveting, mixing concrete off-site instead of on-site).
- Noise-reducing enclosures shall be used around stationary noise-generating equipment (e.g., compressors and generators).
- Written notification of construction activities shall be provided to all noise-sensitive receptors located within 500 feet of the project site. Notification shall include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) shall also be included in the notification.

- Should nighttime construction (including very early morning) become necessary, the project applicant shall conduct a preliminary noise assessment to evaluate the potential for exceedances at the property boundaries of the nearest sensitive receptors. This assessment will determine if additional mitigation, such as real-time noise monitoring or other measures, is warranted. This ensures compliance with the County Noise Ordinance while maintaining flexibility and practicality in Project execution.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could create a substantial temporary increase in ambient noise levels. With implementation of Mitigation Measure 3.13-1, potential impacts would be reduced to a less-than-significant level.

Transportation

Impact 3.17-3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

While project construction would introduce additional traffic movements and oversized haul vehicles to the local road network, construction traffic is common throughout Sacramento County and is not considered an “incompatible use.” However, given the scale of the Project and rural setting in which the Project would be constructed, the temporary addition of oversize vehicles, haul trucks and worker vehicles could increase traffic hazards. This would be a potentially significant impact.

Mitigation Measure 3.17-1. Prepare and Implement a Traffic Control Plan.

To address potential traffic hazards during construction, prior to the commencement of construction or demolition activities, SMUD or its construction contractor shall prepare a traffic control plan for review and approval by Sacramento County Department of Transportation. The measures to be included in the traffic control plan include signage, traffic cones, and flaggers to help ensure safe and efficient movement of traffic through the affected area, with a focus on safety on roadways adjacent to project site and project activities. In addition, the traffic control plan would provide for notification of emergency responders regarding the planned construction activities.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could increase traffic hazards. With implementation of Mitigation Measure 3.17-1, potential impacts would be reduced to a less-than-significant level.

Impact 3.17-4: Result in inadequate emergency access.

Project construction activities for the proposed Project could reduce emergency access to roadways in the project in the vicinity. Slow-moving trucks entering and exiting the project sites along roadways in the vicinity of the project site could delay the movement of emergency vehicles. This would be a potentially significant impact.

Implement Mitigation Measure 3.17-1. Prepare and Implement a Traffic Control Plan (discussed above)

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could potentially impact emergency access in the project vicinity. With implementation of Mitigation Measure 3.17-1, potential impacts would be reduced to a less-than-significant level.

Tribal Cultural Resources

Impact 3.18.1. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?

No unique archaeological resources or TCRs have been identified on the project site and the NAHC Sacred Lands Database search was negative. However, these resources may be encountered during ground disturbing activities (i.e., grading and trenching). Therefore, TCRs may exist at the project site and could be affected by the Project. This would be a potentially significant impact.

Mitigation Measure 3.18-1. Inadvertent/Unanticipated TCR Discoveries.

Worker Environmental Awareness Program (WEAP):

SMUD shall prepare a Worker Environmental Awareness Program (WEAP) that shall educate staff regarding archaeological sensitivity and the potential presence of tribal cultural resources. This WEAP shall include tribal cultural resources avoidance and minimization measures/mitigation measures from the Project's CEQA Mitigation Monitoring and Reporting Program (MMRP). The WEAP shall provide specific details on the kinds of tribal cultural resources that may be identified during construction of the Project and explain the protocol for treatment in the event of an unanticipated discovery, including the legal implications of violating applicable laws and regulations. The WEAP can be provided in the form of a handout and/or video presentation. All staff working onsite shall attend the WEAP training prior to commencing onsite work. Staff that attend the training shall fill out a sign-in sheet indicating that they completed the training.

Discovery Procedure:

If any suspected TCRs or resources of cultural significance to UAIC, including but not limited to features, anthropogenic/cultural soils, cultural belongings or objects (artifacts), shell, bone, shaped stones or bone, or ash/charcoal deposits are discovered by any person during construction activities including ground disturbing activities, all work shall pause immediately within 100 feet of the find, or an agreed upon distance based on the project area and nature of the find. Work shall cease in and within the immediate vicinity of the find regardless of whether the construction is being actively monitored by a Tribal Monitor, cultural resources specialist, or professional archaeologist.

A Tribal Representative and SMUD shall be immediately notified, and the Tribal Representative in coordination with the SMUD shall determine if the find is a TCR (PRC Section 21074) and the Tribal Representative shall make recommendations for further evaluation and treatment.

Treatment and Documentation:

The culturally affiliated Tribe shall consult with SMUD to (1) identify the boundaries of the new TCR and (2) if feasible, identify appropriate preservation in place and avoidance measures, including redesign or adjustments to the existing construction process, and long-term management, or 3) if avoidance is infeasible, a reburial location in proximity of the find where no future disturbance is anticipated. Permanent curation of TCRs shall not take place unless approved in writing by the culturally affiliated Tribe.

The construction contractor(s) shall provide secure, on-site storage for culturally sensitive soils or objects that are components of TCRs that are found or recovered during construction. Only Tribal Representatives shall have access to the storage. Storage size shall be determined by the nature of the TCR and can range from a small lock box to a Conex box (shipping container). A secure (locked), fenced area can also provide adequate on-site storage if larger amounts of material must be stored.

The construction contractor(s) and SMUD shall facilitate the respectful reburial of the culturally sensitive soils or objects. This includes providing a reburial location that is consistent with the Tribe's preferences, excavation of the reburial location, and assisting with the reburial, upon request.

Any discoveries shall be documented on a Department of Parks and Recreation 523 form within 2 weeks of the discovery and submitted to the appropriate California Historical Resources Information System Information Center in a timely manner.

Work at the TCR discovery location shall not resume until authorization is granted by SMUD in coordination with the culturally affiliated Tribe.

If articulated or disarticulated human remains, or human remains in any state of decomposition or skeletal completeness are discovered during construction activities, the Sacramento County Coroner shall be contacted immediately. Upon determination by the Sacramento County Coroner that the find is Native American in origin, the NAHC shall

assign the Most Likely Descendent who shall work with the Project proponent to define appropriate treatment and disposition of the burials.

Finding: The Board finds that implementation of the Oveja Ranch Solar Project could impact undiscovered TCRs. With implementation of Mitigation Measure 3.5-2, impacts to TCRs would be reduced to a less-than-significant level. Therefore, the Project with mitigation would not cause significant impacts to TCRs.

d. Alternatives

In compliance with CEQA and the CEQA Guidelines, Chapter 6, “Alternatives” of the Draft EIR evaluated a reasonable range of alternatives to the Project, including the No Project Alternative, followed by identification of an environmentally superior alternative. For the Project, the consideration of alternatives that fulfill CEQA requirements is complicated by a simple factor: the Project would not result in any significant and unavoidable impacts. The significant impacts of the Project are highly limited and can be clearly mitigated. Significant impacts have been identified for agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, transportation, and tribal cultural resources.

Although there are no alternatives that could avoid or substantially reduce (unmitigated) significant effects of the Project (because none exist), the alternatives evaluated below are presented to satisfy CEQA’s requirement to identify a range of potentially feasible alternatives (State CEQA Guidelines Section 15126.6(a)). The EIR examined each alternative’s feasibility and ability to meet the following Project Objectives:

- Contribute to a diversified energy portfolio that will aid in the continued improvement of air quality in the Sacramento Valley Air Basin by decreasing reliance on fossil fuel combustion for the generation of electricity.
- Reduce SMUD’s exposure to price volatility associated with electricity and natural gas.
- Provide a renewable power resource to support the SMUD Board of Directors’ 2030 Zero Carbon Plan, approved in 2021, which establishes a flexible pathway for SMUD to eliminate carbon emissions from its power supply by 2030 by developing and procuring dependable renewable resources.
- Develop a project that will deliver a reliable, long-term supply of up to 75 MW of economically feasible solar and battery storage that provides grid resiliency at a point of interconnection on the grid managed by SMUD.
- Develop an agrivoltaics project that integrates agricultural irrigation production including sheep grazing.
- Design a flexible PV solar energy and battery storage facility that is capable utilizing the best available, efficient, cost-effective, and proven PV solar and storage technology.
- Construct the facility in a location that has ready access to existing electrical infrastructure with available capacity and roads.

Four potential alternatives were found to be clearly infeasible (Offsite Alternatives, Evolution of the Proposed Project, Onsite Alternatives, and Alternative Technologies) and rejected because they would not achieve most of the basic project objectives, SMUD was

unable to feasibly acquire the land, or they resulted in greater environmental impacts than the proposed Project as described in Section 6.2.3 of the Draft EIR.

The No Project Alternative and Alternatives that might have been feasible and that would attain most of the Project Objectives to some extent (Alternative 1 - Reduced Footprint Alternative and Alternative 2 - Farmland of Statewide Importance Impact Reduction) were carried forward and analyzed with regard to whether they would reduce or avoid significant impacts of the Project.

In connection with certification of the Final EIR for the Project, the Board certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR and the record of proceedings. The Board finds that no new alternatives have been identified and that the feasibility of the analyzed alternatives has not changed since the Draft EIR was circulated for public review. The Board certifies that it has independently reviewed and considered the information on alternatives provided in the Final EIR and the administrative record, and find, for the reasons set forth below, that each of the following alternatives cannot feasibly attain, either at all or to the same extent as the proposed Project, one or more of the Project Objectives, is otherwise infeasible or fails to avoid or substantially lessen the significant effects of the Oveja Ranch Solar Project.

1. No Project

Under the No Project Alternative, the project would not be constructed on the project site, and as a result, none of the associated impacts would occur and none of the permits or approvals that would be required by SMUD and various permitting agencies for the project would be needed. It is unknown for how long the project site would remain in its existing condition. It is assumed that the project site would remain in long-term agricultural use; although, another compatible use could co-locate and coexist with the existing agricultural practices. It is uncertain exactly what impacts would occur: therefore, no analysis by impact topic is provided, as this would be speculative.

This alternative would not meet any of the objectives identified above for the Project. Because this alternative would not attain any project objectives and for the reasons set forth above, the No Project Alternative is rejected by the Board from further consideration.

2. Alternative 1 (Reduced Footprint Alternative)

Alternative 1, the Reduced Footprint Alternative, would include construction and operation of a project with a smaller footprint and higher density design, which would compress all the project facilities into the southern area of the project site. This alternative would not use the northern area and the connector line between the southern and northern areas would not be required. Thus, the total project would be occupy approximately 454 acres rather the 534 acres of the project site. Alternative 1 would construct a 75-MW solar facility with BESS, and would not result in any reduction in solar and/or battery storage compared to the proposed project. Because this alternative would eliminate the connector line, and would also eliminate the potential impacts on special-status species that utilize Laguna

Creek and its associated habitat corridor (such as Sanford's arrowhead, western pond turtle, giant garter snake, western red bat) potential impacts on these species in these locations would be eliminated. In addition, Alternative 1 would result in less loss of foraging habitat for Swainson's hawk, burrowing owls and other raptors because there would be 80 acres less cropland that would be used to support solar fields.

Alternative 1 would attain the project objectives, because it would involve construction and operation of a PV solar facility; avoid wetlands and other sensitive habitat areas; integrate compatible agriculture activities; locate the facility as near as possible to existing electrical infrastructure with anticipated capacity to minimize the geographical extent of impacts; utilize the best available, efficient, cost-effective, and proven PV solar technology and battery storage; and be readily accessible from existing roads.

3. Alternative 2 (Farmland of Statewide Importance Impact Reduction)

Under Alternative 2, Farmland of Statewide Importance Impact Reduction Alternative, the site layout would be identical to the proposed project, except the substation and BESS would be relocated approximately 400 feet to the south of where it is currently located for the proposed project to avoid approximately 3.8 acres of long-term impacts to Farmland of Statewide Importance. This relocation would move the substation and BESS off of Farmland of Statewide Importance and onto Farmland of Local Importance. Alternative 2 would construct a 75-MW solar facility with BESS, and would not result in any reduction in solar and/or battery storage compared to the proposed project.

Alternative 2 would attain the project objectives because it would involve construction and operation of a PV solar facility; avoid wetlands and other sensitive habitat areas; integrate compatible agriculture activities; locate the facility as near as possible to existing electrical infrastructure with anticipated capacity to minimize the geographical extent of impacts; utilize the best available, efficient, cost-effective, and proven PV solar technology and battery storage; and be readily accessible from existing roads.

4. Environmentally Superior Alternative

CCR Section 15126.6 suggests that an EIR should identify the "environmentally superior" alternative. "If the environmentally superior alternative is the 'no project' alternative, the EIR shall also identify an environmentally superior alternative among the other alternatives." As stated above in Section 6.2.2, the consideration of alternatives that fulfill CEQA requirements, in the instance of the project, is complicated by a simple factor: the project would not result in any significant and unavoidable impacts. The significant impacts of the project - which would be to agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, transportation, and tribal cultural resources - can be clearly mitigated.

When considering objectives, the proposed project would best meet the project objectives, as stated in Chapter 2, "Project Description." Alternative 1 is the environmentally superior alternative because overall impacts are slightly less than those of the proposed project (with the exception of agricultural impacts). All potentially

significant impacts would be mitigated to less-than-significant and all project objectives would be met while also significantly reducing overall regional GHG emissions. The No Project Alternative would not meet any of the objectives identified in Section 6.2.1.

e. Additional Findings

1. These Findings incorporate by reference in their entirety the text of the Final EIR prepared for the Oveja Ranch Solar Project. Without limitation, this incorporation is intended to elaborate on the scope and nature of the Project, related mitigation measures, and the basis for determining the significance of such impacts.
2. All of the environmental effects of the Oveja Ranch Solar Project have been adequately addressed in the Final EIR and have been mitigated or avoided, where feasible.
3. Section 15093(b) of the CEQA Guidelines provides that when the decision of the public agency results in the occurrence of significant impacts that are not avoided or substantially lessened, the agency must state in writing the reasons to support its actions. The Findings adopted by the Board, in connection with its approval of the Oveja Ranch Solar Project and certification of the associated EIR, addressed all of the potentially significant impacts associated with implementation of the Oveja Ranch Solar Project. The EIR concluded that all potentially significant impacts would be adequately mitigated and that the Project would not result in any significant and unavoidable impacts even with the adoption of identified mitigation measures. As a result, the adoption of a Statement of Overriding Considerations for the Oveja Ranch Solar Project is not required.
4. CEQA Guidelines section 15074 requires the Lead Agency approving a Project to adopt an MMRP for changes to the Project that it adopts or makes a condition of Project approval in order to ensure compliance during Project implementation. The Board adopts the MMRP for Oveja Ranch Solar Project and the specific mitigation measures will be monitored in conjunction with SMUD's Final EIR MMRP and Reporting process.

f. Record of Proceedings

For purposes of CEQA and these Findings, the record of proceedings for the Project (Record of Proceedings) consists of the following documents and other evidence, at a minimum:

- The Notice of Preparation (NOP) distributed on September 5, 2024 and comments received during its 30-day public review;
- The EIR for the Project, including, without limitation, the Draft EIR, Final EIR, and all of its appendices;
- All studies, EIRs, maps, rules, regulations, guidelines, permits and other documents

and materials incorporated by reference in any portion of the EIR;

- All presentation materials from every noticed public meeting and public hearing for the Project;
- The MMRP for the proposed Project;
- Matters of common knowledge, including but not limited to federal, state and local laws and regulations, including, without limitation, SMUD's adopted CEQA Procedures and other adopted plans, policies and programs;
- Any documents expressly cited in these Findings; and
- All materials not otherwise identified which are expressly required to be in the Record of Proceedings by PRC section 21167.6(e).

g. Custodian and Location of Records

The documents and other materials which constitute the Record of Proceedings are located at SMUD Headquarters. Copies of those documents are and at all relevant times have been and will be available upon request at the Customer Service Center (6300 S Street, Sacramento, CA 95817). The custodian of the Record of Proceedings may be contacted as follows:

Kim Crawford
Sacramento Municipal Utility District
6201 S Street, MS B209
Sacramento, CA 95817-1899
(916) 732-5063
kim.crawford@smud.org

This information is provided in compliance with PRC section 21081.6(a)(2) and CEQA Guidelines section 15091(e).

III. Project Benefits

The fundamental purpose of the Oveja Ranch Solar Project is to provide carbon free renewable energy in a manner that supports the community, protects the environment, and respects human rights. The Project would contribute to a diversified energy portfolio that will aid in the continued improvement of air quality in the Sacramento Valley Air Basin by decreasing reliance on fossil fuel combustion for the generation of electricity; reduce SMUD's exposure to price volatility associated with electricity and natural gas; provide a renewable power resource to support the SMUD Board of Directors' 2030 Zero Carbon Plan, approved in 2021, which establishes a flexible pathway for SMUD to eliminate carbon emissions from its power supply by 2030 by developing and procuring dependable renewable resources; develop a project that will deliver a reliable, long-term supply of up to 75 MW of economically feasible solar and battery storage that provides grid resiliency at a point of interconnection on the grid managed by SMUD; develop an agrivoltaics

project that integrates agricultural irrigation production including sheep grazing; design a flexible PV solar energy and battery storage facility that is capable of utilizing the best available, efficient, cost-effective, and proven PV solar and storage technology; and, construct the facility in a location that has ready access to existing electrical infrastructure with available capacity and roads.

a. Electrical Reliability

Responsibility for maintaining safe, reliable, and dependable operation of the electric grid in California is divided among various “balancing authorities,” including SMUD. A balancing authority assumes responsibility for operational and system reliability for electric customers within a specific electrical and geographic area. The Oveja Ranch Solar Project is a necessary component of SMUD’s future plans for electrical reliability.

b. Environmental Benefits

As discussed in the EIR, the Project would result in potentially significant impacts related to agriculture and forestry resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, noise, transportation, and tribal cultural resources. However, as demonstrated in the EIR, each of these impacts would be reduced to a less-than-significant level with the adoption and implementation of mitigation measures. As a result of these mitigation measures, the Project would not result in any significant and unavoidable environmental impacts.

Finding: The SMUD Board finds the approval of the proposed Oveja Ranch Solar Project will result in continuing and enhanced benefits to SMUD customers in form of an important and reliable carbon free renewable energy resource.

IV. Statement of Overriding Considerations

This section of the findings document addresses the requirement in CEQA Guidelines section 15093. It requires the approving agency to balance the benefits of a proposed project against its unavoidable significant impacts and to determine whether the impacts are acceptably overridden by the project benefits. As described previously, the Project would not result in any unavoidable significant impacts. Therefore, a Statement of Overriding Considerations is not required for the Project.

V. Summary

Based on the foregoing findings and the information contained in the record, it is hereby determined that:

1. The Project would not result in any significant and unavoidable impacts.
2. Alternative 1 is the environmentally superior alternative because overall impacts are slightly less than those of the proposed Project (with the exception of agricultural impacts). All potentially significant impacts would be mitigated to less-than-significant and all project objectives would be met while also significantly reducing overall regional GHG



emissions.

This determination reflects the Board's independent judgment and analysis.

concluded by reporting on his attendance at the River City Food Bank Empty Bowls event.

Director Bui-Thompson reported on her attendance at the Rancho Cordova Elected Officials Reception and her speaking engagement at the Community Partners Advocate of Little Saigon Sacramento (formerly known as the Little Saigon Committee) where she accepted an award on behalf of SMUD. She then reported on her attendance at the Council of Asian Pacific Islanders Together for Advocacy and Leadership (CAPITAL) banquet honoring Dr. Sonney Chong organized by Assemblymember Stephanie Nguyen. She then reported on her attendance at the River City Food Bank Empty Bowls event and concluded by reporting on her meeting with Sadie St. Lawrence, an entrepreneur who has an artificial intelligence (AI) hub in Rancho Cordova.

Director Herber reported on her speaking engagements at the Galt Chamber of Commerce and the Elk Grove Chamber of Commerce. She reported on her attendance at the Tower Bridge Farm-to-Fork Dinner and Sacramento Open Studios. She congratulated community friend Scott Rose on his retirement from Runyon Saltzman. She concluded by announcing the Sacramento History Museum would be honoring iconic Sacramento businesses with the Burnett Awards on October 9.

Director Kerth reported on his attendance at the Celebrate Natomas event at the South Natomas Community Center and his participation in a neighborhood walk in the Del Paso Heights community. He reported on his attendance at the Tower Bridge Farm-to-Fork dinner and his participation in tours at Bloom Energy and SPAN Labs in the Bay Area. He concluded by reporting on his attendance at the Renewable Energy + (RE+) conference.

Vice President Tamayo reported on his meetings with Pat Galvin, President of the Board of Rebuilding Together Sacramento, staff from the Northern California Building Industry Association (BIA) as well as his participation in a BIA Policy tour, and Guy Hall of Sacramento EV. He reported on his attendance at the River City Food Bank Empty Bowls event, his participation in the Bloom and SPAN Labs tours, and his meeting with Jon Haynes of Haynes

Industrial. He concluded by reporting on his speaking engagement with the Oak Park Neighborhood Association where he spoke on electrification efforts and energy efficiency.

President Fishman reported on his speaking engagements with the County Engineers Association of California and Leadership Elk Grove. He then reported on his attendance at the Carmichael Recreation and Park District's Dinner in the Park event where he served as emcee. He concluded by stating he was on the Board of the American River Parkway Foundation, which was hosting the Great American River Clean Up (GARCU) on September 20. He encouraged anyone interested in volunteering for the effort to sign up at <https://arpf.org/>.

Paul Lau, Chief Executive Officer and General Manager, reported on the following items:

- 1) **National Hispanic Heritage Month.** This week, National Hispanic Heritage Month begins, which runs from September 15 to October 15. This is an opportunity to honor the rich history and tradition of the vibrant Hispanic culture and the significant contributions of people with roots in Spain, Mexico, the Caribbean, Central America and South America. A special thanks to LUNA, our SMUD employee resource group that stands for Latinos Unity Network for Action, for all they do to support our employees and create opportunities to grow and share knowledge across our community.
- 2) **Meet the Buyers.** It was great to see such a large turnout at our annual Meet the Buyers event for local vendors who want to do business with SMUD. Thank you to President Fishman for attending, speaking at the event and connecting with our community. It is part of our ongoing efforts to make sure our entire community is benefiting from the transition to a clean energy economy. Last year alone, SMUD awarded over \$204 million to local, small businesses. That is money that stayed in our local economy and helped our local small

businesses grow. This event gave local businesses an opportunity to connect with our purchasing team, explore upcoming procurement opportunities and network with others. Attendees also learned about our 2030 Zero Carbon Plan, the role of our vendors and supply chain in meeting our vision and how energy efficiency and electrification can enhance their businesses and our community. Thanks to everyone who made this year's event another success, with over 300 small business attendees!

3) **Cal/OSHA Workplace Safety**. I am also excited to share that we have once again received Cal/OSHA's highest workplace safety recognition. Employees from our Hydro Generation team received Star Certification from the California Division of Occupational Safety and Health (Cal/OSHA) for their exemplary achievement in the prevention and control of workplace safety and health hazards. As part of the Voluntary Protection Program, this special certification is the highest safety recognition Cal/OSHA gives to an organization. It is the second time we have been awarded this designation, and, in 2022, Fresh Pond was the first Hydro operation in California to achieve this prestigious certification. Our 2025 star status designation will last through September 2028. Thank you to all the teams involved in this and thank you for continuing to prioritize safety in everything we do.

4) **Catalyst Grant**. On the workforce development front, our Sacramento Power Academy is thrilled to be leading SMUD's Catalyst Grant awarded by Valley Vision. This \$500,000 grant will be used to plan and develop a roadmap for creating a regional skilled trades workforce development program. Over the next eight months, SMUD will establish a Technical Advisory Committee responsible for creating a fundamental skilled trades

curriculum and designing a regional workforce development initiative, which will be implemented in 2026.

- 5) **Awards.** Next, I would like to highlight some exciting awards. SMUD received awards from Ragan Communications for our collective community programs and our “I am SMUD” campaign. Director of Facilities, Security and Emergency Operations Kirsten DePersis was recognized as 2025 Women Who SPARK honoree by Utility 2030. Congratulations to everyone on these accomplishments!
- 6) **Board Video.** Tonight’s video is part of our “I am SMUD” video campaign, showcasing our employees, who they are, what they love and what matters most to them. As you know, through our award-winning “I am SMUD” campaign, we have been sharing employees’ stories of diversity, equity, inclusion and belonging here at SMUD, aimed at starting conversations, building education and fostering appreciation for how different, yet similar, we all are.

