



# Rincon Consultants, Inc.

*Environmental Scientists*

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## M E M O R A N D U M

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**Date:** October 23, 2018  
**To:** Bobby Latino  
**Project:** Contract Planning Assignment, 295 Sun Way Project Technical Study Peer Review  
**From:** Megan Jones, Senior Program Manager  
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**cc:** Stephen Svete, [svete@rinconconsultants.com](mailto:svete@rinconconsultants.com)  
**Re:** Peer Review of the Rodeo Property Project  
Revised Technical Reports

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In June 2018, Rincon peer reviewed the following technical reports for the 295 Sun Way Project in Salinas, Monterey County, California:

- Air Quality Impact Analysis
- Greenhouse Gas Impact Analysis
- Biological Resources Assessment
- Phase I Cultural and Paleontological Resources Assessment

All reports were revised by FirstCarbon Solutions in August 2018. Per request by the City, Rincon has reviewed the revised reports. The findings of this second review are presented below.

### Air Quality Impact Analysis/Greenhouse Gas Impact Analysis

Most comments provided in Rincon's June 20, 2018 peer review memo were addressed in the revised Air Quality Impact Analysis and the revised Greenhouse Gas Impact Analysis (First Carbon Solutions August 2018). The following two comments were not addressed:

- The emissions results for the various construction activities presented in Table 12 of the Air Quality Impact Analysis do not match the CalEEMod results.
- The mobile emissions reported exclusively include emissions from CH<sub>4</sub> and CO<sub>2</sub>, as CalEEMod does not calculate mobile N<sub>2</sub>O emissions.

Rincon continues to recommend that the N<sub>2</sub>O emissions be calculated and added to Table 3 of the GHG Study. However, Rincon does not question the overall findings of the revised report.

## Biological Resources Assessment

All comments provided in Rincon's June 29, 2018 peer review memo were addressed in the revised Biological Resources Assessment (First Carbon Solutions August 2018). However, Rincon offers the following comments on the revised analysis:

- Despite the expansion to a nine-quad search, the California Native Plant Society (CNPS) search only returned four plants. This appears low and should be verified.
- Although additional detail is provided regarding the regulatory background of tree removal, the report does not clearly indicate if any tree removal is required. Additionally, the methods section states that that "species listed in any applicable ordinances identified on-site were noted, and their locations were recorded using a handheld GPS unit and were identified on a topographic map." However, a map is not included showing this information.
- Analysis and supporting discussion for California red-legged frog (CRLF), California tiger salamander (CTS), and burrowing owl (BUOW) does not consider connectivity or existing use/setting. In addition, the potential to occur table has not been revised to include all species from the nine-quad search.
- The special status plant species discussion is limited to one species (Congdon's tarplant) based on the results of a reconnaissance survey. Additional species cannot be excluded without full botanical surveys; however, impacts to non-listed species are unlikely to be considered significant under CEQA given the site conditions, and this just needs to be discussed. In addition, the report does not include a discussion of potential impacts or significance under CEQA.
- New measures for BUOW include passive exclusion measure. This species cannot be excluded during the nesting season, and consultation with CDFW would be required. This should be acknowledged in the measure.

Clarifying the above points would be preferable and recommended for legal defensibility. However, Rincon does not question the overall findings of the revised report.

## Phase I Cultural and Paleontological Resources Assessment Report

All comments related to paleontological resources and most comments pertaining to cultural resources in Rincon's June 20, 2018 peer review memo were addressed in the revised Phase I Cultural and Paleontological Resources Assessment Report (First Carbon Solutions August 2018). However, Rincon offers the following comments on the revised analysis:

- The revised report notes that a historic transmission line is immediately adjacent to the south side of the project site and recommends that the line be recorded and evaluated for its potential significance. It is not clear if the authors are recommending that the line should be recorded and evaluated simply because it is historic in age or if it is because the project has the potential to indirectly impact the resource. If the intent of the report is to provide information for a CEQA-level analysis of the proposed project, we recommend discussion about whether the project has the potential to impact the transmission line. If there is a potential, then the historic period resource should be recorded and evaluated as part of the cultural assessment. If the transmission line will not be impacted by the project, no further edits would be recommended.

Although Rincon does not question the findings of the revised report, addressing the above comment would be strengthen the analysis and defensibility.