FINAL
Initial Study/Mitigated Negative Declaration

Bowerman Power Renewable Natural Gas Plant Project

October 2025

Prepared for:

COUNTY OF ORANGE
OC Waste&Recycling
Our Community. Our Commitment.

601 N. Ross Street, 5th Floor
Santa Ana, CA 92701

Prepared by:

TETRA TECH

17885 Von Karman Avenue, Suite 500
Irvine, CA 92614

Table of Contents

List of Tables

List of Figures

List of Appendices

Acronyms and Abbreviations

§	Section
AQIA	Air Quality Impact Assessment
BMP	Best Management Practice
Bowerman Power	Bowerman Power LFG, LLC
CalEEMod	California Emissions Estimator Model
CBC	California Building Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CNDDB	California Natural Diversity Database
dBA	A-weighted decibel
FRB	Frank R. Bowerman
FTA	Federal Transit Administration
GHG	Greenhouse Gas
HCP	Habitat Conservation Plan
HDD	Horizontal Directional Drilling
HRA	Health Risk Assessment
IS	Initial Study
IRWD	Irvine Ranch Water District
KOP	key observation point
LFG	landfill gas
LST	Localized Significance Threshold
MLD	Most Likely Descendent
MND	Mitigated Negative Declaration
MT	metric ton
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Planning
OCFA	Orange County Fire Authority
OCWR	OC Waste & Recycling
OSR	Open Space Reserve
Plant	renewable natural gas production plant

POR	Point of Receipt
Project	Bowerman Power Renewable Natural Gas Plant Project
RELOOC	Regional Landfill Options for Orange County
RNG	renewable natural gas
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
scfm	standard cubic feet per minute
SRA	State Responsibility Area
Tetra Tech	Tetra Tech, Inc.
TOU	Time of Use
USFWS	U.S. Fish and Wildlife Service

1.0 INITIAL STUDY/MITIGATED NEGATIVE DECLARATION PUBLIC REVIEW

Bowerman Power LFG, LLC (Bowerman Power) is working with OC Waste & Recycling (OCWR) to develop a renewable natural gas (RNG) production plant (Plant) on land at the Frank R. Bowerman (FRB) Landfill leased to Bowerman Power by OCWR, to be known as the Bowerman Power Renewable Natural Gas Plant Project (Project). The RNG Plant will be designed to produce RNG from landfill gas (LFG) that is produced by the FRB Landfill and deliver it to SoCalGas.

Following an initial review of the proposed Project, OCWR determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). An Initial Study (IS) was prepared to address the environmental effects of the Project, as proposed.

In accordance with the California Environmental Quality Act (CEQA) Section 21091 and State CEQA Guidelines Section 15073, the IS/Mitigated Negative Declaration (IS/MND) for the Project was circulated for a 30-day public review and comment period from October 17, 2024, to November 15, 2024. In response to comments received on the Original Draft IS/MND, OCWR has decided that the following information/analysis should be revised and recirculated for public review:

- Potential impacts to Crotch's bumble bee (*Bombus crotchii*), in response to comments from California Department of Fish and Wildlife (CDFW) (Biological Resources Special-status Species Section)
- Revisions to the Air Quality, Greenhouse Gas (GHG), and Health Risk Assessments, in response to comments from South Coast Air Quality Management District (SCAQMD) (Air Quality and GHG Sections)
- Analysis of the impacts of the Project on Irvine Ranch Water District (IRWD)-owned facilities (potable water, recycled water, and sewer systems), in response to comments from IRWD (Utilities and Service Water Section)

Pursuant to Section 15073.5 of the State CEQA Guidelines, the above sections of the Recirculated Focused Draft IS/MND were recirculated for a 30-day public review and comment period from September 2, 2025, to October 1, 2025.