President Fishman requested the Summary of Board Direction, but there were no items.

No further business appearing, President Fishman adjourned the meeting at 6:53 p.m.

Approved:

President

Secretary

Exhibit to Agenda Item #9

Certify the **California Environmental Quality Act (CEQA) Oveja Ranch Solar Project (Project) Final Environmental Impact Report (EIR)**, including adoption of the **Findings**; adopt the **Mitigation Monitoring and Reporting Program** for the **Project**; and approve the **Project**.

Board of Directors Meeting

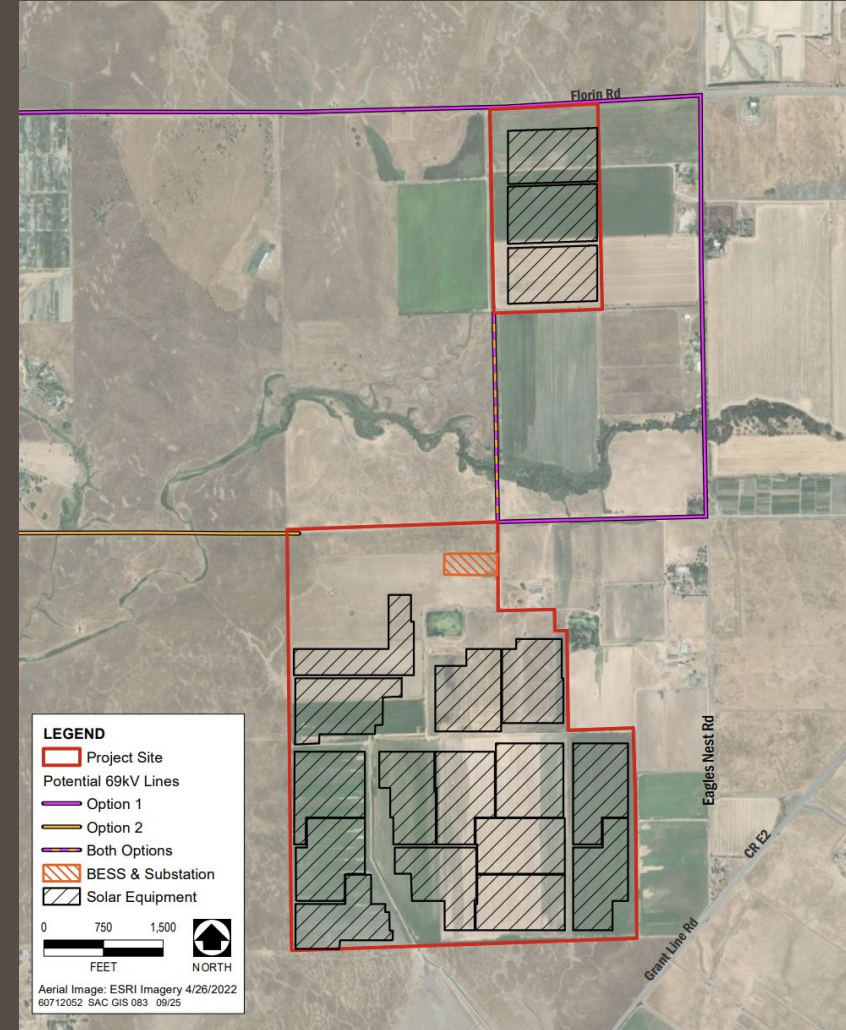
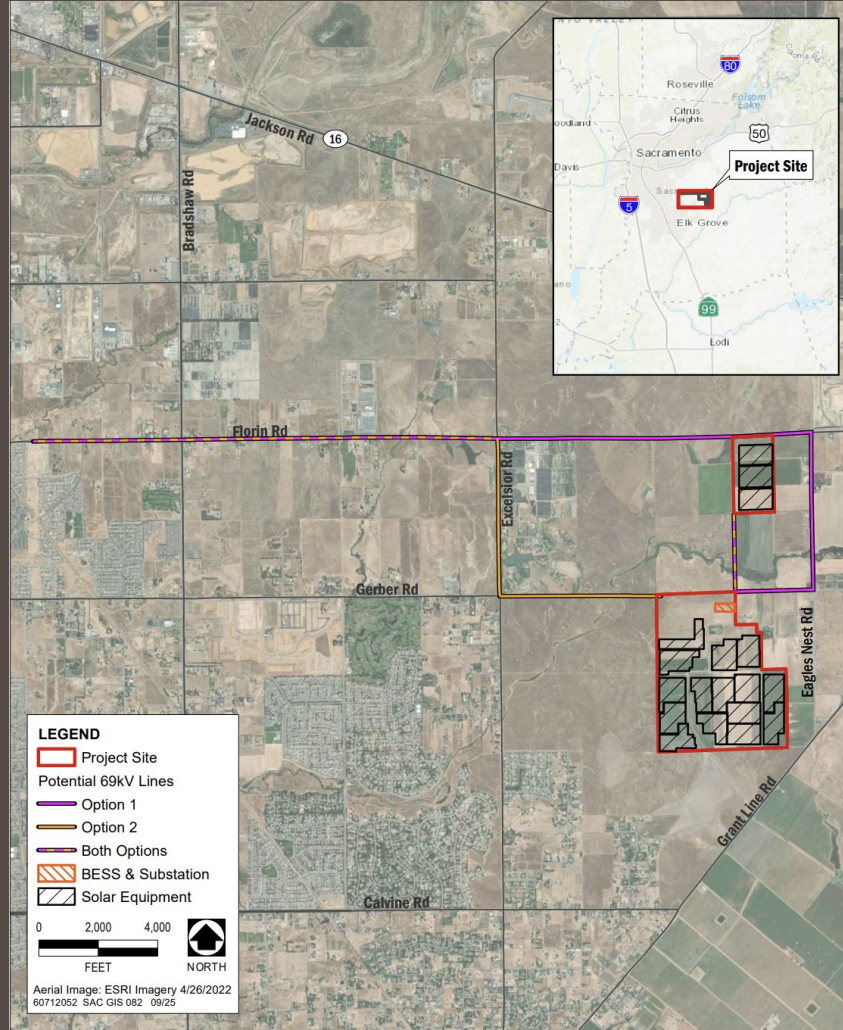
Thursday, September 18, 2025, scheduled to begin at 6:00 p.m.

SMUD Headquarters Building, Auditorium

Oveja Ranch Solar Project Description

- 75-megawatt solar facility located on up to 400 acres of leased land
- 37.5-megawatt battery energy storage system
- Generation substation
- 69 kilovolt distribution interconnection lines
- Williamson Act contract amendments
- Dual land use, with simultaneous solar energy generation and forage production and sheep grazing

Project Location



Public Review Process – Notice of Preparation (NOP)

- 30-day public comment period
(September 5, 2024 – October 6, 2024)
- Notice published at SMUD.org and Sacramento Bee
- Mailed to landowners within 0.5 mile of the solar facility and within 500 feet of the interconnection lines; Native American tribes; Sacramento Municipal Air Quality Management District
- Available at SMUD Customer Service Center (CSC) and East Campus – Operations Center (ECOC)
- Public Meeting – September 18, 2024

Notice of Preparation - Comment Letters

- California Department of Conservation
- California Department of Fish and Wildlife
- Central Valley Regional Water Quality Control Board
- Defenders of Wildlife
- East Bay Municipal Utility District
- Sacramento Metropolitan Air Quality Management District
- Sacramento County Department of Transportation
- Southgate Recreation & Park District
- Resident (Carl Werder)

Environmental Analysis

- No significant and unavoidable impacts
- Mitigation Measures:
 - Agriculture and forestry resources
 - Air quality
 - Biological resources
 - Cultural resources
 - Geology and soils
 - Greenhouse gas emissions
 - Noise
 - Transportation and traffic
 - Tribal cultural resources

Public Review Process – Draft Environmental Impact Report (EIR)

- 45-day public comment period
(March 17, 2025 – May 2, 2025)
- Notice of availability published in Sacramento Bee
- Mailed to landowners within 0.5 mile of the solar facility and 500 feet of the interconnection lines; Native American tribes; Sacramento Municipal Air Quality Management District; NOP commentors
- Copies available at CSC and ECOC; SMUD.org
- Public Meeting – April 10, 2025

Draft EIR Comment Letters

- California Department of Fish and Wildlife
- Defenders of Wildlife
- East Bay Municipal Utility District
- Sacramento Metropolitan Air Quality Management District
- Sacramento County - Department of Transportation
- Sacramento County - Planning and Environmental Review
- Sacramento County Water Agency
- Southgate Recreation & Park District

Final EIR - Corrections and Revisions

- Changes did not alter the conclusions of the Draft EIR
- Changes made in response to Draft EIR comment letters:
 - Air quality
 - Biological resources
 - Transportation
 - Recreation

AB-52 / Tribal Consultation Process

- United Auburn Indian Community
 - Conducted Tribal cultural resources surveys – April and June 2024
 - Tribal consultation closed – October 3, 2024
- Wilton Rancheria
 - Tribal consultation closed – April 29, 2025
- Inadvertent discovery mitigation measure
 - Evaluation and treatment of inadvertent or unanticipated discoveries of Tribal cultural resources, archaeological, or cultural resources

From: [John W](#)
To: [Public Comment](#)
Subject: [EXTERNAL] Making it easy
Date: Friday, August 22, 2025 7:35:48 AM

CAUTION: This email originated from outside of SMUD. Do not click links or open attachments unless you recognize the sender and know the content is safe.

SMUD makes it easy to do the right thing!

SMUD really does. Sometimes people don't do the right thing because it is difficult. By SMUD making it easy, more people do the right thing. Keep making it easy and thank you all for your work.

Best,
John Weber

I saw this article this morning.

[Managed EV charging could generate \\$30B in annual savings by 2035: report | Utility Dive](#)

While bidirectional programs are still grappling with technical and policy challenges, **managed charging is ready for full deployment**, [ev.energy](#) CEO Nick Woolley said in an interview. “From a regulatory perspective, **we don’t need to do more pilots. We need to scale these programs,**” he said.

Each actively managed vehicle can create up to \$575 in avoided costs for utilities, leading to a 10% reduction in all customer electric bills by 2035 — whether they own an EV or not, according to the report. Programs that include a vehicle-to-grid bidirectional charging component could more than double the benefits.

From: [John W](#)
To: [Public Comment](#)
Subject: [EXTERNAL] Sept 18th Board meeting public written comment
Date: Thursday, August 28, 2025 4:49:58 PM

CAUTION: This email originated from outside of SMUD. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, SMUD Board of Directors,

This video link was shared with me today. The same thing happened when cryptocurrency miners moved into a service territory. The residential customer bills went up, even when their use didn't go up. It sounds like the best solution is to create a new ratepayer class for data centers. Please consider creating a new ratepayer class for data centers. [We Found the Hidden Cost of Data Centers. It's in Your Electric Bill - YouTube](#)

Thank you for your consideration and your service to the community,
John Weber

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date

Policy – 10/08/25

Board Meeting Date

October 16, 2025

TO				TO			
1.	Claire Rogers			6.			
2.	Frankie McDermott			7.			
3.	Farres Everly			8.			
4.	Brandy Bolden			9.	Legal		
5.	Suresh Kotha			10.	CEO & General Manager		
Consent Calendar	<input checked="" type="checkbox"/>	Yes	No <i>If no, schedule a dry run presentation.</i>	Budgeted	<input checked="" type="checkbox"/>	Yes	No <i>(If no, explain in Cost/Budgeted section.)</i>
FROM (IPR)		DEPARTMENT		MAIL STOP		EXT.	
Emily Bacchini		Environmental, Safety & Real Estate Services		B209		6334	
DATE SENT		09/10/25					

NARRATIVE:

Requested Action: Accept the monitoring report for Strategic Direction SD-6, Safety Leadership.

Summary: Report on the status of Strategic Direction SD-6, Safety Leadership (SD-6), for safety performance from January through June of 2025. Report addresses safety leadership accomplishments during the first six months of the year, current Days Away Restricted Time numbers, and safety opportunities and challenges.

Board Policy: This report supports the SD-6 Core Value of Safety by providing safety performance status.
(Number & Title)

Benefits: Provide the scheduled bi-annual monitoring report as requested by the Board of Directors and Executive staff. The report provides an opportunity to make recommendations or policy revisions, as necessary.

Cost/Budgeted: Costs are contained within the budget for internal labor.

Alternatives: Provide a written report to the Board through the Chief Executive Officer and General Manager.

Affected Parties: Board of Directors, Executive Office

Coordination: Organization-wide

Presenter: Emily Bacchini, Interim Director, Environmental, Safety & Real Estate Services

Additional Links:

SUBJECT

SD-6, Safety Leadership Monitoring Report

ITEM NO. (FOR LEGAL USE ONLY)

5

ITEMS SUBMITTED AFTER DEADLINE WILL BE POSTPONED UNTIL NEXT MEETING.

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Board of Directors

DATE: September 24, 2025

FROM: Claire Rogers [9/24/25](#)

**SUBJECT: Audit Report No. 28007872
Board Monitoring Report; SD-6: Safety Leadership**

Internal Audit Services (IAS) received the SD-6 *Safety Leadership* first-half 2025 Biannual Board Monitoring Report and performed the following:

- Selected a sample of statements and assertions in the report for review.
- Compared sample to the corresponding supporting documentation to identify potential discrepancies.

All items sampled within the SD Report aligns with the supporting documentation provided at the time of review.

CC:

Paul Lau

Board Monitoring Report 1st and 2nd Quarters, 2025 Strategic Direction SD-6, Safety Leadership



1. Background

Strategic Direction (SD) 6, Safety Leadership states that:

Creating a safe environment for employees and the public is a core value of SMUD.

Through best practice methods and continuous improvement, SMUD will be recognized as a leader in employee safety while also assuring the safety of the public related to SMUD operations and facilities. SMUD commits to a proactive approach, including the active involvement of SMUD leadership, employees, contractors, and the community, as well as comprehensive monitoring of organizational and public safety performance.

Therefore, SMUD will continue to improve safety results to:

a) Workplace Safety

- i. Reduce SMUD's injury severity incidents to 13 or less than by 2025, as measured by OSHA's Days Away Restricted Time (DART), a rate that demonstrates top quartile safety performance for similar size utilities using the Bureau of Labor Statistics (BLS) work-related safety data.
- ii. Provide timely, quality health care for injured employees that aids their recovery while maintaining positive financial performance of the workers' compensation program.

b) Contractor Safety

- i. Support contractors to reduce and eliminate potential hazards for Serious Injuries and/or Fatality (SIF) when conducting high risk work.

c) Public Safety

- i. Track and report injuries to the public related to SMUD operations or facilities.
- ii. Implement measures to protect the public from injuries related to SMUD operations or facilities.

2. Executive Summary

SMUD is in compliance with SD-6 and is in alignment with SMUD's 5-year strategy of working toward a zero-incident culture.

Workplace Safety

SMUD has recorded 16 OSHA Recordable cases through the first half of 2025, including 7 DART cases and 9 Other Recordables. This marks a 45% increase from the cases in the first half of last year (5 DART and 6 Other Recordables). Among the 7 DART cases, one was a non-preventable vehicle accident that resulted in restricted work duties. Additionally, four of the DART cases were related to slips, trips, and falls. The utility industry average for DART rate is 1.0, SMUD was at a .62 DART rate at the end of Q2.

Staff reviewed DART data for the last 10 years to look for patterns. We could easily see that almost twice as many DART incidents occur in Q3 than in other quarters. In an effort to prevent a doubling of accidents in Q3, we proactively reached out to our Field Forces, increasing awareness of this trend and reminding staff to take care of each other, not get complacent, be mindful of external distractions, ensure you're fit for duty when arriving to work, and employee's right and obligation to Stop Work when conditions change or a hazard presents itself. Additionally, Safety highlighted the variety of incidents that occurred, the fact that many of the injuries are occurring in employees at SMUD five years or less and led discussions during Business Unit Safety meetings to brainstorm possible causes and preventions for each work group. Messaging continued into Q3, also highlighting the prevention of slips, trips, and falls

Quality care of injured employees is measured through the Workers' Compensation program's performance, which is assessed annually by an independent actuary. SMUD continues to have a reduction in indemnity benefits over the past five years as presented below. However, the number of claims and injury frequency rates have increased.

Fiscal Year	2020	2021	2022	2023	2024
No. of Claims (Medical & Indemnity)	89	59	54	46	63
Incident rate per 100 employees	2.3	2.4	2.2	1.8	2
Rates per \$100 payroll	.94	.85	.67	.58	.50

Contractor Safety

SMUD continues to use ISN to evaluate safety records and performance for high-risk contractors. This evaluation focuses on Contractor Fatality History, OSHA Citation History, DART and Total Recordable Incident Rates (TRIR), Insurance Experience Ratio, Safety Culture Questions, and Safety Program Review. Currently SMUD has **160** contractors in the ISN system.

This year we have increased the number of site safety evaluations for high-risk contractors to validate safety performance on the jobsites. Safety completed **231 site safety visits** in Q1 & Q2 2025 which is on target to exceed our 2025 goal of **250 safety visits**. These visits focus on SMUD contractors who work with Power Generation, Line, Substation, Facilities, Vegetation Management and Environmental Services on projects where high-risk work is performed. This work includes high voltage work, working at heights, vegetation management, confined spaces, excavations, etc. SMUD has onboarded two new Vegetation Line Clearance Contractors and focused audits have been completed by SMUD's Contractor safety Team and Vegetation Management Team. The Safety Management System (SMS) system is utilized for inspections, incident tracking, reporting and investigations of SMUD contractors. This allows SMUD to verify

safe working practices by our contractors to reduce the potential for serious injuries or property damage. Contractor reported incidents require an investigation to be completed and typically will warrant additional site safety visits to verify corrective measures have been put into place to reduce further occurrences.

The Contractor Safety Team is expanding the use of the ISN safety training qualifications tool. This tool will allow a more efficient method of verifying Contractor Employee qualifications. This tool allows SMUD to verify individual Contractor Employee qualifications and assures appropriate competence for the high hazard work. An additional example of this is the SMUD Substation Entry Training that will allow SMUD to communicate safe work practice expectations to our contractors through the ISN platform. The Contractor Safety Team continued its partnership with the Vegetation Management Team for the 2025 Contractor Safety Day and the New Contractor Onboarding event. This event is an effective way to reach and set expectations for our Vegetation Contractor employees doing high risk work.

Public and Community Safety

Public Safety Statistics

SMUD tracks public and community incidents in the Safety Incident Tracking System (SITS) involving car-pole, electrical contacts, dig-in incidents, and injuries to the public that are related to SMUD's operations or facilities. The following statistics are reported for the 1st half of 2025:

- There were 125 incidents where the public struck a SMUD asset with a vehicle, with one fatality from such events.
- There were three electrical contacts reported with no report of injuries from these events.
- There were 40 dig-in incidents reported with no injuries. In response to these dig-ins, SMUD's public safety team has sent out nine notification letters to contractors and customers responsible for the dig-in occurrence as a proactive effort to provide further awareness and education on best practices to avoid future occurrences. No responses or escalations have been provided.

Public Safety Events

SMUD's Safety team has attended several local events within the SMUD territory in support of delivering public safety messages with a variety of partnerships. The Safety team has coordinated and participated in the following events for 2025:

- Deterding Elementary School "Public Safety Day"
- Elk Grove "Regional Public Safety Day"
- Sacramento Metro "Kid's FIRE CAMP"
- Jackson Laboratory "Employee Safety Day"
- Safetyville "Public Safety Day"

New Public Safety Initiatives

The Public Safety team is partnering with other SMUD business units to develop a "Dig Safe" committee in support of preventing underground line strikes and near misses to SMUD infrastructure. Additionally, the public safety team has begun using public safety data to support the decision-making processes of "Vehicle vs. Assets" committee.

3. Additional Supporting Information

The current SD-6 Safety Direction became effective September 2023. Our goal is to achieve the desired performance objectives by year-end 2025. This report summarizes safety performance in the first half of 2025.

Safety Leadership

The Safety Team continues with its integration efforts to support Executive Leadership's 5-year plan that emphasizes zero incidents and injuries and a focus on a zero-accident safety culture. SMUD's Executive Leadership team continue to emphasize our Safety priority with all personnel, contractors and in the public. We continue to grow our Safety for Life culture by reducing the risk of serious injuries and fatalities, targeting messages to staff on topics beyond work-related risks, and looking for new ways to maintain engagement. These goals are outlined in SMUD's Safety Road Map.

Safety Management System (SMS)

During the first half of 2025, SMUD has made significant strides in optimizing Benchmark Gensuite, our safety management system (SMS). As we move forward, new projects and process improvements are continually evolving, leading to increased utilization and greater visibility among our workforce. These initiatives demonstrate our dedication to creating a safer, more efficient workplace for all employees, enhancing both operational performance and employee well-being.

Safety Standards Development

The Safety Team is continuously reviewing and updating SMUD's Health & Safety Standards to support the organization's World Class Safety initiatives. The Core Standards Team has adopted a streamlined review routing process utilizing SharePoint. This approach has reduced the amount of time required from review to final signature. Additionally, the Standards Team is piloting using AI for standards reference, regulatory updates, and procedural alignment.

The Core Standards team continue to meet monthly to ensure progress is made and tracked. A total of seven (7) standards have been reviewed, signed off, and published to the Health and Safety Standard SharePoint site for all personnel to access. These standards include Silica: Exposure Control Standard; Incident Reporting & Investigation Standard; Training Required Equipment Standard; Electro Magnetic Field (EMF) Standard; Public Safety Standard; Injury and Illness Prevention Program (IIPP) Appendix B – Workplace Violence Prevention Plan; and Heat Illness Prevention Standard.

Supervisor-Employee Interactions

The Safety Team has made impressive strides in enhancing the Supervisor-Employee Interaction process. With an ambitious Enterprise Performance Goal of 8,440 interactions for 2025, the organization completed 4,534 interactions in the first half of the year, putting us on track to meet this important goal. Driven by a commitment to support leaders, we have created and developed user-friendly PowerPoint materials outlining supervisor-employee interaction goals and targets. Our team has effectively presented this information during director leadership meetings, staff meetings, and through one-on-one training sessions, ensuring clarity and understanding from all involved. Additionally, we created a PowerBI table that shows the number of interactions occurring by work groups.

Our focus for in office personnel was targeting ergonomic risks and slip, trip, and fall hazards. Hybrid and remote employees also received tailored support to improve workstation setups and minimize hazards at home. The proactive measures and informative sessions led to significant interactions, underscoring our dedication to fostering a strong safety culture and enhancing communication across all levels. This year, through our concerted efforts, we are not only achieving goals but shaping a sustainable safety environment for every employee at SMUD, regardless of their work location.

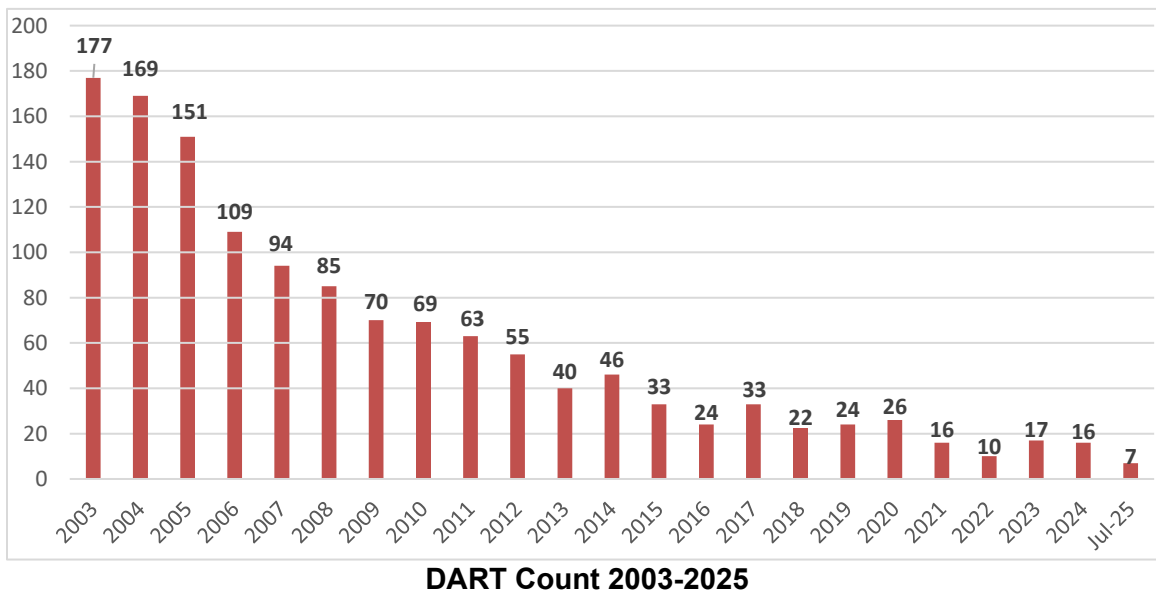
Near Miss and Positive Observation/Good Catch Reporting

Leadership remains committed to fostering a culture that values and promotes the reporting of near misses and positive observations, often referred to as "good catches." This initiative aims to identify learning opportunities before incidents take place, enhancing our overall safety and operational effectiveness. Throughout the first half of the year, we have successfully recorded 28 near miss and positive observation reports in the Safety Management System.

4. Challenges

At the end of Q2, SMUD had 7 DARTs, which put us generally on track to meet our SD-6 goal of 13 DARTs or less by 2025. However, thus far in Q3, we have had 4 DARTs, which means that if we continue at the same rate, we will exceed the goal of 13 DARTs for the year.

Over the last 4 years, we have averaged about 15 DARTs per year. This is a marked decrease from where we were in 2003 when we had 177 DARTs. However, similar to the Zero Carbon Plan, getting SMUD to zero DARTs is going to be a challenge. Thankfully, high-risk DART cases remain very low and the amount of time employees are away from their regular work as a result of their incident remains low. The Safety department will continue to identify trends, collaborate with leadership, proactively address hazards, and promote safe work practices.



5. Recommendation

SMUD is committed to becoming a recognized leader in safety. Both SMUD's leadership team and employees recognize that to achieve success we must integrate safety into all that we do. It is recommended that the Board accept the Monitoring Report for SD-6.

6. Appendices - World Class Safety Program Improvements & Supporting Information

Safety for Life

Safety and Environmental Day planning has begun. The event will take place at Safety Center's Safetyville in October 2025. All SMUD employees and their families are welcome to attend. There will be plenty of vendors, SMUD Trades groups sharing their crafts, as well as food, games, and prizes.

Sparky's Crew continues to get families involved in safety by sending 194 safety postcards and quarterly newsletters to SMUD children enrolled.

Our Safety for Life communications continue. This year we have placed emphasis on doing "About Me's" for the SMUD Safety team so employees can get to know all of the Safety Team members. Safety for Life experiences from employees are being shared in our bi-weekly newsletter and resonate the most with employees resulting in the most readership.

Driver Safety

So far in 2025, Safety hosted a driving rodeo for the Line Design team and their leadership. The preventable vehicle accident (PVA) review team continues to review SMUD's PVAs regularly, looking for trending data, which is used during the rodeos, to have discussions with employees, and during safety meetings, to prevent further PVAs. Safe driving behaviors are being emphasized in vehicle reports that are provided to directors, managers, and key contacts for participating in business units. The reports capture speeding data as well as seat belt use. Leaders can use this information in their interactions to reinforce safe driving behaviors and help mitigate unsafe driving behaviors. Modifications to the report continue to be made based on feedback from leaders and their business unit.

SMITH training continues to be provided to new hires, as well as existing employees due for a refresher, continuing to elevate their driving performance. This is performed by both internal trainers and SMITH corporate instructors. In response to current PVA trends, the Safety team is working to enhance training for backing maneuvers, with the goal of increasing success when backing is unavoidable. The Safety team also trained additional leadership under ED&O to perform driving-based SCORCH observations with their staff, adding value and focus to their observations.

Last year's highly visible banners with safe driving messages are being re-deployed in the ECOC Yard. Digital messaging with the same content continues to be shown on the monitors in the ECOC buildings. With this messaging, staff are given meaningful safe driving reminders before even getting in their work vehicle for the day. To increase awareness, messaging in Q3 safety meetings is being geared towards specific trends in preventable vehicle accidents. Meanwhile, certain groups are evaluating approaches to reduce our potential to be involved in 3rd party fault accidents.

Wildfire Smoke

Annual training was delivered to all field crew personnel in June/July 2025. Examples of resources available to SMUD employees are the Purple Air monitoring system, in-cab vehicle HEPA air filters, PPE, and scheduling. Staff also offered new wildfire smoke applications such as Watch Duty, which can help track the fires that impact our infrastructure and field personnel.

Fire Retardant Clothing

All employees who work on or around energized equipment are allotted a yearly flame resistant (FR) clothing allowance to ensure they are adequately protected. SMUD works with an FR vendor to ensure employees have access to clothing, which meets the Arc Flash requirements of SMUD equipment and the latest FR material technologies to improve their level of comfort in various types of weather conditions (i.e., storms, cold, rain, or heat). New electrical trades employees will receive FR Clothing training by a Safety Representative and ensure they are added to the FR Clothing portal and are apprised of the proper care and maintenance of their clothing.

Field Ergonomics

The Field Ergonomics Committee continues to drive significant improvements by collaborating with leadership and crews to implement ergonomic solutions in the field. Recent field ergo visits have allowed for meaningful enhancements to workstations in various locations, including the Station G, Elverta substation, and for the Folsom Administrative Office Building (FAOB) project team, ensuring that employees have access to appropriate ergonomic equipment. Furthermore, the completion of two separate, 8-week strength and conditioning program, demonstrated positive outcomes for thirteen participants, all reporting some level of improvements across strength, mobility, and flexibility. This success reflects SMUD's commitment to advancing employee well-being through robust field practices and ongoing ergonomic assessments. Collectively, these efforts signify a strong commitment to a proactive safety culture, underscoring the organization's dedication to reducing injuries and fostering a sustainable work environment.

Joint Labor Management Safety Committees

Hydro JLMSC – As a VPP audit finding, this committee was tasked with assuring quality of leading indicators. Continued support for VPP follow-up audit is scheduled for July. New Labor Chairs nomination openings for JLMSC and Emergency Drills subcommittee and will be confirmed Q3. Fall Protection inspections completed through the inventory merging process with the ECOC Tool Room. Many committee members volunteered for the Fresh Pond Safety Fair in June. The Safety Fair was an event for SMUD families to engage in hands-on activities, with a focus on industrial safety and our Upper American River Project's ([UARP](#)) partnerships with the local community. Attendees tested their climbing skills on a rock-climbing wall, met some feathered friends, explored the inside of a helicopter and even met Smokey Bear.

Line Assets JLMSC – A variety of safety improvements are in progress or already completed through the Line Assets JLMSC. Key improvements to highlight are: 1) Distribution of communication plans to customers regarding the importance of maintaining clear access to SMUD equipment on customer properties for both customer reliability and safety of our employees. 2) Helicopter Communication device is currently being built to assist employees performing work in remote locations. 3) Non-FR Raingear was updated to provide additional sizes as well as SMUD branding to accommodate employees of different sizes and increase employee safety by making it clear they are SMUD employees. 4) A new model of hydro-vac trailer was tested and selected for use which is quieter and much better ergonomically compared to other models. 5) Electronic device policy updated to allow for the use of iPads as navigational tools. SMS and calling features are disabled by IT.

Substation, Telecom, & Metering (STM) JLMSC –

Current Near misses and Safety Alerts are shared at the beginning of the Quarterly JLMSC meetings to remain current on conditions, incidents, or accidents and possibly discuss solutions.

STM JLMSC has re-established a new JLMSC Charter which includes new member representatives. The following initiatives have been established as key actions items by all the department member representatives:

- SMUD-wide Arc Flash Study
- Ergonomic Tool Improvements in the Field (Mobile Workstations)
- Vehicle Yard Safety, Housekeeping & Maintenance
- Insulated Tools for Battery Installation
- Trauma Training (Emergency and First Aid Support)
- Continuing Education Program for Journeyman & Foreman
- Indoor Heat Illness Prevention (Battery Powered Units)
- Emergency Procedure Training

Safely Conducted Observations Reduce Common Hazards (SCORCH)

Observation Engagement & Behavior Trends

A total of 1,386 field employees under the CFAS-Field (Customer, Finance, Administrative Services) and Electrical Trades process, were observed over the first half of 2025. Observation feedback speaks to the continued consistency in which Hand Protection is worn, making it the top observed safe behavior for CFAS-field. Observation feedback reinforces the value employees see in wearing the appropriate hand protection as a proactive step for minimizing exposure. The awareness for minimizing exposures to hazardous situations was displayed by employees when it came to vehicle Parking, making it the top observed safe behavior for the Electrical Trades. Comments highlighted the effectiveness of using pull-through parking (when applicable) to avoid the need for backing and how worksite locations nearest to entry point parking spots may not be the safest parking spots. Great awareness for avoiding highly congested areas.

The opportunity for improvement was related to the top at-risk behaviors of Tailboard and Eyes, Face, Skin protection. Employees displayed a low perception of risk for ensuring all employees are “cut in” on the scope of work/task prior to start of task or when work conditions changed. SCORCH Risk Reduction Reminders highlighted the value of performing a thorough and documented Tailboard. To positively reinforce a commitment to change a “post lunch tailboard” was recommended based on time-of-day data displaying a spike in behaviors marked at-risk following the lunch break. To elevate awareness for protecting Eyes, Face & Skin, Risk Reduction Reminders focused employees not allowing a low perception of risk make them vulnerable no matter their duration have task employees should always wear the appropriate eye protection and a commitment to having a backup pair available what is a value add element to avoid not having safety glasses/PPE on hand at all.

Throughout the first half of 2025, a total of 2,690 employees were observed under the Office & Professional process. Employee awareness and ownership for maintain good Back Posture made it the top observed safe behavior. Employees see the value in keeping the back in a neutral posture with head shoulders and hips in alignment when seated. This is combined with a mindfulness to avoid sustained awkward posture positions for periods of time. The increased comments related to taking more frequent “micro stretch breaks” also show a growing desire by employees to log out with less aches and pains at the end of the day, as the norm.

The behavior of Hips/Legs/Feet Posture was logged as the top at-risk behavior. Based on feedback comments, exposure was tied to incorrect seat pan depth, prolonged awkward postures and low perception of risk. Risk Reduction Reminders for maintaining a 2-finger width gap of space from the back of the knees and the front edge of the chair to reduce pressure and maintain good blood flow circulation throughout the legs were shared. Encourage the use of setting personal posture reminders to aid in recognizing when sitting with legs crossed at the ankles or with a single leg tucked under the body. Raised awareness for the cumulative trauma and the stress placed on the tendons and joints that have quality of life impacting potential.

SCORCH Behavior Influencing Highlights:

Internal/Safety for Life Engagement – SCORCH launched its first at-home “Spring Cleaning” observation event. The event and home observation card were used to display SMUD’s cultural commitment to Safety for Life and tie behavior awareness to seasonal norm employees were most likely going to be performing. Positive feedback and comments were received, highlighting employee thankfulness, behavior awareness elevation, pro-active planning, ergonomic smart setup and fatigue monitoring brought to light. SCORCH continues to create new formats for engaging in conversations about safety at home and at-play. Activity trends, observed/marked behaviors and comment feedback will be used to create additional seasonal opportunities of engagement and “Best Practice” shares to further expand its influencing reach. SCORCH successfully held its first ever SCORCH Appreciation Day. This was a one-day event that was held at both campuses to say Thank you to everyone who has contributed to the historical success of SCORCH. Process trivia, Management Sponsor Q&A panel session and safety shares. This was an effective way to showcase the wide range of employees who have and continue to contribute to SCORCH from frontline employees to elevated levels of leadership. This was considered a major process win, that was highly attended by employees at all levels and across SMUD.

After attending DEKRA’s 2025 National Safety in Action Conference. Committee members held a two-day (In-person/virtual) SCORCH Mini Conference to share lessons learned and industry best practices. The new addition of the Management Sponsor Q&A panel discussion was used to kick off the event. This was well received by the attendees and provided them with the opportunity to hear how engaged leaders are in support of SCORCH. A total of 12 presentations were provided to all employees highlighting personal ownership and awareness for working safely. Topic shares ranged from Leading Without Authority, Back Injury Prevention, Fostering a Speak-Up Culture and Capacity to Prevent Soft-tissue Injuries. Positive feedback related to the relevance and thought-provoking topics was received from attendees with high audience numbers for both the in-person and virtual formats.

Heat Illness

SMUD continues to identify heat as one of the main hazards our employees face during the hot summer months. SMUD continues to train field-based employees each year on the signs/symptoms of heat illness, appropriate measures to reduce the potential for heat illness, as well as how to respond appropriately in the event of a heat-related emergency. SMUD’s Tool Room continues to offer a variety of solutions to combat working in the heat, including water, ice, coolers, electrolyte supplements for water, portable shade structures, and shade visors for hard hats.

Medical Monitoring

The Safety team worked with Procurement to extend the contracts for our audiogram vendors. There were 3 onsite hearing events, 2 at ECOC and 1 at Fresh Pond. Approximately 175 employees completed their annual hearing exams during the three onsite events. The Safety

team worked with foreman, supervisors, and managers to ensure that all required employees were in the appropriate Medical Monitoring Program(s). The Safety team continues to organize, coordinate and schedule employees for their medical exams. There were 2 onsite “pop-up clinics” for our medical surveillance vendor at the ECOC. Approximately 30 employees had their annual medical exams completed during those two events. Safety will continue to ensure all employees are current on their medical monitoring.

Awards

The American Public Power Association (APPA) recognized the top utilities from across the country for their safe operating practices in 2024. We’re excited to announce that SMUD earned the APPA’s 2024 Safety Award of Excellence, achieving Diamond Status. The Diamond designation is the highest status awarded by APPA to utilities who demonstrate a strong commitment to its employees, customers and the community. The Diamond Status was awarded to SMUD during Q1 of 2025.

The National Safety Council (NSC) recognized SMUD in Q1 of 2025 for the 2024 Occupational Excellence Achievement Award. This award recognizes organizations with injury and illness records better than or equal to 50% of the Bureau of Labor Statistics for their NAICS code.

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

This Board accepts the monitoring report for **Strategic Direction SD-6, Safety Leadership**, substantially in the form set forth in **Attachment ____** hereto and made a part hereof.

SSS No. ZCES 25-002

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date

Policy – 10/08/25

Board Meeting Date

October 16, 2025

TO					TO				
1.	Claire Rogers				6.	Suresh Kotha			
2.	James Frasher				7.				
3.	Lora Anguay				8.				
4.	Farres Everly				9.	Legal			
5.	Brandy Bolden				10.	CEO & General Manager			
Consent Calendar	X	Yes	No If no, schedule a dry run presentation.		Budgeted	X	Yes	No (If no, explain in Cost/Budgeted section.)	
FROM (IPR)		DEPARTMENT				MAIL STOP		EXT.	DATE SENT
James Frasher		Research and Development, Grants, and New Business Development				K221		6082	09/11/25
NARRATIVE:									
<p>Requested Action: Accept the monitoring report for Strategic Direction SD-10, Innovation.</p> <p>Summary: Report on the status of Strategic Direction 10 (SD-10) Innovation, for performance from June 2024 through July of 2025. Report addresses innovation leadership accomplishments along with opportunities and challenges.</p> <p>Board Policy: This report supports the SD-10 Innovation by providing performance status. (Number & Title)</p> <p>Benefits: Provide the scheduled monitoring report as requested by the Board of Directors and Executive staff. The report provides an opportunity to make recommendations or policy revisions, as necessary.</p> <p>Cost/Budgeted: Costs contained in budget for internal labor.</p> <p>Alternatives: Provide via written report through the Chief Executive Officer and General Manager.</p> <p>Affected Parties: Board of Directors, Executive Office</p> <p>Coordination: Organization-wide</p> <p>Presenter: James Frasher, Director, Research and Development, Grants, and Partnerships</p>									

Additional Links:

SUBJECT	ITEM NO. (FOR LEGAL USE ONLY)
Strategic Direction SD-10, Innovation Monitoring Report	6

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Board of Directors

DATE: September 24, 2025

FROM: Claire Rogers *CR 9/24/25*

**SUBJECT: Audit Report No. 28007873
Board Monitoring Report; SD-10: Innovation**

Internal Audit Services (IAS) received the SD-10 *Innovation* 2025 Annual Board Monitoring Report and performed the following:

- Selected a sample of statements and assertions in the report for review.
- Compared sample to the corresponding supporting documentation to identify potential discrepancies.

All items sampled within the SD Report aligns with the supporting documentation provided at the time of review.

CC:

Paul Lau

Board Monitoring Report 2025 Strategic Direction, SD-10 Innovation



1) Background

SD-10 States: Delivering innovative solutions, products and services to our customers is a core value. To assure our long-term competitiveness, SMUD shall invest in research and development projects that support its core and key values, and integrate emerging technologies and new business models into SMUD's customer offerings in a way that balances risk and opportunity and benefit our customers and community.

2) Executive Summary

To assure SMUD's long term competitiveness and delivery of the Clean Energy Vision, the Research & Development (R&D) team provides subject matter expertise, project planning and execution in support of SMUD's core and key values. R&D evaluates emerging technologies, and business models and accelerates integration into SMUD's operations in a way that balances risk and opportunity. The R&D portfolio contains both short term and multi-year projects focused on enabling thermal transition, scaling load flexibility, and facilitating electrification of buildings and transportation. We support SMUD through research, analysis, development and demonstration of emerging technologies that benefit our customers and community. Including the transition of vetted technologies into operations, and analysis of energy and climate change policies.

Our conclusion is that SMUD is in compliance with SD-10 Innovation.

SD Requirement	Purpose	Outcome	Notes
	Project distribution indicates breadth of portfolio diversity and prioritization of program areas.	25 active projects in 2025. 4 projects are completed as of July 1, 2025 ¹ .	This reflects a 14% increase in active projects and a 20% reduction in completions compared to the previous reporting period.
Risk	Technology risk assesses ability to meet expected performance goals. Implementation risk assesses the probability of deployment.	76% of projects are deemed low to medium-low technology risk. 72% are deemed low to medium-low implementation risk.	The risk portfolio is consistent with the previous reporting period. Potential risks are managed by creating a diversified portfolio and partnering with other entities to distribute risk and mitigation.
Benefits	Research stage and benefits timeframe indicate the relevance of portfolio to address customer needs and strategic planning.	68% of projects are in stages 4-5 ² . 96% are expected to provide benefits to SMUD or customers within 5 years.	The percentage of stages 4-5 is consistent with 64% in 2024, reflecting the focus on near-term applications. The benefits time frame is consistent with the 2024 portfolio.

Table 1: SD Requirements Compliance

¹ Reporting metrics and achievements reflect the reporting period of July 1, 2024 – June 30, 2025.

² Stage 1 - Preliminary Investigation, Stage 2 - Concept Definition/Lab scale, Stage 3 - Concept Development (Prototype/bench scale), Stage 4 - Technology Development and Verification (pilot scale; field testing), Stage 5 - Commercialization

3) Additional Supporting Information Project Implementation: SMUD's Research and Development team has the primary responsibility of meeting SD-10; however, notable innovation occurs throughout SMUD.

Electric Transportation (ET)

Transportation electrification advances SMUD's sustainability goals by improving air quality, reducing local emissions and petroleum use, and generating new revenue. SMUD is committed to increasing EV adoption and expanding charging access to serve a wider range of customers and use cases. At the same time, we are addressing grid impacts from EV charging through pricing incentives and remote charging management, investigating managed charging (V1G) and Vehicle-to-Grid (V2G) technologies to better understand their potential benefits and challenges.

Key Achievements:

- SMUD has agreements pending signature for the eFuel program to begin deploying EV chargers to underserved multi-family homes in Q4 2025 as part of the ChargeReady Community project, a \$2M CEC REACH grant awarded to SMUD in 2022.
- Installation of 3 smart outlet products to test the installation, setup process and user experience, to enable greater deployment of EV charging at multifamily properties.
- The Residential Managed EV Charging pilot enrolled over 1,000 vehicles from Tesla, Ford and BMW (GM left the Chargescape collaborative and therefore is no longer included in this pilot). Final M&V report is planned for Q3 2025 release. Pilot is extended through end of 2025 to bridge the gap between pilot end and program launch.
- SMUD was awarded \$2.9 million by the California Energy Commission to deliver the FAST grant, that would deploy 150KW+ fast chargers at the Sacramento International Airport, Sacramento Valley Amtrak Station and Sacramento State University. As part of the grant SMUD scoped out requirements for the development of a SMUD-branded EV Charging App. Offering a convenient single account access to multiple third-party charging networks through an integration with an e-Roaming platform. The app will provide varied rate structures for specific customer groups, such as on-demand transportation drivers, multifamily residents, and income qualified residents. These varied rates are intended to provide affordable charging options for those without access to home based charging and to reduce the opportunity cost associated with charging as an on-demand transportation driver.
- EPRI EVs2Scale project developed the GridFast portal, enabling EV fleet operators to exchange information with utilities before applying for service. SMUD provided data to the [EPRI eRoadMap](https://eroadmap.epri.com/) (<https://eroadmap.epri.com/>), and is using data exported from the [EPRI eRoadMap](#) to develop SMUD's internal analytics and planning tool (EVmap).
- The V2G Commercial Expansion project is recruiting the first commercial customer and detailing the test plan for the initial technical demonstration with electric school buses.

Energy Efficiency (EE) & Electric Buildings (EB)

This portfolio optimizes energy delivery costs and balances infrastructure investments with demand growth via targeted, time-specific energy efficiency and building

electrification. R&D explores emerging and underutilized technologies, working to lower barriers to technology adoption.

Key Achievements:

- The **Home Infrastructure Planning project** is complete. The vendor delivered a Residential End State model to estimate load profiles for single family residential customers after full electrification. Work is underway to deploy this model in the SMUD environment and scale up analysis to represent SMUD's full single family residential population, to help distribution planners and customers make optimal decisions regarding utility service upgrades and supporting residential electrification.
- **The panel upgrade mitigation demo** has completed vetting in-house OEM testing for SPAN and is undergoing the same process for Schneider Electric and Lumin/ABB products. The project team is recruiting customers that require panel upgrades due to electrification upgrades funded by the Community Impact Plan.

DER Integration and Load Flexibility

This program portfolio supports cost-effective, reliable, and scalable flexible resource growth to serve future grid needs. R&D determines functional, operational and market viability of flexible loads to align supply and demand, give customers bill management options, improve air quality, improve grid asset utilization and reduce carbon emissions.

Key Achievements:

- DER Interconnection Tool Enhancement - NREL has been active in multiple projects involving the **PRECISE** tool. They've partnered with Consolidated Edison to show the tool's capability in network secondary systems and are deploying it with the US Virgin Islands Water and Power Authority. Additionally, they are enhancing the PRECISE tool through advanced research using neural networks and large language models through laboratory directed research and development funding.
- R&D staff collaborated with the strategy, interconnection, field metering and distribution operations teams to establish a process for vetting new technologies submitted for interconnection, starting with meter socket adapters.
- Smart inverters allow utilities to monitor residential PV and storage (potentially as an alternative to submeters) and provide control functionality to assist in grid support. This project tested smart inverter communication via two pathways: direct connection and aggregators. Data analysis via Direct Connection showed monitoring accuracy within 1% for voltage and power and 4% for current, as compared to a revenue grade meter. The existing interoperability issues should largely be fixed in the next CSIP revision, CSIP 3.0 (based on IEEE 2030.5-2023). The Aggregator pathway finished lab and customer testing using an IEEE 2030.5-CSIP server. This test was successful, with minor issues relating to interoperability, configuration and setup. Direct connection was demonstrated as a feasible option for standards-based access to specific inverters, while the aggregator pathway leveraged OEM and aggregator relationships to establish pilot access agreements, making them applicable to a broader range of smart inverters.