1.1 Availability of Initial Study/Mitigated Negative Declaration

The Original Draft IS/MND and Recirculated Focused Draft IS/MND were available for review at the following locations:

- OCWR, 601 N. Ross Street, 5th Floor, Santa Ana, CA 92701
- OCWR website, https://oclandfills.com/page/bowerman-power-rng-ceqa
- Irvine Heritage Park Library, 14261 Yale Avenue, Irvine, CA 92604
- State Clearinghouse CEQAnet Web Portal, https://ceqanet.opr.ca.gov/2024100760

1.2 Final Initial Study/Mitigated Negative Declaration

The Final IS/MND consists of:

- The Original Draft IS/MND and Recirculated Focused Draft IS/MND (incorporated into this Final IS/MND by reference);
- Responses to those emails/letters received for the Original Draft IS/MND and the Recirculated Focused Draft IS/MND are included in **Section 3** and copies of the full comment emails/letters are provided in Appendix A;
- Clarifications and modifications to the Draft IS/MND (see **Section 4**);
- Project Impacts and Mitigation Measures (see **Section 5**); and
- The Mitigation Monitoring and Reporting Plan (see Appendix B).

2.0 PROJECT INFORMATION

2.1 Environmental Setting

The Project will be located at the FRB Landfill in unincorporated Orange County within the sphere of influence of the City of Irvine, except for the new SoCalGas pipeline, which will be located within the City of Irvine.

2.1.1 Regional

Orange County is located along the Pacific Ocean between Los Angeles County to the north and northwest, San Bernardino County to the northeast, Riverside County to the east, and San Diego County to the southeast, covering 798 square miles (County of Orange 2012). The FRB Landfill is in one of the unincorporated areas of Orange County. The unincorporated territory, consisting of approximately 321 square miles, is geographically diverse with unincorporated areas spread throughout Orange County.

The City of Irvine is situated in central Orange County and covers approximately 66 square miles of land (City of Irvine 2022; see Figure 2-1, Project Vicinity). The City boundaries stretch from State Route 73 in the southwest to the foothills of the Santa Ana Mountains in the northeast. The FRB Landfill is situated in these foothills northeast of the City.

Physiographically, the FRB Landfill is located in the Peninsular Ranges Geomorphic Province, which is characterized by a series of mountain ranges that are sub-parallel to the coast from Los Angeles to San Diego (CGS 2002). The Santa Ana Mountains are located in the northern end of the province, and the Project site is located on the southwestern flank of the Santa Ana Mountains, in the foothills that transition to an alluvial plain which encompasses most of the City of Irvine. The FRB Landfill is located within the Bee Canyon topographic feature providing space to accommodate a large volume of municipal solid waste. Bee Canyon is within the larger San Diego Creek watershed, which drains across the alluvial plain and into Newport Back Bay, and from there connects to the Pacific Ocean.

The FRB Landfill is surrounded by an area designated by the Orange County General Plan as Open Space Reserve (OSR) and is part of the Orange County Central and Coastal Subregion Natural Communities Conservation Plan/Habitat Conservation Plan Reserve.

2.1.2 Project Site

The Project site is situated near the northeastern edge of the City of Irvine (see Figure 2-2, Project Location) and within the FRB Landfill boundaries, except for the western end of the new SoCalGas pipeline connecting to the existing SoCalGas pipeline. The Project will consist of three “localities” where disturbances will occur: the new Project RNG Plant, the new SoCalGas pipeline, and the existing soil stockpile area (see Figure 2-3, Project RNG Plant Site and FRB Landfill Soil Stockpile Area Locations and Figure 2-4, Proposed SoCalGas Pipeline Route).

The RNG Plant site involves 3.52 acres of part of the undeveloped land leased to Bowerman Power by OCWR (see Figure 2-3). This land is adjacent to the existing Bowerman Power 19.6-megawatt landfill gas to energy facility (Bowerman Power Plant) and the FRB Landfill flare station. Approximately 90,000

cubic yards of fill material will be extracted from an existing soil stockpile area (see Figure 2-3) within the FRB Landfill boundaries and will be used to provide fill materials for the RNG Plant pad including a point of receipt (POR) facility to be developed and operated by SoCalGas.

The new SoCalGas pipeline will run from the POR within the RNG Plant boundary, down Bee Canyon Access Road to the existing SoCalGas pipeline on the corner of Portola Parkway and Jeffery Road. The new SoCalGas pipeline will be approximately 2.0 miles in length along Bee Canyon Access Road and approximately 0.4 mile in length along Portola Parkway, for a total of 2.4 miles.