Thermal Transition

R&D pursues innovative grid, storage and generation solutions to facilitate SMUD's goal of zero carbon and accelerate interconnection of grid-connected systems and devices for safe and efficient operation. This portfolio supports system reliability and emission reduction by aligning DERs and zero-carbon generation with grid needs. Improving grid reliability through reduced outage frequency and duration, control of the distribution system, voltage and frequency variations, including overload conditions; and optimizing grid benefits of DERs through advanced integration standards and coordinated automation.

Key Achievements:

- Pilot of the ANYbotics Robot Inspection Dog has commenced. This tool is paired with substation inspection workers to perform daily tasks like SF6 gas monitoring and infrared, and partial discharge testing to look for early signs of trouble. The Substation, Metering and Telecommunications team work closely with IT to streamline data access. Once programmed and adapted to substation work, potential use cases with other workgroups within SMUD will be explored.
- MEPPI Lithium-ion battery testing began at Hedge (Sacramento Power Academy) to transition from scheduled operation to DSO dispatch.
- Conclusion to ESS pilot and coming removal of ESS Energy Warehouse batteries from Hedge (Sacramento Power Academy).
- Demonstration of the OnSight Owl Computer Vision AI System to provide pre-emptive thermal runaway detection for utility scale lithium-ion batteries. A proactive supplement to traditional fire alarm systems, which also enables real-time monitoring.
- Phase 3 of the Fire Protection & Mitigation project with EPRI began, to revise the emergency response plan and develop a plume modeling report, along with conducting tabletop drills to increase the emergency readiness of SMUD staff and first responders.

Climate Change

This program provides technical, economic, and policy expertise on climate change and impacts to SMUD territory. It compliments SMUD's Zero Carbon Plan and aligns with board direction to address climate vulnerabilities, along with partnering with our customers and community on mitigation opportunities and regenerative net positive projects.

Key Achievements:

- Carbon Farming and Ecosystem Service Research is a four-year study aimed to restore California prairies and native pollinator habitat under PV panels in surrounding perimeter areas at Rancho Seco II. In its final year, the project's focus shifted to emphasizing low-maintenance methods on an expanded footprint and an effort to achieve Bee-Better Electric certification. This project will help identify and demonstrate strategies to integrate ecosystem services and agricultural value into large scale solar projects, helping to mitigate their environmental impact and build public support for their continued construction, assisting SMUD in achieving the 2030 ZCP.

Enterprise-Wide Innovations

While SD-10 innovation goals are met within the R&D research portfolio, additional notable achievements occurred across SMUD.

- DERMS phases 2 and 3 went live in Q4 2024, providing distribution operators with tools to manage localized grid support from large-scale DER and dynamically coordinated grid support from groups of small DER.
- Staff kicked off the planning stages of two microgrid-powered resiliency centers at high schools in Sac City Unified and Twin Rivers School Districts.
- Deployed SMUD GPT, an alternative to ChatGPT, so staff can research topics, summarize documents, and generate content while keeping data local to SMUD.
- In addition to SMUD GPT, staff have developed AI solutions trained on SMUD-specific data. These Retrieval Augmented Generation (RAG) solutions have been implemented for multiple topics, including: Critical Energy Infrastructure Information Summaries; Wildfire Mitigation; Credit Knowledge Base; Billing Knowledge Base; Subscription-Based Information Technology Arrangements (e.g. software-as-a-service); North American Electric Reliability Corporation (NERC); Corporate Communications; Distributions Team; Design & Construction Services; CPUC G.0.95 Safety Guidelines; Board Materials; and Safety team.
- Staff developed a machine learning model to estimate potential outages of a storm, based on the weather forecast. Wind gust has been identified as a key indicator in the forecasting algorithm.
- EVmap; an analytics and planning tool developed by SMUD staff to visualize available capacity on SMUD's distribution grid, layered with data points identifying EV charger locations, multifamily housing developments, DAC zones, and other information to support strategic identification of sites for charger deployment and customer recruitment.

Summary: As SMUD advances toward implementation of the 2030 Zero Carbon Plan, R&D has ramped up support for thermal transition and load flexibility technologies and business models, focused on energy storage and electric transportation, while continuing to advance research in climate change and technologies that enable building electrification. These innovations mitigate grid infrastructure impacts, maintain customer choice and offer new solutions toward a low carbon future. Our diverse portfolio maintains long-term competitiveness and balances risk with potential environmental and economic benefits, ensuring community benefits.

4) Challenges: Uncertainty of federal incentives, tariffs, supply chain lead times, inflationary impacts all require careful navigation. Staff resources remain focused on providing subject matter expertise for efforts supporting zero carbon by 2030, balanced between grant planning, acquisition and delivery to reduce SMUD's costs for R&D and project planning and implementation.

5) Recommendation: Recommend the Board accept the SD-10 Monitoring Report.

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Table 2: R&D Projects

Research Program	ID	Project Name	Project Description	SD-10 Benefits	Start Date	End Date	Ward
Building Electrification	131	Panel Upgrade Mitigation Demo	Currently project team is working with external partners to setup operational validation testing at their labs or in the SMUD HAN lab. In parallel project team is finalizing the customer consent agreement documents with SMUD's internal legal department and the Measurement and Validation plan with our external partners.	<p>Single-family households face barriers to electrification due to the limitations of existing electrical systems, which often necessitate costly panel and service upgrades. This project aims to assess various smart panel/breaker solutions through field research in homes in the Sacramento area to better understand the true costs, performance, and customer impacts.</p> <p>The expected outcomes of this project are a better understanding of: Best practices for deciding when and where to deploy each panel mitigation strategy. Identification of unforeseen barriers to smart panel/breaker technology. Frequency of load nearing or reaching the service limit. The technology readiness level of various manufacturers for mitigating service upgrades.</p>	11/19/2024	9/30/2026	All
Building Electrification	120	Home Infrastructure Planning Phase II (HIP II)	This project developed a Residential End State model to forecast the load shapes of residential homes following full electrification. This data improves SMUD's ability to estimate the likely magnitude of impacts from residential electrification due to panel upgrades and distribution grid upgrades.	Better understanding of the infrastructure needs for fully electrified residences should help reduce the costs incurred by SMUD and our residential customers as they electrify their homes and vehicles. This will help to reduce future rate increases expected from the 2030 Zero Carbon Plan and accelerate the decarbonization of residential homes.	5/1/2023	12/30/2025	All

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Building Electrification	127	RTU Engagement Tool - Small, Medium Business (SMB)	The tool is exiting its initial development phase. The project will be moving into field testing by the SAA's. This testing will go on for two weeks and feedback from the SAA team will shape the final product.	The tool will provide estimated bill impacts, including demand charges, for retrofitting roof top HVAC units at small and medium businesses to electric heat, information to assist in the decision to electrify equipment in commercial facilities. The customer engagement tool will enhance SMUD strategic account advisors' (SAAs') ability to target and encourage customer electrification by providing precise, customer-specific analysis of the realistic impacts on each customer's bill. This will allow customers to make informed decisions about electrification, which will lead to accelerated decarbonization, with associated energy savings, and overall emission reductions. It will also allow facility staff to enter equipment and other information to refine and improve cost estimates if they so choose.	8/30/2024	9/15/2025	All
Climate Change	64	Carbon Farming and Ecosystem Service Research at RSSII	Conduct field experiments at Rancho Seco to research ecosystems and evaluate the use of native species/pollinators to reduce the operational costs associated with vegetation management, erosion control, and fire protection. The project will explore the effects of vegetation and panel layout on PV generation and soil carbon.	The project will help identify and demonstrate strategies to integrate ecosystem services and agricultural value into large scale solar projects, helping to mitigate their environmental impact and build public support for their continued construction, assisting SMUD in achieving the 2030 ZCP.	1/30/2021	1/30/2026	2
Electric Transportation	107	V2G Commercial Expansion	This project will build off the electric school bus project with Twin Rivers Unified School District. The project will demonstrate and test Automated Load Management, Managed Charging, and Vehicle to Grid functionality with electric school buses and other capable EVs.	Reduce grid impacts, reduced customer infrastructure build-out cost, wholesale energy or capacity cost avoidance, and mirror characteristics of stationary storage using V2G.	1/1/2022	12/31/2027	All

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Electric Transportation	97	ChargeReady Community	<p>In early 2022, SMUD was awarded the CEC's Reliable, Equitable, and Accessible Charging for multi-family Housing (REACH) grant (GFO-21-603) to deploy charging infrastructure to multi-family housing units (MFHs) in underserved communities. The main goal of the project is to develop a technical and business model to inform future deployments and disseminate knowledge in the industry. Project partners include Mutual Housing and the SMAQMD. The project team will install at least 108 Level II handles at up to 11 locations in Sacramento, utilizing SMUD's eFuel program for design and construction.</p> <p>OLD description: ChargeReady Community is the Sacramento region's replicable, equity-first EV charging solution for multi-family housing (MFH). Powered by Sacramento Municipal Utilities District (SMUD) and in partnership with community-based organization (CBO) and site host Mutual Housing California (Mutual Housing) and Sacramento Metropolitan Air Quality Management District (SMAQMD), ChargeReady Community will deploy a pilot model that transitions EV charging in under-resourced communities from inaccessible amenity to expected, critical infrastructure.</p>	Help SMUD better understand the challenges and opportunities of deploying EVSEs in multi-unit dwelling in underserved communities, helping SMUD advance the adoption of electric transportation, which contributes to GHG emissions reductions, and promoting equity in transportation.	5/11/2022	6/30/2025	All
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Electric Transportation	125	EPRI EVs2Scale2030	The “EVs2Scale2030” initiative is a three-year project focused on leveraging the scale of the utility industry to help galvanize and align all market stakeholders as electric vehicles are deployed at scale and as EV goals increasingly target 50% EV market share by 2030. The initiative will focus on what needs to get done over the next 7 years to reach the 2030 goals. EPRI plans to broadly collaborate with utilities, vehicle manufacturers, charging providers, industry experts, trade associations, consumer groups, civil society, federal agencies and labs to support the rapid deployment and charging of millions of electric vehicles – while minimizing grid impacts and enabling critical grid benefits.	<p>Deliverables include best practice templates and guidelines for various areas in transportation electrification, the nation's most comprehensive and consolidated resource for industry stakeholders, including utilities and state agencies, to vet products and equipment for the deployment of electric vehicle charging and hardware systems, two new software tools:</p> <p>eRoadMap2030 - an industry-first fleet data collection and analysis that provides the necessary data-backed level of detail to provide utility leaders and regulators data-supported confidence for proactive, focused grid investment needed to meet 2030 electrification goals. GridFAST - A platform-based grid interconnection online data exchange to expedite the sharing of fleet electrification plans and grid capacity between fleet customers and distribution planners.</p>	7/14/2022	12/31/2026	All
Electric Transportation	133	FAST Grant Implementation	Sacramento Municipal Utility District (SMUD), in partnership with Sacramento International Airport (SMF), Sacramento Valley Station (SVS), California State University, Sacramento (CSUS), and ChargerHelp! (CH!), are deploying Direct Current Fast Charging stations (DCFCs) at three locations in Sacramento. With CEC match funding, this project will support the deployment of three fast charging hubs, with a total of 15 stations and 30 ports, strategically located in optimum locations with high on-demand transportation volume, near multi-family housing properties, and with quick and easy access to main transportation corridors. SMUD is currently developing a mobile app, integrated with an e-Roaming platform, to enable convenient access to locate chargers, activate sessions, and pay for charging across multiple charging networks through a single account.	Increase EV adoption by delivering electric mobility solutions throughout transportation corridors, promoting electric transportation as a benefit for drivers while lowering charging costs to increase access to electric vehicle (EV) charging for ride-share drivers, food delivery drivers, rental car fleets, shared mobility services, and residents	4/23/2024	3/30/2026	All
Electric Transportation	22	Residential Managed EV Charging (V1G)	Actively manage residential EV charging times and peak power consumption. Managed EV charging can enable deferment of distribution system upgrades, smooth the duck curve, reduce renewable generation curtailment, and provide import and export arbitrage opportunities.	Benefits include reduction of the financial risks associated with transportation electrification, specifically by mitigating the risk of overloading electrical distribution infrastructure. Another secondary benefit is to better align energy delivery for charging with low-cost energy supply.	10/1/2021	12/31/2025	All

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Electric Transportation	130	Smart Outlet Evaluation	SMUD staff are evaluating three smart outlet products to gain first-hand knowledge and experience with their performance. This will influence programmatic policies and direction, and allows program managers directly involved in consulting with customers or performing direct installations of chargers to evaluate these products and influence the market toward adoption of suitable technology.	Smart outlets promise advantages over traditional corded Electric Vehicle Charging Station (EVCS), including lower initial cost, simpler installation, lower physical profile, lower maintenance costs, and reduced maintenance burden for site hosts.	11/1/2024	9/30/2025	All
Electric Transportation	24	SMUD-Owned EVSE	Operation and maintenance of SMUD's public level 2 and DCFC charging stations.	Increase EV adoption by having publicly available working charging stations in high trafficked areas.	1/1/2014	12/31/2027	All
Electric Transportation	17	Del Paso Mobility Hub	Help create an e-Mobility hub for different modes of transportation, such as taxis, Uber, Jump, buses, etc. It will also include EV charging capability as well as gig cars. The first project in execution is the Del Paso Mobility Hub.	This is a novel project and transportation facility concept. It includes electric and fuel cell vehicles, including an electric shuttle, EV charging, shared vehicles, electric micro-mobility (ebikes and electric scooters) and transportation services.	9/1/2022	2/28/2025	5
Electric Transportation	104	Light Duty Fleet V2G	This project will test and demonstrate V2X functionality on campus with a Nissan Leaf and Fermata chargers. In partnership with TEPCO (Tokyo Electric Power Company) we will evaluate the interconnection process, installation requirements, and V2X functionality. Furthermore, we will explore the V2X optimization systems using the simple price API from both Virtual Peaker and Fermata. This demonstration and evaluation will help us discover issues and gain insights into V2X in a very low risk environment. This research will help inform a potential V2X pilot in the future.	Informed deployment of light-duty V2X will reduce grid impacts and customer infrastructure build-out costs. LDV fleet management can also offer wholesale energy or capacity cost avoidance, and mirror characteristics of stationary storage.	1/1/2022	7/31/2025	All
Electric Transportation	20	Twin Rivers Commercial Managed Charging (V1G, V2G)	Incorporate electric school buses and light duty vehicles to evaluate the effectiveness of managed charging and vehicle-to-grid capabilities to balance impacts on customer and utility electrical distribution and create value through grid services.	V1G findings will support smart charging applications which can mitigate customer charging costs and support grid management and deferred infrastructure upgrades. Reduce grid impacts, reduced customer infrastructure build-out cost, wholesale energy or capacity cost avoidance, and mirror characteristics of stationary storage using V2G.	1/30/2021	3/31/2025	5
Energy Storage	138	EPRI Phase 3 Fire Protection & Mitigation	Develop an Emergency Response Plan for the Hedge Lithium-Ion battery and perform tabletop drills for SMUD personnel and first responders.	Better understand the requirements for safety and reliability for utility scale batteries. Develop resources to train SMUD stakeholders and first responders to understand lithium-ion battery storage fire hazards and response for existing and future battery systems.	3/3/2025	12/31/2026	3

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Energy Storage	122	Hedge 4 MW/8MWh Monitoring and Maintenance	Operation of a 4 MW / 8 MWh utility-scale storage battery to test different operational modes and grid interactions.	The operation and testing of the Hedge Lithium-ion battery will inform the installation and direction of SMUD's future battery projects as they ramp up to meet the 2030 plan of ~3000MW of renewables and storage.	1/20/2024	1/19/2029	3
Energy Storage	132	OnSight Owl Computer Vision AI System	This technology serves as a pre-emptive thermal runaway detection for utility-scale lithium-ion batteries, that supplements traditional fire detection and alarming. As soon as something abnormal is spotted or sensed by AI analysis of the camera feed, such as smoke or a rapid/significant increase in temperature above our threshold, the Owl sends out text message and email alerts within seconds. Additionally, there is a real-time monitoring dashboard which allows us to view the lithium-ion batteries at Hedge.	Benefits of this technology include avoiding thermal runaway and preventing battery systems from igniting on fire.	11/1/2024	10/31/2025	3
Grid Evolution	136	ANYbotics Robot Inspection	Improve issue identification for preventative maintenance to reduce unexpected failures in operation and significant cost to failure of preventative maintenance. There are 4 employees dedicated to monitoring 264 substations every month, this technology will aid existing inspection staff. This will increase data collection and accuracy through robot assistance with manual and autonomous missions.	This technology will supplement the substation walkdowns done by substation operators. As the substation operator is conducting their inspection routine, the robot will aid in identifying smaller failures that are not noticeable by the human eye until it becomes a bigger failure. Being able to catch failures earlier can help minimize cost and risk.	5/28/2025	5/27/2028	All
Grid Evolution	137	Implications of Transmission Modernization and Investments to Aid Decarbonization	This project explored the implications of transmission modernization in the context of FERC 1920, using the Sacramento Municipal Utility District (SMUD) as a case study. It examined how regulatory changes influence investment decisions, regional coordination, and system-wide cost efficiency. This project analyzed how modernizing transmission infrastructure can enable the integration of renewable energy, reduce congestion, and support the path toward zero-carbon electricity systems.	Reduced Congestion Costs Lower Generation Costs Reduced Transmission Losses Capacity Cost Savings Improved resource adequacy Reduced Transmission Costs Enhanced climate resilience	3/3/2025	6/9/2025	All
Load Flexibility	139	Grant Union Resiliency Center	Develop a microgrid-powered Community Resiliency Center (CRC) at Grant Union High School in the Twin Rivers Unified School District (TRUSD).	Deploy a first-of-its-kind microgrid to demonstrate how a microgrid can provide additional benefits beyond resiliency centers by using SMUD's SolarShares and Commercial VPP programs. Serve as a template for future school installations.	6/2/2025	9/30/2026	5

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Load Flexibility	134	PRECISE DER Interconnection Tool Enhancements	Evaluate DER interconnection applications and identify the advanced inverter settings that each DER (Batteries, Solar+Battery, Large-Scale DER, Flexible and Limited Generation Profiles LGP, EV Charging Stations, and V2H/V2G) system to be set to. This process will significantly save SMUD engineer's time and yet maximize the benefit of each asset.	Increased safety and avoiding reprogramming of advanced inverters post-install, and minimizing curtailment. Deploying the tool in a real utility environment would advance chances of commercialization of PRECISE and revenues to SMUD. Save an estimated 45 minutes per interconnection application, approximately 600 engineering hours annually. Reduce labor demands, enabling engineers to focus on more complex tasks without adding staff. Expedite turn-around on customer interconnection applications Increase DER Hosting Capacity on SMUD's grid. Interconnection process handles additional DER types (Batteries, Solar+Battery, Large-Scale DER, Flexible and Limited Generation Profiles LGP, EV Charging Stations, and V2H/V2G).	1/1/2025	12/31/2026	All
Load Flexibility	135	New Customer Technology Evaluation Process	Provide technical review of Meter Socket Adapters which allow the customer the ability to potentially avoid panel upgrades from PV/Battery installation via an adapter that interconnects between the utility meter and the customer main panel.	Potentially allows customer to avoid panel upgrades from installation of PV/EV. Could lead to increased adoption and penetration of DER	6/26/2025	8/31/2025	All
Load Flexibility	89	Smart Inverters	This project will test smart inverter connection via two pathways: direct connection and through vendors/aggregators. Direct connection will assist in development of the DERMS, while the vendor/aggregator pathway leverage OEM and aggregator relationships to establish pilot access agreements to a broader range of smart inverters.	Smart inverters are new technology that allows SMUD to monitor residential PV and storage and provides control functionality to assist in grid support. Ensuring that IEEE 2030.5-CSIP is a reliable communication protocol will help open up this communications pathway for many devices.	7/1/2021	7/31/2025	All

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Load Flexibility	69	EnergyKit HEMS field demo	Ynventive, CLTC, Panasonic and SMUD have partnered to install the EnergyKit home energy management system into eight residential homes and evaluate it's performance managing residential loads in response to price signals and demand thresholds. Final update: AC usage is almost equivalent to the rest of the loads coming from a home (dryer, washer, dishwasher, lights, etc.). TOU cost nudges or delay sliders nudges on these none-AC loads were not enough to persuade customers to load shift with any significance. As possible next steps, CLTC would like to test CPP rate and nudges with existing customers. Adding customer to CPP rate may yield better load shift results.	Assuming the EnergyKit EMS performs as expected, it could enable customers to reliably shift their loads due to price signals and providean alternative to panel upgrades for capacity constrained customers interested in electrification.	4/30/2021	12/31/2024	All
Load Flexibility	141	Multi-family VPP Planning	Planned a deployment of up to 100 behind the meter batteries paired with rooftop solar at a multifamily complex in Rancho Cordova. SMUD will have complete dispatch control of the batteries. Developed business requirements for integration between Sonnen batteries and Itron's Intellisource platform using IEEE 2030.5. Detailed business requirements and process for coordination between Distribution System Operators, Interconnection, Distribution Planning, Energy Trading, Distribution Operations Engineering, IT's Customer and Grid Operations, and Distributed Energy Solutions teams.	SMUD specified a battery operation schedule to mitigate distribution infrastructure constraints. Identified the need to update and clarify interconnection guidelines, requirements and fees for multifamily customers, and to account for utility visibility and control of distributed generation assets.	10/2/2023	6/1/2025	2

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Building Electrification	131	Panel Upgrade Mitigation Demo	Currently project team is working with external partners to setup operational validation testing at their labs or in the SMUD HAN lab. In parallel project team is finalizing the customer consent agreement documents with SMUD's internal legal department and the Measurement and Validation plan with our external partners.	<p>Single-family households face barriers to electrification due to the limitations of existing electrical systems, which often necessitate costly panel and service upgrades. This project aims to assess various smart panel/breaker solutions through field research in homes in the Sacramento area to better understand the true costs, performance, and customer impacts.</p> <p>The expected outcomes of this project are a better understanding of: Best practices for deciding when and where to deploy each panel mitigation strategy. Identification of unforeseen barriers to smart panel/breaker technology. Frequency of load nearing or reaching the service limit. The technology readiness level of various manufacturers for mitigating service upgrades.</p>	11/19/2024	9/30/2026	All
Building Electrification	120	Home Infrastructure Planning Phase II (HIP II)	This project developed a Residential End State model to forecast the load shapes of residential homes following full electrification. This data improves SMUD's ability to estimate the likely magnitude of impacts from residential electrification due to panel upgrades and distribution grid upgrades.	Better understanding of the infrastructure needs for fully electrified residences should help reduce the costs incurred by SMUD and our residential customers as they electrify their homes and vehicles. This will help to reduce future rate increases expected from the 2030 Zero Carbon Plan and accelerate the decarbonization of residential homes.	5/1/2023	12/30/2025	All

Table 3: Enterprise-Wide Initiatives

Initiative Name	Initiative Description	Initiative Benefits	Start Date	End Date	Ward
DERMS	Strategic business partnership with OSI to develop a Distributed Energy Resource Management System whereas SCADA and behind the meter resources can be used to solve distribution constraints, participate in the market, and manage flexible loads.	Leverage DER capabilities to meet economic objectives, peak load reduction, local constraint issues, deferred infrastructure investment, and grid optimization. As OSI's partner, SMUD shares revenue from future sales.	2018	2028	All

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SMUD GPT	SMUD GPT is a locally hosted alternative to ChatGPT. It allows staff to summarize documents, research topics, and generate new content while keeping all data local to SMUD.	As of June 30, SMUD GPT had 365 active weekly users, creating 1,190 conversations per week. Use cases are varied, including code generation, technical troubleshooting, research, training content development	2025	N/A	All
SMUD GPT RAG Solutions	These are AI solutions that have been trained on SMUD-specific data. They allow staff to quickly research technical topics with answers that are grounded in curated information repositories.	<p>Implemented custom Retrieval-Augmented Generation solutions for:</p> <ul style="list-style-type: none"> • Critical Energy Infrastructure Information Summaries • Wildfire Mitigation • Credit Knowledge Base • Billing Knowledge Base • Subscription-Based Information Technology Arrangements (e.g. software-as-a-service) • NERC • Corporate Communications • Distributions Team • Design & Construction Services • CPUC G.O. 95 safety guidelines • Board Materials • Safety Team 	2025	2025	All
Storm Forecasting Model	Staff created a model to estimate the number of outages a storm will cause, based on the weather forecast. The model considers wind speeds, temperatures, recent precipitation, and other factors. This data can be considered when developing staffing plans for storms.	Initial Machine Learning model developed based on historical weather. Accuracy is strongly influenced by the accuracy of the weather forecast. Also explored variation using historical forecast rather than actuals for comparison. Wind gust identified is a key indicator in forecasting algorithm.	2025	2025	All
Gridscope	SMUD initiated a 3-year pilot project with Gridware, to install about 500 “Gridscope” devices on our transmission and distribution poles in the Upper American River Project (UARP) and in our service area, targeting distribution circuits with high fire risk, high number of outages, and a high percentage of outages with unknown cause.	The purpose of these solar-powered monitoring devices is to detect early signs of potential hazards like vibrations from car-pole incidents, bird strikes, fallen tree limbs, wind damage and downed wires. This allows for more rapid identification of outage cause and damage location, speeding restoration and allowing more targeted preventive measures.	2025	2027	2,3,4,5,7

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

This Board accepts the monitoring report for **Strategic Direction SD-10, Innovation**, substantially in the form set forth in **Attachment ____** hereto and made a part hereof.

SSS No. ZCES 25-003

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date

Policy – 10/08/25

Board Meeting Date

October 16, 2025

TO				TO			
1.	Claire Rogers	6.	Suresh Kotha				
2.	James Frasher	7.					
3.	Lora Anguay	8.					
4.	Farres Everly	9.	Legal				
5.	Brandy Bolden	10.	CEO & General Manager				
Consent Calendar	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>If no, schedule a dry run presentation.</i>	Budgeted	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No <i>(If no, explain in Cost/Budgeted section.)</i>		
FROM (IPR) James Frasher	DEPARTMENT Research and Development, Grants and New Business Development			MAIL STOP K221	EXT. 6082	DATE SENT 09/11/25	

NARRATIVE:

Requested Action: Accept the monitoring report for Strategic Direction SD-19, Diversified Business.

Summary: Report on the status of Strategic Direction SD-19, Diversified Business (SD-19), for performance from June 2024 through July of 2025. Report addresses innovation leadership accomplishments along with opportunities and challenges.

Board Policy: This report supports the SD-19 Diversified Business by providing performance status.
(Number & Title)

Benefits: Provide the scheduled monitoring report as requested by the Board of Directors and Executive staff. The report provides an opportunity to make recommendations or policy revisions, as necessary.

Cost/Budgeted: Costs contained in budget for internal labor.

Alternatives: Provide via written report through the Chief Executive Officer and General Manager.

Affected Parties: Board of Directors, Executive Office

Coordination: Organization-wide

Presenter: James Frasher, Director, Research and Development, Grants, and Partnerships

Additional Links:

SUBJECT

SD-19, Diversified Business Monitoring Report

ITEM NO. (FOR LEGAL USE ONLY)

7

ITEMS SUBMITTED AFTER DEADLINE WILL BE POSTPONED UNTIL NEXT MEETING.

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Board of Directors

DATE: September 24, 2025

FROM: Claire Rogers *CR 9/24/25*

**SUBJECT: Audit Report No. 28007874
Board Monitoring Report; SD-19: Diversified Business**

Internal Audit Services (IAS) received the SD-19 *Diversified Business* 2024 Annual Board Monitoring Report and performed the following:

- Selected a sample of statements and assertions in the report for review.
- Compared sample to the corresponding supporting documentation to identify potential discrepancies.

All items sampled within the SD Report aligns with the supporting documentation provided at the time of review.

CC:

Paul Lau



Board Monitoring Report 2024 SD-19, Diversified Business

1) Background

Strategic Direction SD-19 states that:

Broadening and diversifying the products and services that SMUD offers is a key value. The desired results are to: a) generate new revenues that contribute to SMUD's long-term financial health; b) spur the creation of innovative products and services; c) capture the value of SMUD's brand and intellectual property; d) better leverage and optimize SMUD's assets; and e) enable SMUD to continue to attract and retain a talented workforce.

Therefore:

- a) SMUD shall broaden and diversify its lines of business, which may include:
 - i. Being an external service provider;
 - ii. Expanding wholesale energy market opportunities;
 - iii. Capitalizing on intellectual property and assets to develop products and services either solely or through strategic partnerships;
 - iv. Selling products and services aligned with SMUD's purpose and Strategic Directions.
- b) SMUD shall ensure any new lines of business:
 - i. Benefit SMUD's customers and our community;
 - ii. Achieve a balanced, diversified portfolio of rewards and risks;
 - iii. Create economic value without compromising SMUD's financial health;
 - iv. Do not pose unreasonable risk to SMUD's reputation;
 - v. Align with, leverage, and optimize SMUD's strengths, assets and expertise;
 - vi. Position SMUD for the future.

2) Executive Summary

- a) The 2030 Zero Carbon Plan has positioned SMUD as a leader in the utility industry. The Diversified Business portfolio utilizes that leadership position to build revenue generating partnerships with technology developers, pursue external funding (grants) to support innovation and partnership, enable technology solutions to become fully commercialized through real world pilots and demonstrations, and expand regional access to green careers.
- b) **SMUD is in compliance with SD-19, Diversified Business.**
- c) Eliminating the final 10% of emissions from SMUD's energy supply requires the development of new technology and business models.

- d) The Grants Program manages or monitors 11 active competitively won grants at both the State and Federal level for a total of \$239M in total project costs and \$93M in award. The Grants Team supports SD-19 with grants that offset planned work or strategically introduce new work. In all cases, the pursuit and management of grants is a net financial positive to SMUD and represents a renewable and diverse funding stream.

External funding (2024)

Total Project Costs	Award Amount	SMUD Cost Share
\$239,149,326	\$93,463,703	\$145,685,622

Looking more closely at the Grants currently being implemented at SMUD, there are four projects that most closely align with SD-19 efforts. Three are related to electric vehicle charging and the fourth is focused on workforce development efforts. Each of the electric vehicle projects deploys a different model with nuances on how they might best align with SD-19. Additional details are found in Appendix A.

- e) New Business Development logged over 20 strategic opportunities in its database in 2024; after an initial review, a handful of these went on to the next evaluation stage. Although no new partnerships were entered into in 2024, considerable work was done to improve internal processes, strategic direction and thresholds to better focus resources on the most valuable opportunities for SMUD.

Partnership benefits to SMUD may include revenue sharing agreements, intellectual property development, future pricing commitments, service-based payments and/or partner commitments to regional investment. Partners benefit from SMUDs zero carbon leadership, subject matter expertise and collaboration on real world pilots and full-scale demonstrations.

Strategic Partners and Revenue Generating Relationships

Partner	Area of Focus
AspenTech (Formerly Open Systems International, Inc.)	ADMS / DERMS
ESS Inc.	Long Duration Energy Storage
Cal EPIC (Formerly California Mobility Center)	Mobility Innovation and Workforce Development
Itron	Smart meter and customer data platform
Simple Energy (Uplight)	Customer engagement and load flexibility
Smart Energy Water (SEW)	Customer Experience Platform Development
Community Choice Aggregators	Operational support and consulting services

Portfolio Revenue

2024 Gross Revenue*	2024 Costs	2024 Net Revenue
\$16,637,807	\$13,915,625	\$2,722,182

*Partnership revenue may include revenue sharing agreements, intellectual property royalties, and/or service-based payments. Future product discounts, stock warrant value, and other unrealized benefits are not accounted for as revenue.

3) Additional Supporting Information

a) Additional funding

Funding is most often pursued through grants; however, this category is not limited to grants. SMUD considers foundation funding, disaster recovery funds, state and federal funding allocations and other sources of funding in this category. Descriptions of 2024 funding are listed in Appendix A.

b) Community Choice Aggregator Services

SMUD currently provides 11 specific services to seven (7) community choice aggregators representing 2.6M meters. SMUD has, on average, added approximately one new CCA client and one new service launch per year. Specific details on these CCA's are listed in Appendix B.

c) Technology and Industry Partners

Diversified business is often an outcome of technology and industry partnerships. These relationships often build on the successes of individual pilots, projects, or other innovation initiatives. Specific details of projects and innovation are outlined in the SD-10, Innovation monitoring report. Additional strategic partnership details are included in Appendix C of this report.

4) Challenges

- a) With a new President elected in 2024, changes to the acquisition and implementation of Federal funding are imminent. It appears that grant funding will likely be at the mercy of shifting presidential priorities and that California in general could be a target for cancellation of awards.

- b) SMUD's leadership position in pushing towards zero carbon has created a significant number of potential opportunities and partnerships to consider. The prevalence of funding opportunities and the volume of companies with a desire to work with SMUD create challenges in filtering through the volume of opportunities in pursuit of the best opportunities. Strategic partnerships are often made more complex because they often involve technologies that are not fully commercialized or market ready. This combination of technology maturity and the broad scope of funding opportunities means that SMUD must be highly selective in choosing who to partner with and which funding opportunities to pursue. Developing the correct portfolio of grants and partnerships is critical to meeting the goal and intent of SD-19. Pursuing too many initiatives in parallel can result in a lack of support on the most important areas of focus. Additionally, it is critical that the efforts pursued have strong alignment with each other and the overall zero carbon plan.
- c) Zero Carbon by 2030 is a critical and aggressive timeline. As SMUD evaluates grants, partnerships and new business opportunities, it must be done in the context of achieving zero carbon by 2030. This timeline constraint must be considered when looking at the technology and commercial readiness levels of companies SMUD is considering partnering with. Similarly, grants and other external funds that have timelines that extend beyond 2030 may lack alignment with the 2030 Zero Carbon Plan. Pursuit of diversified business to help achieve zero carbon is a priority, but this pursuit will extend beyond 2030.

5) Recommendation

It is recommended that the Board accept the Fiscal Year 2024 Monitoring Report for SD-19, Diversified Business.

APPENDIX A

External Funding Descriptions

1. Catalyst Fund- Workforce Development Grant

Project Name: Catalyst Fund Workforce Development Grant

Funding Awarded: \$508,000

The 'Capitol Region Skilled Trades Workforce Pipeline Program' (Project) leverages regional experts in the Utilities, Transportation Infrastructure, and Commercial Construction Opportunity Industry Sectors to formally analyze the region's pipeline of skilled trades workforce with particular attention to identifying barriers to entry for disinvested community members. Utilizing detail from the initial analysis, this same cohort will co-create a robust curriculum that focuses on 'Common Skills' shared amongst the employer pool. The expectation for this Exploratory project is for members to consider and commit to pursuing shared training opportunities with potential to operationalize strategies that foster inclusion and ensure equitable outcomes. The concept for this Exploratory project originated from available regional data paired with repeated anecdotal evidence shared amongst employers within the project's targeted opportunity sectors. The throughline of the data and evidence was repeated emphasis on applicants having 'missing skills' due to lack of appropriate training.

2. FAST Grant

Project name: *SACommunity EV Hubs*

Funding Awarded: \$2,812,421

Sacramento Municipal Utility District (SMUD), in partnership with Sacramento International Airport (SMF), Sacramento Valley Station (SVS), California State University, Sacramento (CSUS), ChargerHelp! (CH!), and AECOM, proposed the deployment of Direct Current Fast Charging stations (DCFCs) at three locations in Sacramento, enabling increased access to electric vehicle (EV) charging for ride-share drivers, food delivery drivers, rental car fleets, shared mobility services, and residents. The project will support the deployment of three fast charging hubs, with a total of 15 stations and 30 ports, strategically located in optimum locations with high on-demand transportation volume, near multi-family housing properties, and with quick and easy access to main transportation corridors. SMUD will develop a mobile app, integrated with an e-Roaming platform, to enable convenient access to locate chargers, activate

sessions, and pay for charging across multiple charging networks through a single account. Development of this single public charging interface will allow users to find, compare, and use multiple public charging options, without having to create and manage multiple proprietary apps. Development of this app and use of the e-Roaming platform will also allow SMUD to offer discounts and special rates to on-demand drivers and other target customer groups. SMUD's *SACommunity EV Hubs* project will support the Sacramento region's access to charging infrastructure for high mileage on-demand transportation services and the public. *SACommunity EV Hubs* will deploy a model that transitions charging in high-traffic communities from a constrained amenity to accessible infrastructure. These plazas will enhance access to public charging while attracting service drivers with affordable rates and shared infrastructure to ease their financial burden.

3. REACH 2.0 Grant

Project Name: SMUD Multifamily EV Charging Community

Funding Awarded: \$5,000,000

Sacramento Municipal Utility District (SMUD), in partnership with the Sacramento Metropolitan Air Quality Management District (SMAQMD), Uber, and dozens of Sacramento area property owners, managers, and developers, has been awarded funding to deploy and demonstrate a replicable and scalable approach to delivering affordable electric vehicle (EV) charging for multifamily homes (MFH). SMUD Multifamily EV Charging Community proposes to deploy over 400 AC chargers at 26 multifamily (MF) residential and MF-adjacent locations across Sacramento, with 92% of sites located within disadvantaged, low-income, or affordable housing communities.

The SMUD Multifamily EV Charging Community project increases regional at-home EV charging access while testing and validating a scalable, replicable business case and promising technology solutions to catalyze the deployment of level 1 and 2 electric vehicle service equipment (EVSE) at and near MFH. The project proposes to deploy best-fit design and engineering solutions at each site, combined with a newly developed SMUD EV app featuring an integrated e-Roaming platform to offer novel rate designs through member charging networks. The project will also leverage existing programs and organizational resources to prepare for scale. The combination will deliver an equitable, streamlined, high-quality, and cost-effective charging experience.

4. REACH 1.0 Grant

Funding Awarded: \$2,290,000

Funded by the California Energy Commission, the goals of the REACH grant program are to 1) Demonstrate replicable and scalable business and technology models for large-scale deployment of electric vehicle (EV) charging infrastructure to benefit and be used by multi-family housing (MFH) residents, 2) Improve education and awareness regarding EVs to increase EV travel by MFH residents, including

MFH residents in disadvantaged communities, low-income communities, and/or residents of affordable housing, and 3) Provide affordable, reliable, and conveniently accessible charging infrastructure for MFH residents.

To achieve these goals, the focus of these efforts' centers around infrastructure, education, affordability, reliability and accessibility. This includes installation of 108 Level 2 EV charging stations across 6 MFH sites, increasing resident understanding of EV and EVSE technology, establishing a car sharing program provided by SMAQMD, developing no- or low-cost EV charging for MFH residents with high reliability.

APPENDIX B

Community Choice Aggregator Detail

SMUD Community Energy Services currently provides 11 services to seven (7) community choice aggregators representing 2.7M meters. CES has averaged approximately one new CCA client and one new service launch per year. There are 25 operational CCAs in California representing 14M customers or about 36% of California. SMUD continues to invest in new CCA, utility, jurisdiction and energy company business activities.

Customer Care and Operations	Data and Insights	Engagement and Branding
<ul style="list-style-type: none">• Contact Center• Billing• Debt Collections• CRM Systems	<ul style="list-style-type: none">• Data Management• Market Research• Data Analytics• Custom Reporting	<ul style="list-style-type: none">• Customer Programs• Electrification Concierge• Marketing

Community Choice Aggregator Clients

In 2002, Assembly Bill 117 was passed to establish Community Choice Aggregation in the State by authorizing Community Choice Aggregators (“CCAs”) to aggregate customer electric load and purchase electricity for customers. SMUD sees the growth of CCAs as an opportunity to support organizations with values closely aligned with SMUD’s values, while also generating additional revenue for SMUD. CCA programs are proliferating in the State thanks to support for expanding renewable energy use and desire for local control, particularly for electricity procurement. There are numerous CCAs operating in the State, and more are anticipated to launch in the future. CCAs are responsible for procuring wholesale power, setting the generation rate, providing customer care, understanding customer needs, and engaging customers through programs and other services. The local investor-owned utility (“IOU”) continues to deliver electricity from the electric grid, maintain its electric infrastructure, bill customers and collect payments.

In October 2017, SMUD contracted with Valley Clean Energy (“VCE”). VCE is a joint powers agency formed in 2016 by the City of Woodland, the City of Davis and Yolo County to implement a local CCA program. The service territory expanded to include the City of Winters in 2021.

In February 2018, SMUD contracted with Ava Community Energy (“Ava” formerly East Bay Community Energy). Ava is a joint powers agency formed in 2016 by the cities of Albany, Berkeley, Dublin, Emeryville, Fremont, Hayward, Livermore, Oakland, Piedmont, San Leandro and Union City in Alameda County to implement a local CCA

program. Ava expanded its territory to the cities of Pleasanton, Newark, and Tracy in April 2021. An expansion of Stockton is planned for 2025.

In June 2019, SMUD contracted with Silicon Valley Clean Energy (“SVCE”). SVCE is a joint powers agency formed in 2016 by the cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Saratoga, Sunnyvale and Unincorporated Santa Clara County to implement a local CCA program.

In October 2022, SMUD contracted with Marin Clean Energy (“MCE”). MCE is a joint powers agency formed in 2010 and represents 37 member communities across four Bay Area counties: Contra Costa, Marin, Napa and Solano.

In December 2022, SMUD contracted with Sonoma Clean Power (“SCP”). SCP is a joint powers agency that serves Sonoma and Mendocino counties.

In May 2024, SMUD contracted with Central Coast Community Energy (“3CE”). 3CE is a joint powers agency representing County of Monterey, County of San Benito, County of Santa Cruz, County of Santa Barbara, Arroyo Grande, Buellton, Capitola, Carmel, Carpinteria, Del Rey Oaks, Goleta, Gonzales, Greenfield, Grover Beach, Guadalupe, Hollister, Marina, Monterey, Morro Bay, Pacific Grove, Paso Robles, Pismo Beach, Salinas, Sand City, San Juan Bautista, San Luis Obispo, Santa Cruz, Santa Maria, Scotts Valley, Seaside, Soledad, Solvang, and Watsonville. Atascadero and unincorporated San Luis Obispo County are anticipated to begin service in January 2025.

In August 2024, SMUD contracted with San Jose Clean Energy (“SJCE”). SJCE is a joint powers agency that serves San Jose.

Appendix C

Partner List and Description

- 1) **AspenTech (AZPN) (Formerly: Open System International, Inc.):** Strategic technology partnership to implement and deploy an industry-leading Distributed Energy Resource Management System (DERMS). SMUD will receive royalties from future sales of the enhanced product suite for DERMS. DERMS Phase 1 and ADMS development is complete, implemented Q3 2022. DERMS Phase 2 and Phase 3 design and development completed and implemented in Q3 2024. Phase 4 design has begun continuing development of the core DERMS system functionality. DERMS Phase 4 functionality is planned to go-live in mid-2026.

OSI Inc. was bought by Emerson for \$1.6 billion in an all-cash transaction on October 1, 2020. The acquisition added to Emerson's existing \$1 billion standalone software and associated engineering implementation services portfolio. Then in May 2022, Emerson combined its industrial software businesses – OSI Inc. and its Geological Simulation Software business – with AspenTech to create a global industrial software leader. Shares of new AspenTech began trading on NASDAQ under the ticker symbol "AZPN" in May 2022. The AspenTech partnership continues to contribute revenue to the portfolio.

- 2) **ESS Inc.:** ESS is a long duration energy storage system developer whose technology is based on earth-abundant iron, salt and water to deliver environmentally safer solutions capable of providing up to 8 hours of flexible energy capacity for commercial and utility-scale energy storage applications, with a long-term design target of 12-17 hours duration. Established in 2011, ESS Inc. aspires to deploy reliable, sustainable long-duration energy storage solutions for independent power producers, utilities and other large energy users.

SMUD and ESS established a joint collaboration agreement in 2022 to provide up to 200 megawatts (MW) / 2 gigawatt-hours (GWh) of ESS' environmentally safe and sustainable long duration energy storage solutions. The agreement called for ESS to deliver a mix of its Energy Warehouse™ and Energy Center™ long-duration energy storage (LDES) solutions for integration with the SMUD electric grid beginning in 2023.

In 2023, SMUD installed and commissioned 6 Energy Warehouse™ products as part of its partnership with ESS, with a combined energy storage capacity of 3 MWh. Each Energy Warehouse iron-flow battery is packaged in a standard 40' shipping cargo container modified to house the electrolyte tanks, cell stack, and ancillary equipment such as pumps and electronics.

In 2025, before proceeding with the Energy Center™ phase of the partnership, ESS began a transition process involving corporate restructuring, furlough of employees, and a strategic shift to their next generation product the Energy Base which is a larger format package and focuses on a longer duration design target of 12-17 hours duration. As a result, SMUD had decided to conclude the pilot with ESS's older products and shift to an approach of monitoring progression of ESS's next generation products.

California's fast-growing long-duration energy storage resources.

3) **Cal EPIC (formerly the California Mobility Center)** developed new organizational policies and procedures required under the grant agreements, while it continued to refine its workforce development and training delivery models. They successfully met all grant reporting deadlines in 2024 with emphasis to optimize the recruiting and training strategies under the Federal and City grants. Strong partnerships were continued with community-based organizations serving underrepresented communities through the External Affairs Coordinator. This role has a direct line of communication with these organizations and regularly attends career fairs, communicates with partner orgs, and helps schedule and organize workforce development programming. These partners include but are not limited to Women's Empowerment, Saint John's, Greater Sacramento Urban League, Asian Resources Incorporated, CA Asian Chamber of Commerce, La Familia, and Community Resource Project. Partnership with other leading organizations for trainings were also strengthened by including ChargerHelp!, Rivian, Center for Manufacturing a Green Economy (nonprofit arm of the United Auto Workers), and a partnership with the California Masonic Foundation and the Sacramento City Unified School District in workforce development programs. For the 2024 calendar year, the CMC trained approximately 355 people.

- 4) **Itron:** Itron Networked Solutions, Inc. has been a SMUD strategic partner for over 25 years, and in September 2024 SMUD entered into a Joint Sales Agreement (JSA) as part of a Strategic Value Partnership with ITRON. The JSA has the potential to generate revenue to off-set software fees, as SMUD co-market products with ITRON to support and develop functionalities that enable Grid Edge intelligence to increase grid stability, resiliency, and reliability through visibility, management, and control of devices on the grid. In addition, SMUD also have a Joint Collaboration Agreement (JCA), if an opportunity presents itself in the future for co-development.
- 5) **Simple Energy (Uplight):** Since 2017, SMUD has partnered with Simple Energy to operate the SMUD Energy Store (smudenergystore.com) through a collaborative revenue-sharing agreement that generates approximately 4% of gross merchandise value in revenue. The online store offers a wide range of smart thermostats, connected home products, EV chargers, lighting, and water-saving products, many with instant rebates that significantly reduce costs on popular items like Nest thermostats and Phillips LED bulbs. This partnership has fostered a strong, productive relationship that supports SMUD's energy efficiency goals, promotes customer programs, results in high levels of customer satisfaction, enhanced customer engagement, and correlates to higher Value for Pay scores.

Several new product additions were added in 2023, including an expanded EV charger, smart thermostat, smart home, lighting and water savings product offerings. Over 4,500 thermostats were pre-enrolled in My Energy Optimizer, added Wi-Fi window ACs and the Google Nest 4th Gen thermostat. Efforts this year include a pilot Offer Center providing free thermostats to low/moderate-income customers, new renter weatherization products, a Meadowview LED giveaway, and a Holiday District

Campaign promoted thermostats and My Energy Optimizer incentives.

- 6) **Smart Energy Systems, Inc. dba Smart Energy Water (SEW):** SEW is a digital platform developer dedicated to solving global energy and water crises. SMUD and SEW are Co-developing innovative utility centric communication tools such as, customer facing self-service modules, payment processing (through SEW subsidiary I Pay Smart), prepay, eMobility, and advanced analytics for grid resilience. These tools support SMUD in our zero-carbon journey and may generate future shared revenue if the tools are adopted by other utilities. Both the SEW and I Pay Smart Joint Collaboration Agreements (JCAs) were extended through 12/31/2036.