2.2 Project Description

2.2.1 Background

The FRB Landfill is a state-of-the-art, Class III, municipal solid waste facility, owned by the County of Orange and operated and maintained by OCWR. FRB Landfill opened in 1990 and spans approximately 725 acres of hillside with 534 acres allocated for waste disposal. It is permitted for 11,500 tons per day maximum with an 8,500 tons per day annual average. The FRB Landfill is currently receiving approximately 8,000 tons of refuse per day. The FRB Landfill has enough projected capacity to serve residents and businesses until approximately 2053. The current permitted capacity is 266 million cubic yards, of which approximately 105.7 million cubic yards have been placed as of June 2022.

The Regional Landfill Options for Orange County (RELOOC) defines the permitted vertical and horizontal expansions for the Master Development Plan of the FRB Landfill (P&D Consultants 2006). The permitted vertical and horizontal expansions are implemented in phases to provide for sufficient landfill operation areas and not disturb all parts of the landfill at once. The Master Development Plan includes three Phase VIII subareas (VIII-A, B, and C). The FRB Master Development Plan also includes several on-site stockpile locations for soil excavated as part of landfill phase development and operations. All soil stockpiles are within the landfill property. The soil is used for daily and intermediate cover, road construction and other related uses. Excavations are currently underway for the development of Phase VIII-A1. Soils excavated from the development of Phase VIII-A1 are stockpiled in the soil stockpile area (see Figure 2-3).

The LFG currently created by the landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The Bowerman Power Plant, an existing 19.6-megawatt landfill gas to energy facility, was opened in 2016 and is an award-winning, public-private partnership producing enough electricity for the City of Anaheim to power 26,000 homes. Bowerman Power currently owns and operates the Bowerman Power Plant. It is located adjacent to the flare station and processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station.

2.2.2 General Description

Bowerman Power, as the Project Proponent, is proposing to develop an RNG Plant at the FRB Landfill on land at the FRB Landfill leased to Bowerman Power by OCWR. Bowerman Power is a renewable energy company specializing in the recovery and processing of biogas from landfills and other non-

fossil fuel sources for beneficial use as a replacement to fossil fuels. They develop, own, and operate RNG projects, using proven technologies that supply renewable fuel into the transportation and electrical power sectors. Having participated in the industry for over 30 years, they are one of the largest U.S. producers of RNG. They have an operating portfolio of 12 RNG and three Renewable Electricity projects that span six states, including the Bowerman Power electricity generation site located within FRB Landfill.

As described above, the LFG not processed by the Bowerman Power Plant is incinerated at the flare station. California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

The RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas, as detailed in Table 2-1, and shown in Figure 2-5, RNG Process Design Flow. The Project does not include the storage of RNG, but will instead direct RNG to SoCalGas's existing natural gas pipeline infrastructure. The RNG Plant layout (see Figure 2-6, Project Site Plan) will comprise two areas: the process equipment area (see Figure 2-7, RNG Process Equipment Area Layout) and the control and electrical buildings (see Figure 2-8, RNG Control / Electrical Buildings Layout).

The RNG Plant will be designed to process a maximum of 6,000 scfm of raw LFG at the inlet. The process will remove nitrogen, oxygen, carbon dioxide, sulfur hydroxide, volatile organic chemicals, hydrogen sulfide, as well as other minor impurities to meet the gas specifications of SoCalGas. The RNG Plant was sized based on the available capacity of the existing SoCalGas pipeline system, as provided by SoCalGas.

Table 2-1. Project RNG Plant Components

Component	Data
RNG Plant Owner	Bowerman Power
Project Name	Bowerman Power Renewable Natural Gas Plant
Project Site Location	Frank R. Bowerman Landfill 11002 Bee Canyon Access Road Irvine, CA 92602
Landowner	County of Orange
Project Type/Size	LFG to RNG conversion plant (Bowerman Power Plant) Maximum capacity of 6,000 scfm
Source Fuel	Landfill gas; 46-53% methane (dry basis)
Equipment Location	Primarily outdoor equipment with some enclosures (required for noise abatement or environmental control). Electrical and control equipment to be enclosed.

As noted previously, excavation is currently underway for the development of FRB Landfill Phase VIII-A1. The soils removed during the excavation are stockpiled within the FRB Landfill boundaries (see soil stockpile area on Figure 2-3). The RNG Plant pad is expected to require approximately ~~7~~90,000

cubic yards of fill material. This fill material will be extracted from within the soil stockpile area and trucked to the RNG Plant site for development of the RNG Plant pad.

SoCalGas will develop a POR facility which will receive RNG from the plant, odorize, compress, and insert the RNG into its pipeline. A 250-gallon odorant tank will be installed in the POR facility. SoCalGas will construct a new 12-inch-diameter pipeline to convey the RNG from the POR (see Figure 2-9) on the Project site to the existing SoCalGas pipeline at the corner of Portola Parkway and Jeffrey Road (see Figures 2-4.1 through 2-4.12).

The new RNG Plant will process excess LFG and deliver the resulting RNG to the SoCalGas pipeline. This effort will promote the beneficial reuse of existing and future LFG collected by FRB Landfill, support long-term sustainability goals in the region, and help reduce Orange County's reliance on fossil fuels. Additionally, the Project will contribute to California Public Utility Commission's Renewable Gas Program to procure RNG made by methane from organic waste from landfills. By processing LFG into RNG and delivering it to SoCalGas, the Project will reduce the volume of LFG being flared and the associated GHG emissions from the flares.

Benefits of the Project include the following:

- RNG has a lifecycle Carbon Intensity (CI) that is 20 percent lower than conventional natural gas.
- The Project creates a beneficial use for the excess LFG that would otherwise be incinerated in the flares.
- When compared to flaring LFG, the Project will reduce air emissions from all criteria pollutants at the FRB Landfill by 60 percent.
- When compared to flaring LFG, an RNG Plant will reduce GHG emissions by 90 percent.
- The annual GHG emissions avoided from 6,000 scfm of LFG going to the RNG facility are equivalent to approximately the amount of trash landfilled over a 1.5-year period.
- California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities.
- The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

2.2.3 Operations

The proposed RNG systems are intended to support continuous operation with appropriate equipment and components. To support minimal staffing, the Plant will be automated to allow station operations as detailed in Table 2-2 and below. Under normal conditions, maintenance personnel will be on-site for site inspections and maintenance only as needed, and typically only during daylight hours.

Table 2-2. General Plant Operations

Parameter	Design Requirements
Operation Staff	Manned operations: A total of 10 Bowerman Power employees, 8-10 hours per day/5 days per week Unmanned/remote operations: 14-16 hours per day/5 days per week, and 24-hours/2 days per week
Service Life	20 years (approximately 2026 to 2046)
Shut Down	Depressurize to facility off-spec flare and landfill flares
Shut Down Sequence	Automated
Start Up Sequence	Semi-Automated
Planned Shut Down Time	Minimize annual down time
Turn Down	Losses in recovery efficiency are expected and acceptable to achieve turn down Two-stage public service announcement system maximum turndown is 75% (25% of nameplate capacity)

The RNG Plant will be supplied LFG from the existing flare station for upgrading into RNG. The RNG Plant will be designed to produce RNG that meets the Product Gas Composition requirements as set forth pursuant to SoCalGas' Rule Number 30[1].

The RNG Plant will have two buildings: an Electric Building, which is planned to be unoccupied, and a Control Building, which will be occupied by the operational staff, see Figures 2-7 and 2-8. The process equipment will be placed outside on the RNG Plant pad. The Control Building will house the Control Center (computer stations), lavatories, and the Electric Building will house the electrical room. The type of equipment expected for operation of the RNG Plant is shown in Figure 2-10, Equipment List.

The SoCalGas POR facility located on the RNG Plant site, see Figure 2-9, will be 8,000 square feet and include an electrical shelter, analyzer shelter, automated control valve(s), filter separator, meter, odorant skid, above-ground piping and pipe supports, bollards, fencing, roadways, and gates. The POR's equipment and their functions are briefly described below:

- **Electrical Shelter:** The electrical shelter provides power to the POR's electrical equipment, gas instrumentation, and communication controls.
- **Analyzer Shelter (or Gas Analyzer System):** The analyzer shelter samples and analyzes incoming RNG, from the RNG Plant, to evaluate gas composition and quality. If inlet gas qualities deviate from the allowable limits, the analyzer shelter will trigger the overpressure protection valve to close and rejected gas will be routed back to the RNG Plant for re-processing or flaring. Once permissible gas composition and quality are confirmed by the analyzer shelter, the overpressure production valve will open, and gas will be allowed into the POR station.
- **Automated Control Valve(s):** The control valves regulate the gas pressure of the RNG that is injected into SoCalGas' existing natural gas infrastructure.
- **Filter Separator:** The filter separator separates incoming particulates, entrained liquids, and RNG entering the POR facility and allows for dry gas to flow into the flow meter.