As SMUD continues to build its eco-system with SEW, we anticipate the platform will be one of their most robust examples in North America by the end of 2027. As we are standing up the SEW platform, revenue or licensing offsets have not yet materialized. In 2024, efforts are underway for a more solidified revenue share addendum to the SMUD and SEW Joint Collaboration Agreement (JCA). In 2026, we anticipate co-developing new features with SEW as part of the EV App Phase 2 project. Co-development of net-new products with SEW will likely be de-emphasized until 2028.

RESOLUTION NO. _____

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

This Board accepts the monitoring report for **Strategic Direction SD-19, Diversified Business**, substantially in the form set forth in **Attachment ____** hereto and made a part hereof.

SSS No. SCS 25-249

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date
Finance & Audit – 10/14/25

Board Meeting Date
October 16, 2025

TO				TO			
1.	Casey Fallon			6.			
2.	Josh Langdon			7.			
3.	Lora Anguay			8.			
4.	Jose Bodipo-Memba			9.	Legal		
5.	Scott Martin			10.	CEO & General Manager		
Consent Calendar	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<i>If no, schedule a dry run presentation.</i>		
Budgeted	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No <i>(If no, explain in Cost/Budgeted section.)</i>			
FROM (IPR)		DEPARTMENT		MAIL STOP		EXT.	
Daniel Manfredi		Procurement		EA404		6283	
						DATE SENT	
						09/19/25	

NARRATIVE:

Requested Action: Authorize the Chief Executive Officer and General Manager, or his designee, to negotiate and award contracts to GFT Infrastructure, Inc., Mesa Associates, Inc., HDR Engineering, Inc., and Stantec Consulting Services, Inc. (collectively, the “Contracts”) to provide hydroelectric design and engineering services for an approximate five-year period from October 20, 2025, to October 31, 2030 for an aggregate not-to-exceed amount of \$15 million for the Contracts.

Summary: Request for Proposal Doc5195526389 (RFP) was issued in May 2025 to solicit qualified firms to provide Hydroelectric Design and Engineering Services on an as-needed basis. The specific scopes of service under these contracts will be awarded on a task basis. Tasks will include engineering and design services that cover multiple engineering disciplines specific to hydroelectric and hydraulic applications, including generators, turbines, controls, auxiliary equipment, dams, penstocks and waterways, roads, structures and appurtenances related to hydroelectric and hydraulic facilities. Expertise may be sought for dam safety, hydraulic flow studies, penstock, tunnel and powerhouse component condition assessments, designs and engineering for refurbishment of current facilities including valves, turbines, generators and large electrical components, or small new facilities. The results of the evaluation and award recommendation are included below. SMUD received nine proposals. The results of the evaluation and award recommendations are shown below.

Recommendation: Award to four Highest Evaluated Responsive Proposers: GFT Infrastructure, Inc, Mesa Associates, Inc., HDR Engineering, Inc., and Stantec Consulting Services, Inc.

Proposers Notified by Procurement: 47

Proposers Downloaded: 9

Pre-Proposal Conference Attendance: 14

Proposals Received: 9

Responsive Proposals Received	P/F	10 Points SEED	50 Points Technical	40 Points Pricing	Total Score	Rank	Proposal Amount	Evaluated Proposal Amount	Proposed Award Amount
GFT Infrastructure, Inc.	P	10	55.75	23.23	88.98	1	\$11,455,000	\$11,205,000	NTE \$15,000,000, Aggregate of all Task Authorizations
Mesa Consulting, Inc.	P	10	50.33	26.18	86.51	2	\$10,194,000	\$9,994,000	
Stantec Consulting Services, Inc.	P	10	52.91	20.83	82.75	3	\$12,745,000	\$12,495,000	
HDR Engineering, Inc.	P	10	50.83	19.16	79.99	4	\$13,838,000	\$13,558,000	
Black & Veatch	P	10	45.50	20.73	76.23	5	\$12,808,000	\$12,558,000	
AECOM	P	10	43.30	20.83	74.13	6	\$12,745,000	\$12,495,000	
KGS	P	10	33.17	19.86	63.03	7	\$13,355,000	\$13,105,000	
Kinectrics	P	-	22.25	30.00	52.25	8	\$8,677,000	\$8,677,000	

Non-Responsive Proposals Received	Comments
SEL Engineers	Did not meet P/F Requirements

Comments: The agreements are being negotiated with SMUD procurement, risk, legal, and business unit stakeholders.

Supplier Diversity Program:

All successful proposers committed 20% Supplier Education & Economic Development (SEED) participation for the duration of the contracts.

Board Policy: Board-Staff Linkage BL-8, Delegation to the CEO with Respect to Procurement; Strategic Direction SD-7, Environmental Leadership; Strategic Direction SD-10, Innovation; Strategic Direction SD-13, Economic Development
(Number & Title)

Benefits: The Contracts will provide a continuum of engineering support for SMUD's hydroelectric asset operation. SMUD Procurement achieved approximately **\$81,250** in cost savings through a best and final negotiation.

Cost/Budgeted: \$15,000,000 Budgeted for 2026- 2031 by Power Generation

Alternatives: Alternative 1) Break up the scope of services and solicit contracts for the individual categories of service. This option would require additional SMUD resources to manage the contracts. Alternative 2) SMUD could hire internally specialized engineering resources to perform the work in-house. Due to current staffing shortages nationwide, this option would likely not materialize in the time and effort needed to onboard internal resources.

Affected Parties: Power Generation, Supply Chain Services, and Contractors

Coordination: Power Generation and Supply Chain Services

Presenter: Josh Langdon, Director, Power Generation

Additional Links:

SUBJECT

Contract Award for Hydroelectric Design and Engineering Services

ITEM NO. (FOR LEGAL USE ONLY)

8

ITEMS SUBMITTED AFTER DEADLINE WILL BE POSTPONED UNTIL NEXT MEETING.

RESOLUTION NO. _____

WHEREAS, in May 2025, SMUD issued Request for Proposal No. Doc5195526389 (RFP) to solicit proposals from qualified firms to provide hydroelectric design and engineering services for a five-year period; and

WHEREAS, nine proposals submitted in response to the RFP were evaluated; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. As a result of such examination, **GFT Infrastructure, Inc., Mesa Associates, Inc., HDR Engineering, Inc., and Stantec Consulting Services, Inc.** are hereby determined and declared to be the four highest evaluated responsive proposers to provide hydroelectric design and engineering services.

Section 2. The Chief Executive Officer and General Manager, or his designee, is authorized, on behalf of SMUD, to negotiate and award contracts to **GFT Infrastructure, Inc., Mesa Associates, Inc., HDR Engineering, Inc., and Stantec Consulting Services, Inc.** (collectively, the **Contracts**) for hydroelectric design and engineering services for an approximate five-year period from October 20, 2025, to October 31, 2030, for an aggregate not-to-exceed amount of \$15,000,000 for the **Contracts**.

Section 3. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the **Contracts** that, in his prudent judgment: (a) further the primary purpose of

the **Contracts**; (b) are intended to provide a net benefit to SMUD; and (c) does not exceed the authorized contract amounts and applicable contingencies.

SSS No. SCS 25-253

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date
Finance & Audit – 10/14/25

Board Meeting Date
October 16, 2025

TO				TO					
1.	Casey Fallon			6.					
2.	Josh Langdon			7.					
3.	Lora Anguay			8.					
4.	Jose Bodipo-Memba			9.	Legal				
5.	Scott Martin			10.	CEO & General Manager				
Consent Calendar	X	Yes	No	If no, schedule a dry run presentation.	Budgeted	X	Yes	No	(If no, explain in Cost/Budgeted section.)
FROM (IPR)				DEPARTMENT		MAIL STOP		EXT.	
Daniel Manfredi				Procurement		EA404		6283	
DATE SENT								09/19/25	

NARRATIVE:

Requested Action: Authorize the Chief Executive Officer and General Manager, or his designee, to negotiate and award contracts to Kleinfelder, Inc., GFT Infrastructure, Inc., GEI Consultants, Inc., Terracon Consultants, Inc., HDR Engineering, Inc., and KGS International, Inc. (collectively, the “Contracts”) for geotechnical engineering services for an approximate five-year period from October 20, 2025, to October 31, 2030, for an aggregate not-to-exceed amount of \$10 million for the Contracts.

Summary: Request for Proposal Doc5223839238 (RFP) was issued in June 2025 to solicit qualified firms to provide geotechnical engineering services on an as-needed basis. The specific scopes of service under these contracts will be awarded on a task basis. Tasks will require services such as detailed studies to investigate conditions that may affect the generation, conveyance, and delivery of energy. Proper site and soil characterization is necessary to ensure the area surrounding power plants, dams, piping, tunnels, hillsides, and roadways are stable, so that solutions can be properly engineered if any remediation measures are necessary. Proper site and soil characterization is also needed to determine baseline conditions for new projects, such as renewable energy, storage and emerging technologies, so that foundations are properly designed, and to ensure local, state and federal codes requirements are met. SMUD received nine proposals. The evaluation results and award recommendations are shown below.

Recommendation: Award to six Highest Evaluated Responsive Proposers: Kleinfelder, Inc., GFT Infrastructure, Inc., GEI Consultants, Inc., Terracon Consultants, Inc., HDR Engineering, Inc., and KGS International, Inc.

Proposers Notified by Procurement: 52

Proposers Downloaded: 11

Pre-Proposal Conference Attendance: 13

Proposals Received: 9

Responsive Proposals Received	P/F	SEED	Technical	Price	Total Score	Rank	Proposal Amount	Evaluated Proposal Amount	Proposed Award Amount
		10	60	30	100				
Kleinfelder, Inc.	P	10	58.25	30.00	98.25	1	\$6,815,000	\$6,565,000	NTE \$10M Aggregate of all Task Authorizations
GFT Infrastructure, Inc.	P	10	55.25	17.76	83.01	2	\$11,340,000	\$11,090,000	
GEI Consultants, Inc.	P	10	54.25	15.75	80.00	3	\$12,755,000	\$12,505,000	
Terracon Consultants, Inc.	P	10	50.25	17.14	77.39	4	\$11,742,500	\$11,492,500	
HDR Engineering, Inc.	P	10	52.50	14.51	77.01	5	\$13,821,000	\$13,571,000	
KGS International, Inc.	P	10	50.50	15.60	76.10	6	\$12,875,000	\$12,625,000	
Youngdahl Consulting Group, Inc.	P	.5	27.13	17.91	45.53	7	\$11,004,000	\$10,998,498	

Non-Responsive Proposals Received	Comments
Campos EPC	Did not meet P/F Requirements
Geocon Consultants	Did not meet P/F Requirements

Comments: The contract terms are being negotiated with SMUD procurement, risk, legal and business unit stakeholders.

Supplier Diversity Program:

All successful proposers committed 20% Supplier Education & Economic Development (SEED) participation for the duration of the Contracts.

Board Policy: Board-Staff Linkage BL-8, Delegation to the CEO with Respect to Procurement; Strategic Direction SD-7, Environmental Leadership; Strategic Direction SD-10, Innovation; Strategic Direction SD-13, Economic Development
(Number & Title)

Benefits: The Contracts will provide geotechnical engineering services to ensure proper stabilization of rock, earth, penstocks and tunnels appurtenant to powerhouses, wind turbines, solar farms and gas pipelines. SMUD Procurement achieved approximately \$199,833 in cost savings through a best and final negotiation.

Cost/Budgeted: \$10,000,000 Budgeted for 2026- 2031 by Power Generation

Alternatives: Alternative 1) Break up the scope of services and solicit contracts for the individual categories of service. This option would require additional SMUD resources to manage the contracts. Alternative 2) SMUD could hire internally specialized engineering resources to perform the work in-house. Due to current engineering staffing shortages nationwide, this option would likely not materialize in the time and effort needed to onboard internal resources.

Affected Parties: Power Generation, Supply Chain Services, and Contractor

Coordination: Power Generation and Supply Chain Services

Presenter: Josh Langdon, Director, Power Generation

Additional Links:

SUBJECT	Contract Award for Geotechnical Engineering Services	ITEM NO. (FOR LEGAL USE ONLY) 9
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ITEMS SUBMITTED AFTER DEADLINE WILL BE POSTPONED UNTIL NEXT MEETING.

RESOLUTION NO. _____

WHEREAS, in June 2025, SMUD issued Request for Proposal No. Doc5223839238 (RFP) to solicit proposals from qualified firms for geotechnical engineering services for a five-year period; and

WHEREAS, nine proposals submitted in response to the RFP were evaluated; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. As a result of such examination, **Kleinfelder, Inc., GFT Infrastructure, Inc., GEI Consultants, Inc., Terracon Consultants, Inc., HDR Engineering, Inc., and KGS International, Inc.** are hereby determined and declared to be the six highest evaluated responsive proposers to provide geotechnical engineering services.

Section 2. The Chief Executive Officer and General Manager, or his designee, is authorized, on behalf of SMUD, to negotiate and award contracts to **Kleinfelder, Inc., GFT Infrastructure, Inc., GEI Consultants, Inc., Terracon Consultants, Inc., HDR Engineering, Inc., and KGS International, Inc.** (collectively, the **Contracts**) for geotechnical engineering services for an approximate five-year period from October 20, 2025, to October 31, 2030, for an aggregate not-to-exceed amount of \$10,000,000 for the **Contracts**.

Section 3. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the **Contracts** that, in his prudent judgment: (a) further the primary purpose of

the **Contracts**; (b) are intended to provide a net benefit to SMUD; and (c) does not exceed the authorized contract amounts and applicable contingencies.

SSS No. SCS 25-259

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date
Finance & Audit – 10/14/25

Board Meeting Date
October 16, 2025

TO				TO				
1.	Casey Fallon			6.				
2.	Dr. Markisha Webster			7.				
3.	Scott Martin			8.				
4.	Lora Anguay			9.	Legal			
5.	Jose Bodipo-Memba			10.	CEO & General Manager			
Consent Calendar	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<i>If no, schedule a dry run presentation.</i>			
Budgeted	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	<i>(If no, explain in Cost/Budgeted section.)</i>			
FROM (IPR) Andrew McDermott				DEPARTMENT Procurement				
MAIL STOP EA404				EXT. 5862		DATE SENT 09/19/25		

NARRATIVE:

Requested Action: Authorize the Chief Executive Officer and General Manager, or his designee, to negotiate and award a sole source contract to the Sacramento Tree Foundation to provide shade trees to SMUD customers during the period of January 1, 2026, to December 31, 2028, for a not-to-exceed amount of \$6,034,461.

Summary: Since 1990, in collaboration with Sacramento Tree Foundation (STF), SMUD has provided shade trees to customers. Over this period, STF and SMUD have provided more than 650,000 trees to customers and established a nationally recognized program that has received numerous awards and is one of the most recognized and valued programs by our customers. The initial primary goals of this program were to reduce summer cooling costs and help reduce summer peak demand for electricity by shading homes through strategic placement and selection of tree species and customer education/stewardship. Over the years, additional objectives and benefits have supplemented an ongoing commitment to the primary program goals, including community tree plantings as well as mitigation of urban heat island effects, air quality improvements, and carbon sequestration. While this contract will continue to provide all these benefits to our customers, it also includes an emphasis on community plantings, including shrubs and fruit trees, and a focus on increasing the tree canopy in under-canopied neighborhoods in SMUD's territory.

STF has been effectively and efficiently delivering the Shade Tree program for SMUD for over 30 years in the greater Sacramento region. They are a local, non-profit, community-based organization with a mission to grow healthy, livable communities in the Sacramento region by building the best regional urban forest in the nation. STF has over 40 years of experience (since 1982) in urban forestry management practices. STF is the only provider in the Sacramento region with extensive long-term relationships with local and regional tree growers, retail nurseries and urban community foresters. STF's contract is for the purchase of services without a competitive selection process as there are no other urban forestry organizations in the region that could deliver this type of urban tree planting program. During the past 40 years, STF has established a history of expertise and success in delivering this type of urban tree planting program for SMUD and therefore their pricing, given expertise, and benefits they provide is deemed fair and reasonable and in the best interest of SMUD to issue STF this services agreement.

Recommendation: Issue a Sole Source Contract to the Sacramento Tree Foundation

Board Policy: Board-Staff Linkage BL-8, Delegation to the CEO with Respect to Procurement; Procurement.
(Number & Title)

Strategic Direction SD-5, Customer Relations; promoting shade trees to communities and customers across segments. Providing excellent customer service throughout the process to help raise Value for What You Pay (VFP) score.

Strategic Direction SD-7, Environmental Leadership; promoting energy efficiency, reduction of greenhouse gases and proactively engaging customer owners by encouraging them to plant and care for their shade trees.

Strategic Direction SD-15, Outreach and Communication; making a concerted effort to focus on underserved communities and provide equitable tree canopy for all customers in all neighborhoods and community.

Benefits: To provide shade trees to SMUD customers and provide energy savings, enhanced property values, and increased environmental benefits.

Cost/Budgeted: \$6,034,461; Budgeted for 2026-2028 by Sustainable Communities

Alternatives: The alternative to not awarding this sole source agreement is to not offer shade trees to SMUD customers. Given this program is most frequently associated as a highly valued customer benefit, this scenario will likely negatively impact customer satisfaction and community outreach.

Affected Parties: Sustainable Communities, Supply Chain Services, and Contractor

Coordination: Sustainable Communities and Contract Manager, and Supply Chain Services

Presenter: Dr. Markisha Webster, Director, DEIB, Learning, & Sustainable Communities

Additional Links:

SUBJECT

**Sole Source Contract Award to Sacramento Tree Foundation
(Shade Trees - 2026-2028)**

ITEM NO. (FOR LEGAL USE ONLY)

11

ITEMS SUBMITTED AFTER DEADLINE WILL BE POSTPONED UNTIL NEXT MEETING.

RESOLUTION NO. _____

WHEREAS, since 1990, in collaboration with **Sacramento Tree Foundation (STF)**, SMUD has provided free shade trees to customers to, among other things, reduce their summer cooling costs and help reduce summer peak demand for electricity; and

WHEREAS, over the years, additional benefits realized have included community plantings, mitigation of urban heat island effects, air quality improvements, and carbon sequestration; and

WHEREAS, **STF** is a local, non-profit, community-based organization with a mission to grow healthy, livable communities in the Sacramento region by building the best regional urban forest in the nation; and

WHEREAS, **STF** has over 40 years of experience in urban forestry management practices and over 30 years of experience in delivering the Shade Tree program for SMUD in the greater Sacramento area; and

WHEREAS, SMUD desires to include a greater emphasis on community plantings, including shrubs and fruit trees, and focus on increasing the tree canopy in under-canopied neighborhoods; and

WHEREAS, **STF** is the only provider in the Sacramento region with extensive long-term relationships with local and regional tree growers and retail nurseries and urban community foresters; and

WHEREAS, there are no other urban forestry organizations in the region who could deliver this type of urban tree planting program for energy efficiency benefits; and

WHEREAS, given **STF's** history of success in delivering SMUD's urban tree planting program, expertise and the benefit **STF** provides, the contract pricing is deemed fair and reasonable; and

WHEREAS, it would not be productive or in the best interest of SMUD to advertise for competitive bids for the services referred to above because **STF** is the only urban forestry organization of its type in the region; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE BOARD OF DIRECTORS
OF THE SACRAMENTO MUNICIPAL UTILITY DISTRICT:**

Section 1. The Chief Executive Officer and General Manager, or his designee, is authorized, on behalf of SMUD, to negotiate and execute a sole source contract with the **Sacramento Tree Foundation** to provide shade trees to SMUD customers during the period January 1, 2026, to December 31, 2028, for a not-to-exceed amount of \$6,034,461.

Section 2. The Chief Executive Officer and General Manager, or his designee, is authorized to make future changes to the terms and conditions of the contract that, in his prudent judgment: (a) further the primary purpose of the contract; (b) are intended to provide a net benefit to SMUD; and (c) do not exceed the authorized contract amount and applicable contingencies.

SSS No. LEG 2025-0086

BOARD AGENDA ITEM

STAFFING SUMMARY SHEET

Committee Meeting & Date
Finance & Audit – 10/14/25
Board Meeting Date
October 16, 2025

TO				TO							
1.	Scott Martin			6.							
2.	Lora Anguay			7.							
3.	Jose Bodipo-Memba			8.							
4.				9.	Legal						
5.				10.	CEO & General Manager						
Consent Calendar		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No <i>If no, schedule a dry run presentation.</i>		Budgeted	<input checked="" type="checkbox"/>	Yes	No <i>(If no, explain in Cost/Budgeted section.)</i>	
FROM (IPR) Laura Lewis				DEPARTMENT Executive Office				MAIL STOP B308	EXT. 6123	DATE SENT 09/22/25	

NARRATIVE:

Requested Action: Cast vote on Sacramento Local Agency Formation Commission (LAFCo) ballot regarding the election of a Special District Representative (two seats) and Alternate Special District Representative (one seat).

Summary: Pursuant to the provisions of section 56332(f) of the Government Code, the Executive Officer of Sacramento LAFCo has determined that a meeting of the Special District Selection Committee is not feasible for the purpose of selecting a Special District Representative (two regular, voting seats) and one Alternate Special District Representative to serve on the Sacramento LAFCo. Therefore, the business of the Special District Selection Committee will be conducted in writing.

To be valid, selection of a candidate must be done by a majority vote of the governing board of an Independent Special District in an official meeting of that board and certified by the secretary of the board. The ballot must be returned by no later than 5:00 p.m. on November 21, 2025. Communications from Sacramento LAFCo are attached, including copies of the ballot and resumes of the candidates for Special District Representative and Alternate Special District Representative.

Board Policy: Governance Process GP-2, Governance Focus; Governance Process GP-3, Board Job Description
(Number & Title)

Benefits: The SMUD Board will have a voice in determining their representatives on Sacramento LAFCo.

Cost/Budgeted: There is no budgetary impact for this request.

Alternatives: Decide not to cast a vote for Special District Representatives.

Affected Parties: Board of Directors, Sacramento LAFCo, Special Districts

Coordination: Board Office, Executive Office, and Legal

Presenter: Laura Lewis, Chief Legal & Government Affairs Officer

Additional Links:

SUBJECT

Cast Vote on Sacramento LAFCo Ballot

ITEM NO. (FOR LEGAL USE ONLY)

12

ITEMS SUBMITTED AFTER DEADLINE WILL BE POSTPONED UNTIL NEXT MEETING.



Sacramento
LAFCo

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION


1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458

www.saclafco.org

MEMO

DATE: September 22, 2025

TO: Special District Presiding Officer

FROM: José C. Henríquez, Executive Officer 
Sacramento Local Agency Formation Commission

SUBJECT: Election of Special District Representative to Sacramento LAFCo

The Special District Selection Committee is electing representatives to serve a new four-year term, a two-year term and a new alternate four-year term beginning on January 1, 2026.

Due to the size of the Special District Selection Committee, it has been difficult to establish a quorum when meeting in person. Therefore, pursuant to the provisions of Government Code §56332(f), the Executive Officer has determined that the business of the Special District Selection Committee will be conducted in writing to elect a regular Special District Representative to Sacramento LAFCo.

Election of Special District Representative to LAFCO

Thank you for submitting nominations for the Special District Representative election.

At the time the election ends, in order to be selected as a LAFCo Representative, a nominee must receive more than fifty-percent (50%) of the submitted votes. Enclosed with this memo you will find a ballot and a copy of each candidate's Statement of Qualifications received as of the date of this memo. Please note that there are two regular (voting) seats and one alternate seat up for election.