[1] SoCalGas Renewable Natural Gas Quality Standards, https://www.socalgas.com/1443740736978/gas-quality-standards-one-sheet.pdf

- **Metering (or Flow Metering):** The flow meter calculates the corrected gas flow of the RNG entering the POR facility.
- **Odorant Skid (or Odorizing System):** The odorizing system injects odorant (mercaptan) into the RNG stream prior to injection into SoCalGas' existing natural gas infrastructure. Odorant is injected as a safety provision to make a gas leak readily detectable by sense of smell. The odorant skid contains a 250-gallon odorant storage tank, two expansion tanks, two injection pumps, two verometers, and four odorant filters.
- **Above-Ground Piping and Pipe Supports:** The above-ground piping and pipe supports transport the RNG through the POR facility and allow for SoCalGas personnel to perform future maintenance on the facility.
- **Bollards, Fencing, Roadways, and Gates:** The bollards, fencing, roadways, and gates protect the POR facility from vehicle collision and unauthorized access.

Normal operational power will be provided by Southern California Edison (SCE) service. In case of SCE power outage, a natural gas generator will be onsite to power critical facility safety and control systems. The generator will be used for temporary back-up power only.

2.2.4 Safety and Operability

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The existing Bowerman Power Plant includes a hazardous management business plan prepared in accordance with County regulations. The plan shall be updated to address new aspects of the RNG Plant equipment and operation. The current plan addresses business activities, safe handling practices, hazardous material inventory, emergency response, and employee training plans.

The Project will be designed for normal operation from the Control Building, but with the ability to have both local and remote startup, operation, shutdown, and emergency shutdown capabilities for equipment. Emergency eyewash and/or safety shower stations (meeting ANSI/ISEA Z358.1 standards) will be provided. The process equipment area will include a gas detection system.

The RNG Plant will include the following emergency systems:

- The RNG Plant control system will be designed to operate and maintain the RNG process under normal conditions. If conditions occur outside of the normal operating range, the RNG Plant will shut down due to any potentially hazardous process conditions and the LFG will be combusted in the landfill flares.
- The electronic auto-dialing system, currently in place at the adjacent Bowerman Power Plant, will be expanded to include the proposed Project. The system will notify the operator of an abnormal condition during non-business hours and will provide visual and audible warnings to assist operator response.
- In the event of planned maintenance, unplanned process changes, or other event, the RNG Plant will be either manually or automatically shut down and LFG will be redirected to landfill flares as necessary.

- The pipeline pressure and flow will be monitored and any change outside of normal operating parameters will shut off the pipeline and shut down the RNG Plant.
- The RNG Plant will have a seismic sensor. In the event of a large earthquake, the RNG Plant equipment will be shut down and pipeline valves will be closed.
- The RNG Plant will have a gas detection system.
- Access and circulation for large vehicles will be provided to the RNG Plant.
- Water supply for firefighting will be supplied by existing on-site FRB Landfill water tanks.
- In adherence to the OCFA's Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

The new SoCalGas pipeline will also be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 Code of Federal Regulations (CFR). Emergency shut-off valves, pressure monitoring devices and other control equipment shall be incorporated into the design of the pipeline. The system shall include devices required by 49 CFR 192 and as deemed appropriate by the County. These devices shall be installed on the pipeline at locations and distance intervals specified in federal regulations. In addition, SoCalGas will take the safety precaution of pressure testing the new pipeline prior to placing it in service to validate the engineering and fitness of the pipe.

2.2.5 Water Use

The Project will use an estimated 350,000 gallons of non-potable water during construction activities (soil compaction, dust suppression, etc.). Non-potable water for construction activities will either be supplied from existing on-site FRB Landfill water tanks or trucked in from an off-site provider. Initially during operations, the RNG Plant system will require 1,000 gallons of water to supply the chiller system. Typically, no additional water will be required for the system except in the case of non-routine maintenance. Personal Potable water usage (bathroom, sink, shower, etc.) is estimated to be 110,000 gallons per year. Per Bowerman Power's agreement with OCWR, water for RNG Plant maintenance and personal water use will be supplied by OCWR from the existing domestic water line that currently serves the Bowerman Power Plant. Septic waste from the RNG Plant's bathroom facilities will be pumped to a sanitary holding tank that will be regularly pumped out and hauled off-site by a licensed third-party vendor.

The fire suppression system for the Project will utilize the 46,000-gallon fire water tank that was constructed in early 2016 to service the adjacent Bowerman Power Plant. The system will draw water from the existing tank through dedicated hydrants positioned at the northeastern and southwestern ends of the RNG Plant.

2.2.6 Construction Details

Construction is anticipated to begin in the first quarter of 2026 and is expected to occur over a span of 2 years, with the majority of the emitting construction phases overlapping during a 1-year period.

All Project equipment and building materials staging for the RNG Plant and SoCalGas POR will occur on-site within the construction site work zones. The staging area for the new SoCalGas pipeline would be on a previously disturbed unpaved area adjacent to the westbound lane of Bee Canyon Access Road, approximately 600 feet northeast from the center of the Bee Canyon Access Road Bridge (No. 55-785).

Non-hazardous waste and excess debris will be disposed of at the FRB Landfill.

Construction of the RNG Plant will include approximately 313 working days of construction and the new SoCalGas Pipeline will include approximately 239 working days of construction during normal working days and hours (Monday through Friday, except federal holidays). The construction labor force will vary from a minimum of 2 to a maximum of 35 workers per day for the duration of the construction activities. The type of heavy construction equipment expected for construction of the RNG Plant and the new SoCalGas pipeline is shown in Figure 2-10.

The approximately 3.52-acre Project site will require grading for the approximately 2.3-acre RNG Plant pad, see Figure 2-11. The pad will be composed of approximately 1.38 acres of concrete and 0.22 acres of graded land. The pad is expected to require approximately ~~7~~90,000 cubic yards of fill material, which will be extracted from an existing soil stockpile area within the FRB Landfill boundaries (see Figure 2-3). The soil stockpile area was previously graded as part of FRB Landfill Master Development Plan development and is currently used as the soil stockpile area for the soils excavated as part of the Phase VIII-A development.

An additional 0.8 acre will be cleared of vegetation, see the area shown in red and yellow on Figure 2-11, to comply with Orange County Fire Authority's (OCFA's) Fuel Modification and Maintenance Program. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Construction of the new SoCalGas pipeline route will take place along Bee Canyon Access Road and Portola Parkway. The majority of the pipeline installation construction activities will use open-trench techniques within the paved sections of the roadways, with horizontal directional drilling techniques in some locations. The construction work area along the proposed pipelines will be approximately 50 feet wide. The disturbance for trenching activities will be approximately 30 inches wide with an average depth of 6 feet.

In order to cross the Highway 241 Transportation Corridor, it is expected that the new SoCalGas pipeline will be hung under the "Bee Canyon Access Rd. Bridge" or Bridge #55-785. The new SoCalGas pipeline will be designed and constructed to handle potential lateral hydraulic loading and buoyant forces in order to support the pipe's weight between bridge piers. The new SoCalGas pipeline will be secured under the bridge by pipe hangers made from either carbon steel or galvanized steel. If this method of crossing the Highway 241 Transportation Corridor cannot be used, SoCalGas would

perform a Horizontal Directional Drilling (HDD) operation along Bee Canyon Access Road to install approximately 1,300 feet of 12.7-inch steel pipeline beneath the Highway 241 Transportation Corridor. The entry and exit workspaces would be located on private property outside of Caltrans Right of Way (see Figure 2-4, Sheets 4 and 5, and Figure 2-12). The HDD entry workspace would be approximately 150 feet by 100 feet in size and located within the "dirt lot" adjacent to the west-bound lane of Bee Canyon Access Road, approximately 600 feet northeast from the center of the "Bee Canyon Access Rd. Bridge". The HDD exit workspace would be approximately 150 feet by 60 feet in size and would be located along Bee Canyon Access Road, approximately 800 feet southwest from the center of the "Bee Canyon Access Rd. Bridge." The maximum excavation depths for both the HDD entry and exit workspaces should not exceed 10 feet.