Commissioners

Rich Desmond, Patrick Hume County Members ■ *Rosario Rodriguez, Alternate*
Lisa Kaplan, Mat Pratton City Members ■ *Dr. Jayna Karpinski-Costa, Alternate*
Chris Little, Public Member ■ *Timothy Murphy, Alternate*
Vacant, Gay Jones, Special District Members ■ *Charlea Moore, Alternate*

Staff

José C. Henríquez, Executive Officer ■ *Desirae Fox, Policy Analyst*
Nancy Miller, DeeAnne Gillick, Commission Counsel

The nominees for the four-year regular term, in alphabetical order, are:

- 1) Gay Jones*, Sacramento Metropolitan Fire District
- 2) Jim Frazier, Herald Fire Protection District
- 3) Robert “Bob” Wichert, Sacramento Suburban Water District

The nominees for the two-year regular term, in alphabetical order, are:

- 1) Beau Reynolds, North Highlands Recreation and Park District
- 2) Brandon D. Rose, Sacramento Municipal Utility District
- 3) Jim Frazier, Herald Fire Protection
- 4) Robert “Bob” Wichert, Sacramento Suburban Water District

The nominees for the four-year alternate member, in alphabetical order, are:

- 1) Charlea Moore*, Rio Linda Elverta Recreation and Park District
- 2) Jim Frazier, Herald Fire Protection

*Incumbent

Election Deadline

The voting period will be 60 days from September 18, 2025; all votes are due in writing on or before **5:00 pm on November 21, 2025**. Voting will cease on this date or whenever a quorum of special districts is reached, whichever occurs later. Please do not forget to have the Board President, or Chair, or the presiding officer of the board meeting in which you made your selection sign the returned ballot.

District managers or other staff members may not substitute their signature for Board President, or Chair, or the presiding officer’s signature.

Thank you for your time and please feel free to contact me or any member of my staff at 916-874-6458 if you have any questions.



**Sacramento
LAFCo**

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458

www.saclafco.org

Mail to: LAFCO
1112 I Street, Suite 100
Sacramento, CA 95814

Or email:

commissionclerk@saclafco.org

ELECTION BALLOT

Special District Representative to LAFCo Regular Seat #7

***The election ends on November 21, 2025 at 5:00 p.m. or until a quorum of
Special District ballots is received, whichever occurs later.***

Four-Year Regular Term Candidate & District	Select one (1)
Gay Jones*, Sacramento Metropolitan Fire District	
Jim Frazier, Hearld Fire Protection	
Robert "Bob" Wichert, Sacramento Suburban Water District	

Two-Year Regular Term Candidate & District	Select one (1)
Beau Reynolds, North Highlands Recreation and Park District	
Brandon D. Rose, Sacramento Municipal Utility District	
Jim Frazier, Hearld Fire Protection	
Robert "Bob" Wichert, Sacramento Suburban Water District	

Four-Year Alternate Term Candidate & District	Select one (1)
Charlea Moore*, Rio Linda Elverta Recreation and Park District	
Jim Frazier, Hearld Fire Protection	

*Incumbent

BALLOT CONTINUES ON THE NEXT PAGE

Commissioners

Rich Desmond, Patrick Hume County Members ■ *Rosario Rodriguez, Alternate*

Lisa Kaplan, Mat Pratton City Members ■ *Dr. Jayna Karpinski-Costa, Alternate*

Chris Little, Public Member ■ *Timothy Murphy, Alternate*

Vacant, Gay Jones, Special District Members ■ *Charlea Moore, Alternate*

Staff

José C. Henríquez, Executive Officer ■ *Desirae Fox, Policy Analyst*

Nancy Miller, DeeAnne Gillick, Commission Counsel

SIGNATURE OF PRESIDING OFFICER (Original Signature Required):

Note: Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.

PRINTED NAME OF PRESIDING OFFICER (Required):

AGENDA ATTACHED (Optional): Yes _____ No _____

Attest:

District Secretary, Clerk or General Manager



SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458
www.saclafco.org

SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Director, Division 8	Gay Jones	Sacramento Metropolitan Fire District

SIGNATURE OF PRESIDING OFFICER: 

(Original Signature Required)

Note: *Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.*


PRINTED NAME OF PRESIDING OFFICER: Ted Wood, Board President
(Required)

NAME OF NOMINATING DISTRICT: Sacramento Metropolitan Fire District

MINUTES ATTACHED *(Optional)*: Yes ☒ No ☐

NOMINEE IS RUNNING FOR POSITION: Regular (Voting): ☒ 4-year term ☐ 2-year term
Alternate ☐

Attest:



District Secretary, Clerk or General Manager

**Nominations must be received by LAFCo before
5:00 p.m. on July 31, 2025**

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Rich Desmond, Pat Hume, County Members ■ Rosario Rodriguez, Alternate
Lisa Kaplan, Mat Pratton, City Members ■ Phil Pluckebaum, Dr. Jayna Karpinski-Costa, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Gay Jones, Vacant, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henríquez, Executive Officer ■ Desirae Fox, Kristi Grabow, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel

Candidate Statement

I am requesting your vote and continued support as your special District Commissioner, Seat #7, to Sacramento Local Agency Formation Commission (LAFCO).

Challenges to Districts continue unabated. As your LAFCO Commissioner and as a Metro Fire Director, I am committed to ensuring that all District voices are heard. Everyone needs to be included in conversations regarding boundary changes, whether they be annexations, detachments, consolidations, spheres of influence or incorporations.

One example of meeting challenges occurred when county funding became available to agencies to help recover from winter storms, many agencies were unaware. My position allowed me to alert my fellow Special Districts to contact County OES for storm damages reimbursement. My efforts also included getting a filing period extension for Special Districts.

Another example: as your LAFCO Commissioner I worked diligently with fellow Commissioners and staff to develop a sustainable water delivery structure for citizens residing in Del Paso Manor Water District. That effort was a success. Now our LAFCO is studying the Florin Water District to achieve sustainability for residents in that area.

Past and future issues include expansion of urban services within our county. Who should deliver them, and at what cost? The answer is what is best for the people living in these communities, with logical and efficient service delivery for the public providing the framework. Special District input is critical to this decision-making process.

My hope is to continue as your Special District Commissioner and to work with you on these matters.

I respectfully ask for your vote.

Feel free to contact me with any questions, comments or concerns.

Sincerely,

Gay Jones

Special District Commissioner

Sacramento County Local Agency Formation Commission

STATEMENT OF QUALIFICATIONS

Gay Jones
Sacramento Metropolitan Fire District
10545 Armstrong Ave., Suite 200
Mather, CA 95655
916-208-0736

EXPERIENCE

- 2000 - Present: Director for Sacramento Metropolitan Fire District.
- 2006 - Present: Commissioner for Sacramento Local Agency Formation Commission (LAFCO).
- 2006 - Present: Board Member for California Association of LAFCO (CALAFCO).
- 2022 - Present: Executive Board Member, CALAFCO.
- 2004 - 2006: Alternate Commissioner for Sacramento LAFCO.
- 1981 - 2006: Sacramento Fire Department (Captain, Ret.).
- 1973 - 1979: United States Peace Corps.

EDUCATION AND CERTIFICATIONS

- Master's Degree, California State University, Sacramento.
- Bachelor of Science, Lewis and Clark College.
- Associate Degree, American River Community College.
- Chief Officer Certification, California State Board of Fire Service.
- Special District Leadership and Management Certification, Special District Institute.

COMMUNITY ACTIVITIES

- Chair, Steering Committee, Butterfield Riviera East Community Association (BRECA).
- Member, Cordova Community Planning Advisory Council.
- Member, American River Parkway Coalition.
- Member, Great American Triathlon Committee.
- Officer, Sacramento Retired City Employees Association.



ADAM A. HOUSE
Fire Chief

Sacramento Metropolitan Fire District

10545 Armstrong Ave., Suite 200 • Mather, CA 95655 • Phone (916) 859-4300 • Fax (916) 859-3702

ACTION SUMMARY MINUTES – REGULAR MEETING

BOARD OF DIRECTORS SACRAMENTO METROPOLITAN FIRE DISTRICT

Thursday, June 26, 2025

Held at the following locations:

10545 Armstrong Avenue – Board Room

Mather, California

&

Remotely Via Zoom

CALL TO ORDER

The meeting was called to order at 6:01 pm by President Wood. Board members present: Clark, Costa, Rice, Saylors, Webber and Wood. Remotely on Zoom: Jones. Board members absent: Goold, and Stark. Staff present: Chief House and Board Clerk Rittburg.

PUBLIC COMMENTS

No public comments were received.

CONSENT ITEMS

Moved by Director Webber, seconded by Costa, and carried unanimously by members present to adopt the consent calendar as follows:

1. **Action Summary Minutes**
Recommendation: Approve the Action Summary Minutes for the Regular Board Meeting of May 22, 2025.
Action: Adopted the Action Summary Minutes.
2. **Board Policy 01.012.01 – Debt Management Policy**
Recommendation: Approve the amendments to the Debt Management Policy.
Action: Adopted the Debt Management Policy.
3. **Board Policy 01.010.03 – Purchasing and Contracting Policy**
Recommendation: Approve the amendments to the Purchasing and Contracting Policy.
Action: Adopted the Purchasing and Contracting Policy.
4. **Disclosure of Material Expenditure – Excess Workers' Compensation Insurance – Safety National Casualty Corporation - \$537,745.00**
Recommendation: Authorize a payment of \$537,745.00 to Safety National Casualty Corporation for Excess Workers' Compensation Insurance.
Action: Authorized a payment of \$537,745.00 to Safety National Casualty Corporation for Excess Workers' Compensation Insurance.

5. **Disclosure of Material Expenditure – General/Property/Liability Commercial Insurance – Fire Agencies Insurance Risk Authority (FAIRA) for the FY 25/26 – \$3,031,6555**
Recommendation: Authorize a payment of \$3,031,655.00 to Fire Agencies Insurance Risk Authority (FAIRA) for commercial insurance.
Recommendation: Authorized a payment of \$3,031,655.00 to Fire Agencies Insurance Risk Authority (FAIRA) for commercial insurance.

PRESENTATION ITEMS:

1. **Measure O General Obligation Bond Issuance**
(Chief Financial Officer Dave O'Toole)
Recommendation: Receive the presentation.
Action: Presentation received.

ACTION ITEMS

1. **Disclosure of Material Expenditure – Excess General Liability Insurance – Vantage Risk Specialty Insurance Company for \$307,992.30 and Westchester Surplus Lines Insurance Company for \$215,439.84**
(Brad Svenningsen, USI Insurance Services)
Recommendation: Authorize payment of \$307,992.30 to Vantage Risk Specialty Insurance Company and \$215,439.84 to Westchester Surplus Lines Insurance Company for Excess General Liability Insurance.
Recommendation: Moved by Director Clark, seconded by Webber, and carried unanimously by members present to authorize a payment of \$307,992.30 to Vantage Risk Specialty Insurance Company and \$215,439.84 to Westchester Surplus Lines Insurance Company for Excess General Liability Insurance.
2. **Sacramento Local Agency Formation Commission (LAFCo) - Nominations for Special District Commissioners**
(Board Clerk Marni Rittburg)
Recommendation: Nominate Director Jones to Sacramento LAFCo for the Special District Commissioner seat as a full voting member to serve a 4-year term.
Action: Moved by Director Rice, seconded by Webber, and carried unanimously by members present to nominate Director Jones to Sacramento LAFCo for the Special District Commissioner seat as a full voting member to serve a 4-year term.

REPORTS

1. **PRESIDENT'S REPORT - *(President Wood)***

No Report
2. **FIRE CHIEF'S REPORT — *(Chief House)***

Good evening, Directors, Colleagues, and Members of the Public

New Hire:

Please join me in welcoming Arthur Kleets, hired for the position of Fire Inspector I in the Community Risk Reduction Division, effective June 23.

Promotions:

Congratulations to following

- Anthony Berkey for being promoted to Fire Inspector I effective June 23.
- Jasmine Vu for being promoted to Plan Intake Specialist effective June 23.
- Ray Mora for being promoted to Engineer effective June 13.

OPERATIONS REPORT – (*Deputy Chief Mitchell*)

1. Service Delivery Changes to Address Staffing

- Following up on the discussion at the last Board meeting about eliminating mandatories and brown outs
- Operations Staffing Priorities have been, and will continue to be:
 - #1 Eliminate Brownouts
 - #2 Eliminate Mandatory Overtime
 - #3 Increase Service Delivery
 - Our focus and goal to achieve the above priorities is still Spring, 2026. This includes fully staffed ranks of both MMPs and firefighters, while having a fully staffed pool in both ranks as well. We haven't had this for quite a number of years.
 - However, we're not waiting until Spring of next year to be adaptive and respond efficiently to the needs of our members and the community.
- To reinforce the last point, Ops brought forward a plan to exec staff the week following the last Board meeting, which had been in development for a while, to transition two FDM ambulances to MMP ambulances.
- Current staffing levels support the transition and don't burden any of our members unnecessarily
- Allows for a pool of firefighters immediately to decrease brownouts and mandatory callbacks, while still maintaining an MMP pool.
- Met with 522, and with some minor changes, we reached an agreement last week.
- I'm happy to report that the plan was implemented on Monday of this week, which is having an immediate impact on staffing as we move further into summer.

2. Shift Commander Spotlight

- Chief Rudnicki introduced new Captain Carlile who was promoted effective June 9. Captain Carlile introduced himself to the Board.

ADMINISTRATIVE REPORT – (*Deputy Chief Fiorica*)

COMMUNITY RELATIONS DIVISION

- Last week, Metro Fire hosted an amazing Fire Camp that left 80 kids bursting with confidence and a newfound appreciation for teamwork! They experienced the rewarding life of a Metro firefighter. A heartfelt thank you goes out to everyone who made this incredible experience possible—our dedicated firefighters, supportive staff, logistics team, reserves, and explorers, all of whom played vital roles. We would also like to extend a huge shout-out to the behind-the-scenes divisions, such as finance, fleet, facilities, and logistics, that contributed in many valuable ways! Together, we created a week filled with life skills and memories that the kids will cherish for years to come.

- This week, media coverage was provided for two prescribed burns. To ensure the public was informed, we collaborated with several regional agencies, including Sacramento Regional Parks, the City of Rancho Cordova, the Board of Supervisors, the City of Citrus Heights, and OES.
- As we prepare for the 4th of July, our public relations strategy includes several key initiatives. We have placed "Keep it Safe, Keep it Legal" stickers on our engines to promote the importance of using Safe and Sane fireworks. Our social media presence will be enhanced with posts highlighting safety tips. Additionally, we aim to secure media coverage that focuses on safety, which may include ride-along experiences for journalists to observe our CRRD team in action.

FINANCE

- The Finance Division received notice recently that it has been officially recognized by the Government Finance Officers of America for achieving "Triple Crown" status. Specifically, excellence awards were given for three major fiscal year 2022-23 reports:
 - Annual Comprehensive Financial Report
 - Popular Annual Financial Report (what we call our Community Annual Report), and
 - Annual Final Budget

The District is one of 401 winners across the U.S. and Canada, putting us in the top half of one percent of all cities, counties, and special districts.

There are only two other fire district winners.

Within California, we're among 48 winners, putting us in the top 1.4% of local governments in the state.

SUPPORT SERVICES – (Deputy Chief Wagaman)

Logistics:

- Promotional opportunity underway from the position of Warehouse Manager - we hope to have the position filled with an internal candidate within the next month.
- In preparation to move station 64 to market, cleanup and asset removal have been completed.
- With continual cost savings in mind, Logistics Manager Siebert is actively renegotiating our drinking water machine rental and oxygen tank contracts.

CRRD:

- Of the 805 weed abatement inspections conducted, we have seen a compliance rate of 85% compared to 76% last year.
- In preparation for safe and insane fireworks sales, inspectors will be busy conducting 152 fireworks stand inspections on Saturday.
- Additionally, CRRD staff will be active July 3, 4 and 5 supporting local fireworks displays and to assist our Fire Investigations Unit with enforcement, and fire origin & cause.

- In effort to enhance public outreach on the use and proper disposal of Safe and Sane fireworks, and to reinforce no tolerance for dangerous fireworks use and sales, there will be a joint press conference on July 1 with the State Fire Marshal Office, the DA's Office, the Sacramento County Sheriff's Department and local agencies. The press conference will be held at the McClellan brick yard at 10:00 AM. Fire Marshal Nygren will also be attendance.

Facilities:

- The station re-flooring project at 53, 31, and 108 have recently been completed.
- To help support our PPE laundering program - facilities just completed installing two additional washer extractors and a new ultrasonic cleaner at out Logistics building.
- Facilities Manager Eachus has finalized an extensive plan to complete several roof repairs and HVAC upgrades throughout the district starting July 1, with the Station 50 apparatus bay first up.
- All District owned properties requiring weed abatement have been successfully mitigated.

Fleet:

- Within the next few weeks, Fleet will be sending one representative down to L.A. to inspect two new ambulance re-mounts and a team of six will be heading Wisconsin to complete an inspection on 5 new Type I engines.
- Fleet has an open recruitment for the position of Shop Assistant with approximately 30 applications have been received thus far. The final filing date is Tuesday, July 15, at 4:00 PM.

3. SMFD – FIREFIGHTERS LOCAL 522 REPORT (Captain Sean Scollard, *Local 522 Vice President*)

Captain Sean Scollard reported that Local 522 will be sending over a Notice of Intension to Negotiate early next week. We would like to have the District get salary surveys done now. We collaborated with the District to reduce brownouts. There is still work to be done to be successful but we look forward to having continued conversations. Director Rice requested a salary survey be completed for all unrepresented positions.

4. COMMITTEE AND DELEGATE REPORTS

All Committee Meetings will be held at the Sacramento Metropolitan Fire District Board Room, 10545 Armstrong Avenue, Mather, California unless otherwise specified.

A. Executive Committee – (President Wood)

No Report

B. Communications Center JPA – (Deputy Chief Fiorica)

The Communication Center JPA Board last met on June 24, 2025. During that meeting the Board approved the Fiscal Year 25/26 Final Budget for the Communications Center. The Board was also notified that Assistant Chief Robert Knaggs would be replacing Assistant Chief Scott Williams on the Board as the representative for the Sacramento Fire Department. Chief Williams is retiring after 30 year of service to the Sacramento Fire Department. Chief Williams was thanked for his many years of service.

C. Finance and Audit Committee – (Director Clark)

The Finance and Audit Committee met tonight and received a presentation from CFO O'Toole on the Bimonthly Fiscal Report through April 30, 2025. The takeaways were: General Fund revenue \$8.0 million below budget and \$15.4 million higher than prior year. General Fund expenditures are \$7.3 million lower than Midyear Budget. Labor costs are trending \$1.8 million above Midyear Budget estimate. PPGEMT revenues are growing across 28 months.

D. Policy Committee – (Director Costa)

No Report

BOARD MEMBER QUESTIONS AND COMMENTS

Director Clark stated he has a great time at Fire Camp. It's one of the most exciting events of the year. Wishing everyone a happy and safe July 4th.

Director Webber stated that he would like a proclamation or something similar for Brenda Briggs for running Fire Camp for so many years.

President Wood thanked Brenda Briggs and April West for putting on Fire Camp.

CLOSED SESSION:

The Board recessed to closed session at 6:41 p.m. on the following matter(s):

1. Pursuant to California Government Code Section 54956.9 (a) – one (1) matter of Workers' Compensation Compromise and Release

Jason Cahill and the Sacramento Metropolitan Fire District
Claim # 4A2305MHPDS0001
Workers' Compensation Settlement Authority
Melisa Maddux, Chief Human Resources Officer

Moved by Director Webber, seconded by Rice, and carried unanimously by members present to give authority to its third-party administrator to conclude a settlement of the matter.

2. Pursuant to California Government Code Section 54956.9 (a) –one (1) matter of Workers' Compensation Settlement Authority

Loren Mansel and the Sacramento Metropolitan Fire District
Claim # 4A2302G3HGG0001
Workers' Compensation Settlement Authority
Melisa Maddux, Chief Human Resources Officer

Moved by Director Webber, seconded by Costa, and carried unanimously by members present to give authority to its third-party administrator to conclude a settlement of the matter.

CLOSED SESSION REPORT OUT:

The Board reconvened in open session at 6:53 p.m. General Counsel John Lavra reported that the Board met in closed session on two items: 1. Workers' Compensation Compromise and Release: Jason Cahill Workers' Compensation Claim, the Board voted unanimously to

give authority to its third-party administrator to conclude a settlement of the matter. 2. Workers' Compensation Settlement Authority: Loren Mansel Workers' Compensation Claim, the Board voted unanimously to give authority to its third-party administrator to conclude a settlement of the matter.

To view the video of the meeting, please visit the Metro Fire Website or our YouTube channel:

<https://metrofire.ca.gov/2025-06-26-board-meeting>

https://www.youtube.com/channel/UC9t-uKlc_oOUGNrmogdQ_QA

ADJOURNMENT

The meeting was adjourned at 6:54 p.m.



Ted Wood, Board President



Robert Webber, Secretary



Marni Rittburg, CMC
Board Clerk



Sacramento
LAFCo

SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458
www.saclafco.org

SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Director	Jim Frazier	Herald Fire Protection District

SIGNATURE OF PRESIDING OFFICER: Dennis R. Johnson
(Original Signature Required)

Note: Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.

PRINTED NAME OF PRESIDING OFFICER: Dennis Johnson
(Required)

NAME OF NOMINATING DISTRICT: Herald Fire Protection District

MINUTES ATTACHED (Optional): Yes ☒ No ☐

NOMINEE IS RUNNING FOR POSITION: Regular (Voting): ☒ 4-year term ☒ 2-year term
Alternate ☒

Attest:

[Signature]
District Secretary, Clerk or General Manager

Nominations must be received by LAFCo before
5:00 p.m. on September 15, 2025

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Rich Desmond, Pat Hume, County Members ■ Rosario Rodriguez, Alternate
Lisa Kaplan, Mat Pratton, City Members ■ Phil Pluckebaum, Dr. Jayna Karpinski-Costa, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Gay Jones, Vacant, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henríquez, Executive Officer ■ Desirae Fox, Kristi Grabow, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel



Herald Fire Protection District

Candidate Statement

Jim Frazier

On behalf of the Herald Fire Protection District Board of Directors, we are proud to nominate **Jim Frazier** for the Sacramento LAFCo Special District Representative Seat #8.

Mr. Frazier joined the Herald Fire Protection District Board in November 2024, bringing with him deep roots in the Herald community and prior service as a volunteer firefighter. His longstanding commitment to public service and dedication to the safety and well-being of our residents make him an exceptional candidate for this role.

Jim is passionate about ensuring that special districts remain strong, effective, and responsive to the communities they serve. He values the important role these districts play in delivering essential services and believes it is vital to both highlight their unique contributions and preserve their ability to operate effectively within Sacramento County.

With his combination of community leadership, integrity, and firsthand experience in fire protection services, Mr. Frazier will represent special districts with dedication and balance on the Sacramento LAFCo. We respectfully ask for your support of Jim Frazier for Seat #8 so that the voice of special districts continues to be heard and protected.



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www.saclafco.org

SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Regular, 4-year voting seat	Robert Wichert	Sacramento Suburban Water District

SIGNATURE OF PRESIDING OFFICER: _____

(Original Signature Required)

Note: *Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.*

PRINTED NAME OF PRESIDING OFFICER: Robert Wichert, Board President

(Required)

NAME OF NOMINATING DISTRICT: Sacramento Suburban Water District

MINUTES ATTACHED (*Optional*): Yes ☐ No ☐ Resolution is attached

NOMINEE IS RUNNING FOR POSITION:

Regular (Voting):

☒ 4-year term

☐ 2-year term

Alternate ☐

Attest:

District Secretary, Clerk or General Manager

**Nominations must be received by LAFCo before
5:00 p.m. on July 31, 2025**

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Rich Desmond, Pat Hume, County Members ■ Rosario Rodriguez, Alternate
Lisa Kaplan, Mat Pratton, City Members ■ Phil Pluckebaum, Dr. Jayna Karpinski-Costa, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Gay Jones, Vacant, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henríquez, Executive Officer ■ Desirae Fox, Kristi Grabow, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel



Sacramento
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www.saclafco.org

SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Regular 2 Year Voting Seat	Robert Wichert	Sacramento Suburban Water District

SIGNATURE OF PRESIDING OFFICER: _____

(Original Signature Required)

Note: *Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.*

PRINTED NAME OF PRESIDING OFFICER: Robert Wichert

(Required)

NAME OF NOMINATING DISTRICT: Sacramento Suburban Water District

MINUTES ATTACHED (*Optional*):

Yes ☐

No ☐

Resolution Attached

NOMINEE IS RUNNING FOR
POSITION:

Regular (Voting):

☐ 4-year
term

☒ 2-year
term

Alternate ☐

Attest:

[Signature]

District Secretary, Clerk or General Manager

**Nominations must be received by LAFCo before
5:00 p.m. on July 31, 2025**

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Rich Desmond, Pat Hume, County Members ■ Rosario Rodriguez, Alternate
Lisa Kaplan, Mat Pratton, City Members ■ Phil Pluckebaum, Dr. Jayna Karpinski-Costa, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Gay Jones, Vacant, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henriquez, Executive Officer ■ Desirae Fox, Kristi Grabow, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel

GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57607] (Title 5 added by Stats. 1949, Ch. 81.)

DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 [56000 - 57550] (Heading of Division 3 amended by Stats. 2001, Ch. 388, Sec. 1.)

PART 2. LOCAL AGENCY FORMATION COMMISSION [56300 - 56430] (Part 2 added by Stats. 1985, Ch. 541, Sec. 3.)

CHAPTER 2. Formation of Commission and Selection of Commissioners [56325 - 56337] (Chapter 2 added by Stats. 1985, Ch. 541, Sec. 3.)

56332. (a) The independent special district selection committee shall consist of the presiding officer of the legislative body of each independent special district. However, if the presiding officer of an independent special district is unable to participate in a meeting or election of the independent special district selection committee, the legislative body of the district may appoint one of its members as an alternate to participate in the selection committee in the presiding officer's place. Those districts shall include districts located wholly within the county and those containing territory within the county representing 50 percent or more of the assessed value of taxable property of the district, as shown on the last equalized county assessment roll. Each member of the committee shall be entitled to one vote for each independent special district of which he or she is the presiding officer or his or her alternate as designated by the governing body. Members representing a majority of the eligible districts shall constitute a quorum.

(b) The executive officer shall call and give written notice of all meetings of the members of the selection committee. A meeting shall be called and held under one of the following circumstances:

- (1) Whenever the executive officer anticipates that a vacancy will occur within the next 90 days among the members or alternate member representing independent special districts on the commission.
- (2) Whenever a vacancy exists among the members or alternate member representing independent special districts upon the commission.
- (3) Upon receipt of a written request by one or more members of the selection committee representing districts having 10 percent or more of the assessed value of taxable property within the county, as shown on the last equalized county assessment roll.
- (4) Upon the adoption of a resolution of intention pursuant to Section 56332.5.
- (5) Upon receipt of a written request by one or more members of the selection committee notifying the executive officer of the need to appoint a member representing independent special districts on an oversight board pursuant to paragraph (3) of subdivision (j) of Section 34179 of the Health and Safety Code.

(c) The selection committee shall appoint two regular members and one alternate member to the commission. The members so appointed shall be elected or appointed members of the legislative body of an independent special district residing within the county but shall not be members of the legislative body of a city or county. If one of the regular district members is absent from a commission meeting or disqualifies himself or herself from participating in a meeting, the alternate district member may serve and vote in place of the regular district member for that meeting. Service on the commission by a regular district member shall not disqualify, or be cause for disqualification of, the member from acting on proposals affecting the special district on whose legislative body the member serves. The special district selection committee may, at the time it appoints a member or alternate, provide that the member or alternate is disqualified from voting on proposals affecting the district on whose legislative body the member serves.

(1) The executive officer may prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

(2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. This paragraph shall be operative only if the written notice of the meeting provided pursuant to subdivision (b) discloses that, if nominations are received for only one candidate by the end of the nominating period, the candidate shall be deemed appointed and the meeting may be cancelled.

(d) If the office of a regular district member becomes vacant, the alternate member may serve and vote in place of the former regular district member until the appointment and qualification of a regular district member to fill the vacancy.

(e) A majority of the independent special district selection committee may determine to conduct the committee's business by mail, including holding all elections by mailed ballot, pursuant to subdivision (f).

(f) If the independent special district selection committee has determined to conduct the committee's business by mail or if the executive officer determines that a meeting of the special district selection committee is not feasible, the executive officer shall conduct the business of the committee by mail. Elections by mail shall be conducted as provided in this subdivision.

(1) The executive officer shall prepare and deliver a call for nominations to each eligible district. The presiding officer, or his or her alternate as designated by the governing body, may respond in writing by the date specified in the call for nominations, which date shall be at least 30 days from the date on which the executive officer mailed the call for nominations to the eligible district.

(2) At the end of the nominating period, if only one candidate is nominated for a vacant seat, that candidate shall be deemed appointed. If two or more candidates are nominated, the executive officer shall prepare and deliver one ballot and voting instructions to each eligible

district. The ballot shall include the names of all nominees and the office for which each was nominated. Each presiding officer, or his or her alternate as designated by the governing body, shall return the ballot to the executive officer by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer mailed the ballot to the eligible district.

(3) The call for nominations, ballots, and voting instructions shall be delivered by certified mail to each eligible district. As an alternative to the delivery by certified mail, the executive officer may transmit materials by electronic mail. All notices and election materials shall be addressed to the presiding officer, care of the clerk of the district.

(4) Nominations and ballots may be returned to the executive officer by electronic mail.

(5) Each returned nomination and ballot shall be signed by the presiding officer or his or her alternate as designated by the governing body of the eligible district.

(6) For an election to be valid, at least a quorum of the special districts must submit valid ballots. The candidate receiving the most votes shall be elected, unless another procedure has been adopted by the selection committee. Any nomination and ballot received by the executive officer after the date specified is invalid, provided, however, that if a quorum of ballots is not received by that date, the executive officer shall extend the date to submit ballots by 60 days and notify all districts of the extension. If ballots from a quorum of the districts have not been received at the end of the 60-day extension period, the executive officer shall extend the period to return ballots for a length of time at his or her discretion until a quorum is achieved, unless another procedure has been adopted by the selection committee. The executive officer shall announce the results of the election within seven days of the date specified.

(7) For a vote on special district representation to be valid, at least a quorum of the special districts must submit valid ballots to the executive officer by the date specified in the voting instructions, which date shall be at least 30 days from the date on which the executive officer mailed the ballot to the eligible district. If ballots from a quorum of the districts have not been received at the end of the 60-day extension period, the executive officer shall extend the period to return ballots for a length of time at his or her discretion until a quorum is achieved, unless another procedure has been adopted by the selection committee. By majority vote of those district representatives voting on the issue, the selection committee shall either accept or deny representation. The executive officer shall announce the results of the election within seven days of the date specified.

(8) All election materials shall be retained by the executive officer for a period of at least six months after the announcement of the election results.

(g) For purposes of this section, "executive officer" means the executive officer or designee as authorized by the commission.
(Amended by Stats. 2018, Ch. 86, Sec. 6. (AB 3254) Effective January 1, 2019.)

My name is Robert Wichert, and everybody calls me “Bob”. With more than ten years of experience on the Board of Directors of the Sacramento Suburban Water District (SSWD), and currently Board President, I have developed a deep understanding of the critical issues that face our region, including efficient delivery of public services and the importance of local agency collaboration. My background includes:

Extensive Public Service: Serving on the Board of Directors with SSWD for more than ten years, where I work to ensure fiscal accountability and efficient delivery of a safe and reliable water supply at the lowest reasonable rates, as I insisted at SSWD from the start of my tenure.

Knowledge of LAFCO Responsibilities: I have direct experience with jurisdictional boundary changes, annexations, and special district reorganizations, as SSWD has attempted combination efforts with two regional water agencies, and most recently achieved a successful reorganization of the former Del Paso Manor Water District (DPMWD) into SSWD. I was a leader and key decision maker during the merger (reorganization) of Del Paso Manor Water District into SSWD.

Striving for excellence: I am not automatically in favor of mergers and reorganizations and consolidations, however, I believe that in some situations, such actions are best for everyone. I work as a fiscal conservative, striving to keep costs as low as possible in all of our efforts. I will not tolerate runaway spending or disregard for the costs of special districts borne by their customers.

Community Engagement: I am a leader with a proven commitment to transparency and public participation, having facilitated community meetings and outreach efforts to include residents in local governance decisions.

Collaborative Leadership: I have a track record of working effectively with city and county officials, special districts, and the public to find balanced solutions to complex local issues including serving on the Board of Directors and the Executive Committee of the Sacramento Regional Water Authority supporting The Water Forum.

Utility Management: My previous experience includes almost twenty years as an Engineer at SMUD, where I worked successfully with the SMUD Board of Directors to establish SMUD Greenergy, the first customer choice all-renewable energy option in California that allows customers to choose renewable energy by choice, not by force. Greenergy is still available to customers, more than twenty-five years after I put it in place.

Equitable Implementation: During the many discussions of the DPMWD reorganization into SSWD, I was careful to do my best to ensure that neither set of customers were disadvantaged, overcharged, or treated in a disrespectful manner. As leaders of SSWD, our Board was careful to make sure that all employees of both Districts were included. The combined employee staff structure is equitable and allows for advancement and growth. Additionally, the SSWD Board approved a term contract for the former General Manager of DPMWD to assist in the transition process of the reorganization to aid him in moving forward in his career.

In keeping my commitment to transparency and community engagement during the DPMWD / SSWD negotiations I was instrumental in transitioning to joint Board meetings. This led to improved communication and facilitated wise and equitable decision making. I was always striving to see things on all sides of all issues, to help formulate the most reasonable approach to reorganization, being fair to all.

Vision for LAFCO: LAFCO is more than mergers, reorganizations, and consolidations. LAFCO is responsible for new local agencies and assigning responsibilities to existing agencies. I plan to do that with the same approach; doing my best to keep customer costs as low as we can while keeping services best-in-class and responsive to the expressed needs of the customers served. My graduate work in Communication Studies taught me that public outreach and customer involvement is essential to this work. I look forward to being involved and encouraging public input in all of our efforts.

I am asking for your vote. Let’s work together to keep local agencies efficient and responsive to the needs of the customers they serve.

RESOLUTION NO. 25-12

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SACRAMENTO SUBURBAN WATER DISTRICT NOMINATING ROBERT WICHERT TO SERVE AS SPECIAL DISTRICT COMMISSIONER ON SACRAMENTO LOCAL AGENCY FORMATION COMMISSION

BE IT RESOLVED by the Board of Directors of Sacramento Suburban Water District as follows:

A. Recitals

The Board of Directors of the Sacramento Suburban Water District encourages and supports the involvement of its Board Members in local and regional governance and planning efforts, including participation with the Sacramento Local Agency Formation Commission (LAFCO).

Director Robert Wichert has expressed an interest in serving as a Special District Commissioner or Alternate on the Sacramento LAFCO.

B. Resolves

NOW, THEREFORE, BE IT RESOLVED THAT THE BOARD OF DIRECTORS OF SACRAMENTO SUBURBAN WATER DISTRICT,

1. Does hereby place its full and unreserved support in the nomination of Robert Wichert for appointment as a Special District Commissioner or Alternate to the Sacramento Local Agency Formation Commission for all three open positions to be voted on this cycle, including the (1) four-year voting seat, (2) two-year voting seat, and (3) four-year alternative position.
2. Does hereby determine that any expenses incurred in connection with Robert Wichert's service on the Sacramento LAFCO shall be borne by the Sacramento Suburban Water District.


PASSED AND ADOPTED by the Board of Directors of the Sacramento Suburban Water District on this 21st day of July 2025 by the following vote:

AYES: Boatwright, Locke, Thomas, and Wichert.

NOES: None.

ABSENT: Jones.

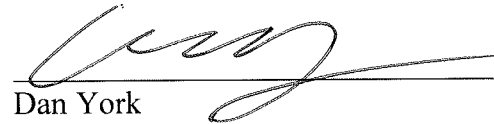
By:


Robert P. Wichert
President, Board of Directors
Sacramento Suburban Water District

I hereby certify that the foregoing resolution was duly and regularly adopted and passed by the Board of Directors of Sacramento Suburban Water District at a regular meeting hereof held on the 21st day of July 2025.

(SEAL)

By:

A handwritten signature in black ink, appearing to read 'Dan York', is written over a horizontal line.

Dan York
General Manager
Sacramento Suburban Water District



SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458
www.saclafco.org

SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Two year term	Beau Reynolds	North Highlands Recreation and Park Dist.

SIGNATURE OF PRESIDING OFFICER:

(Original Signature Required)

Note: Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.

PRINTED NAME OF PRESIDING OFFICER:

JODANNA McVay
(Required)

NAME OF NOMINATING DISTRICT:

North Highlands Recreation and Park Dist.

MINUTES ATTACHED (Optional):

Yes ☐

No ☒

NOMINEE IS RUNNING FOR
POSITION:

Regular (Voting):

☐ 4-year
term

☒ 2-year
term

Alternate ☐

Attest:

District Secretary, Clerk or General Manager

**Nominations must be received by LAFCO before
5:00 p.m. on September 15, 2025**

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Rich Desmond, Pat Hume, County Members ■ Rosario Rodriguez, Alternate
Lisa Kaplan, Mat Pratton, City Members ■ Phil Pluckebaum, Dr. Jayna Karpinski-Costa, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Gay Jones, Vacant, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henriquez, Executive Officer ■ Desirae Fox, Kristi Grabow, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel

Candidate Statement for LAFCO Special District Representative - Beau Reynolds

I am honored to be a candidate for the Local Agency Formation Commission (LAFCO) and would be privileged to serve the community in this vital role. As an elected member of the North Highlands Recreation and Park District since 2020, I have had the opportunity to work closely with local agencies and residents to improve services and strengthen our community. My experience in local governance has equipped me with a deep understanding of the complexities of public service, and I am eager to bring that knowledge to LAFCO.

Throughout my time on the North Highlands Recreation and Park District board, I have worked tirelessly to ensure that our community receives high-quality services, fosters collaboration between local agencies, and advocates for the needs of residents. This experience has given me a hands-on understanding of how government agencies can work together to meet the needs of their constituents, and how important it is to make informed, responsible decisions that benefit all.

If elected to LAFCO, I will prioritize the following:

- **Ensuring Efficient and Transparent Services:** I am committed to making sure that local government agencies operate efficiently, minimizing redundancy and maximizing the value of taxpayer dollars. It's important that we continually assess the effectiveness of the services provided to our residents.
- **Promoting Sustainable Development:** I will advocate for land use decisions that prioritize smart growth and environmental sustainability, balancing the needs of development with the protection of our natural resources and the long-term viability of our communities.
- **Supporting Collaborative Solutions:** My experience in the North Highlands Recreation and Park District has shown me the importance of collaboration between local agencies. I will work to ensure that LAFCO fosters a spirit of cooperation, sharing resources, and finding solutions that are in the best interest of our communities.
- **Advocating for Equity and Inclusion:** I will ensure that LAFCO decisions consider the diverse needs of our communities, especially those that have historically been underrepresented. Every resident deserves to have their voice heard, and I will work to ensure that no one is left behind in the decisions that impact their neighborhoods.

It would be an honor to bring my knowledge, passion, and commitment to public service to LAFCO. Together, we can build a more efficient, equitable, and sustainable future for our community.

Thank you for your consideration and support.




SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Director, Ward 1	Brandon D. Rose	Sacramento Municipal Utility District (SMUD)

SIGNATURE OF PRESIDING OFFICER:


(Original Signature Required)

Note: *Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.*

PRINTED NAME OF PRESIDING OFFICER: Gregg Fishman

(Required)

NAME OF NOMINATING DISTRICT: Sacramento Municipal Utility District (SMUD)

MINUTES ATTACHED (Optional):

Yes ☐

No ☒

NOMINEE IS RUNNING FOR
POSITION:

Regular (Voting):

☐ 4-year
term

☒ 2-year
term

Alternate ☒

Attest:



District Secretary, Clerk or General Manager

**Nominations must be received by LAFCo before
5:00 p.m. on July 31, 2025**

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Rich Desmond, Pat Hume, County Members ■ Rosario Rodriguez, Alternate
Lisa Kaplan, Mat Pratton, City Members ■ Phil Pluckebaum, Dr. Jayna Karpinski-Costa, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Gay Jones, Vacant, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henríquez, Executive Officer ■ Desirae Fox, Kristi Grabow, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel



Brandon D. Rose

**Director, Ward 1,
Sacramento Municipal Utility District (SMUD)**

**Candidate for Special District Representative,
Local Agency Formation Commission**

I am running for the Sacramento County Local Agency Formation Commission (LAFCO) to represent all special districts. It is an important job and I will bring a unique wealth of experience and skill to the position.

I am currently elected to the SMUD Board of Directors and prior to that spent eight years on the Fair Oaks Recreation & Park District Board. I am very familiar with LAFCO and served on the Special District Advisory Committee in 2023 and 2024. Previously, I was the Special District Representative and Chair of the Sacramento County Treasury Oversight Committee.

I understand many of the issues we face and will strive to represent all special districts countywide. My goal on LAFCO would be to protect the power and interests of all special districts - putting you first – and of course to ensure logical and orderly planning in the County that follows the General Plan.

I will bring my experience managing diverse coalitions to the position, including facilitation, collaboration and educational skills. My favored approach includes fostering understanding and trust-building between stakeholders. I believe that authenticity through open and honest communication is key to community buy-in and ultimately, policy success.

- ✓ Experienced
- ✓ Open & accountable
- ✓ Problem solver
- ✓ Honest leadership
- ✓ No conflicts of interest

I have learned that decision making is a collaborative process (with an understanding that the process itself is often as important as the ends) and am skilled at understanding core drivers to help shape productive conversations and drive successful outcomes.

My education is in Environmental Science and Policy with a focus on City and Regional Planning from UC Davis. I have also followed LAFCO operations over the years through my environmental volunteer work. I believe my years of experience with local government and knowledge of LAFCO allows me to stand out as a candidate.

I promise to be accountable to all special districts and am always available to discuss your issues or concerns. Please feel free to contact me directly at brandon.rose@smud.org or (916)844-5510.

Thank you for your time, commitment to service and for your support.

-Brandon

PUBLIC, NON-PROFIT & WORK EXPERINCE

2017-Current Board of Directors, Sacramento Municipal Utility District

As an elected board member, I work with my fellow directors to establish policies and values about how the publicly-owned electric utility best represents the community. The Board sets governance structures, long-term strategic direction and actively monitors compliance. The Board oversees and approves an annual budget of \$2.2 billion.

2023-24; 2010-11 Special District Advisory Committee; Sacramento LAFCO

This appointed advisory committee provided a forum for multi-agency coordination and information exchange between special districts and with LAFCO staff.

2008-2017 Board of Directors, Fair Oaks Recreation and Park District

As an elected member of the Board of Directors, I worked in conjunction with the District Administrator to determine long-term policy development and strategic planning for the Agency. As Chair of the Personnel and Management Committee, I was responsible for updates to district policies as well as negotiations with the employee association and management. As Chair of the Finance and Budget Committee, I direct the drafting and approval of the annual budget. In addition, as Board President, I focused on long-term master planning.

2011- 2019 Chair & Special District Representative, Sacramento County Treasury Oversight Committee

The Special District Representative is elected by the region's local governments to the Committee to oversee the County's pooled investment funds. Duties included review of the investment policies, investments and bond issuances, and to direct the creation and review of the annual portfolio audit. Board Chair 2014-2018.

2007-Current Board Member, Environment Council of Sacramento (ECOS)

ECOS is a local advocacy coalition non-profit that strives to achieve regional and community sustainability for existing and future residents in the Sacramento region by working proactively with local organizations, stakeholders and government. While President in 2016 and 2017, I was responsible for all operations, budget development and staff supervision.

2008-Current Air Pollution Specialist, California Air Resources Board

My current focus is on risk reduction measures for heavy-duty zero-emission vehicles such as financing, residual value support and secondary market development strategies.

2004-2007 Associate Energy Specialist, California Energy Commission

I managed the Emerging Renewables Program List of Eligible Solar and Wind Generation Equipment and was lead staff for the pilot Performance Based Incentive Program.



Sent Via **ia n** – cerk@sacafco.org and missioncerk@sacafco.org

September 9, 2025
BOD 25-04

José C. Henríquez
Sacramento Local Agency Formation Commission
211 Street, Suite 100
Sacramento, CA 95814

Re: Election of Special District Representatives to Sacramento LAFCo

Dear Mr. Henríquez:

Please let this letter serve as my official request to withdraw solely from the nomination 1
for the position of Alternate Special District Representative (four-year term).

Sincerely, 1

A handwritten signature in black ink that reads "Brandon D. Rose". The signature is written in a cursive, flowing style.

Brandon D. Rose
Director, Ward
SMUD

cc: Corporate Files 1



SACRAMENTO LOCAL AGENCY FORMATION COMMISSION
1112 I Street, Suite 100 • Sacramento, CA 95814 • (916) 874-6458
www.saclafco.org

SPECIAL DISTRICT NOMINATION

Special District Representative to LAFCo, Regular and Alternate

Position	Nominee's Name	Originating District
Alternate	Charlea Moore	Rio Linda Elverta Recreation and Park District

SIGNATURE OF PRESIDING OFFICER: Wayne Del Nero
(Original Signature Required)

Note: *Presiding Officer is the Chair/President. Any other signature invalidates this ballot, unless accompanied by Meeting Minutes designating an alternate.*

PRINTED NAME OF PRESIDING OFFICER: Wayne Del Nero
(Required)

NAME OF NOMINATING DISTRICT: Rio Linda Elverta Recreation and Park District

MINUTES ATTACHED (Optional): Yes ☐ No ☒

NOMINEE IS RUNNING FOR POSITION: Regular (Voting) ☐ Alternate ☒

Attest:

District Secretary, Clerk or General Manager

**Nominations must be received by LAFCO before
5:00 p.m. on July 31, 2025**

Return to:

Sacramento LAFCo (clerk@saclafco.org or at the address above)

Commissioners

Sue Frost, Rich Desmond, County Members ■ Patrick Hume, Alternate
Sean Loloee, Iva Walton, City Members ■ Katie Valenzuela, Jay Vandenburg, Alternates
Chris Little, Public Member ■ Timothy Murphy, Alternate
Lindsey Liebig, Gay Jones, Special District Members ■ Charlea Moore, Alternate

Staff

José C. Henríquez, Executive Officer ■ Desirae Fox, Policy Analyst
Nancy Miller, DeeAnne Gillick, Commission Counsel

Charlea R Moore

8840 El Verano Ave. • Elverta, CA 95626

Phone 916-991-0338 (home)

Cell 916-275-3275 (best contact)

Email - Charhorseranch@aol.com

Applicant Statement for the Alternate Special District LAFCO Representative

I moved from Glassboro New Jersey to Rio Linda Elverta in 1981, along with my 3 year old daughter and my husband.

Almost immediately I became involved with Sacramento County Service Area #3 which was the forerunner of our current independent Parks and Recreation District serving the Rio Linda Elverta Communities. This involvement was the result of reading a statement in the local paper, indicating that the Parks Advisory Board had determined that there were sufficient equestrian trails in the area. I was very happy to advocate for additional trails and in the process begin my education in local governance processes.

Over the next several decades I was appointed to numerous County and Local advisory boards, steering committees and ad hoc committees. My interest expanded to include growth issues, flood issues and agriculture/suburban/urban issues.

I learned a great deal about how government works and how Special Districts fit into the process. I became a strong advocate for local governance after going through 3 incorporation attempts in the Rio Linda Elverta communities and in the education process I switched from anti-incorporation to pro-incorporation for unincorporated communities.

In 2002 I successfully ran for the Rio Linda Elverta Recreation and Parks District. I truly enjoyed and have greatly benefited from the experience of becoming an elected board member. I ran again in 2016 and 2020 am currently serving as Chair for the RLE Recreation and Parks District. I have taken numerous SDLA courses and Board Training seminars and I continue to learn about the process of governance.

I anticipate taking CALAFCO U Webinar 1 July 17, 2025 Commissioner Best Practices in order to continue educating myself about LAFCO. I have participated in several LAFCO decisions as an alternate and I hope to continue to do so in the future.

As Chair of RLEPD I requested investigating the very opaque process of County funding for Special Districts and into the ERAF funds that are taken from Special Districts by the State every year. These investigations are prompted by what I perceive as very unfair and unfathomable processes and procedures for funding Special Districts. I believe that all Special Districts statewide will need to be included in any actions regarding this funding.

I believe that my history in the community and experience as an elected public official will be an asset for all Special Districts as a LAFCO Special District Alternate Board member.

Thank you for your consideration,

Charlea R. Moore

**RESOLUTION TO BE DRAFTED
BASED ON BOARD
DISCUSSION**