The HDD process, if necessary, could be divided into four main phases: pilot hole, reaming, swabbing, and pullback. The pilot hole would be approximately 10 inches in diameter and would drill a complete profile from entry to exit locations. During the reaming and swabbing phases, the pilot hole would be expanded to a minimum of 18 inches. The final hole size would be determined by the HDD contractor. Prior to the pullback phase, the steel pipeline would be hydrostatically tested and upon completion, would be pulled into the hole. A bentonite mixture would be placed downhole to solidify and fill the void space and cap the ends of the entry and exit holes. The approved material would be determined by the drilling contractor and any permitting conditions. An estimated 100 cubic feet of drill mud waste would be produced during the HDD operation. All HDD waste would be disposed of off-site at an appropriate landfill site. The specific construction approach for the crossing of the Highway 241 Transportation Corridor is preliminary and subject to change depending on permitting conditions and requirements.

A traffic control plan will be prepared to accommodate this work area corridor along the new SoCalGas pipeline route. The plan will be reviewed and approved by OCWR and the City of Irvine Department of Public Works & Sustainability prior to implementation.

2.3 Project Objectives

The objectives of the Project include the following:

- Safely produce RNG from LFG that is natively created by the FRB Landfill and deliver it to SoCalGas;
- Allow for the beneficial reuse of existing and future LFG collected by FRB Landfill in a manner that furthers the long-term sustainability goals of the area;
- Provide the most feasible and cost-effective method of transporting LFG from FRB Landfill to SoCalGas;
- Assist Orange County in reducing its dependence on fossil fuels and become more sustainable and energy independent;
- Contribute to goals of the California Public Utilities Commission Renewable Gas Procurement Standard to procure RNG made by methane from organic waste from landfills and other sources;
- Reduce the amount of LFG being flared at the FRB Landfill;

- Reduce and quantify greenhouse gas (GHG) emissions from the FRB Landfill; and
- Minimize adverse environmental impacts.

2.4 Incorporation By Reference

Various technical studies, analyses, and reports were used in the preparation of this IS and are incorporated by reference in accordance with Section 15150 of the CEQA Guidelines. This includes the Original Draft IS/MND and Recirculated Focused Draft IS/MND.

2.5 Other Public Agencies Whose Approval Is Required

Other public agencies whose approval is expected to be required in the form of permits, financing approval, or participation agreements are as follows:

- South Coast Air Quality Management District – Permit to Construct (RNG Plant - Bowerman Power, new SoCalGas pipeline – SoCalGas), Dust Control (RNG Plant - Bowerman Power, new SoCalGas pipeline – SoCalGas), Plan Permit to Operate (RNG Plant - Bowerman Power)
- Santa Ana Regional Water Quality Control Board – Stormwater Pollution Prevention Plan for construction activities and development discharge (RNG Plant - Bowerman Power, new SoCalGas pipeline – SoCalGas)
- County of Orange – Conditional Use Permit (RNG Plant - Bowerman Power), Construction Permits (RNG Plant - Bowerman Power), Encroachment/Development Permit (new SoCalGas pipeline - SoCalGas)
- USFWS – coordination regarding NCCP (RNG Plant - Bowerman Power)
- CDFW – coordination regarding NCCP (RNG Plant - Bowerman Power)
- City of Irvine – Encroachment Permit (new SoCalGas pipeline - SoCalGas)
- Caltrans – Encroachment Permit (SoCalGas new pipeline HDD construction- SoCalGas)
- Irvine Ranch Water District - Encroachment/Development Permit (SoCalGas new pipeline construction- SoCalGas)

3.0 COMMENTS AND RESPONSES

3.1 Overview

The Original Draft IS/MND received 35 public comment emails/letters during the October 17, 2024, to November 15, 2024, public review period. The Recirculated Focused Draft IS/MND received four public comment emails/letters during the September 2, 2025, to October 1, 2025, public review period. Responses to these emails/letters are included below and the full comment emails/letters are provided in Appendix A.

3.2 List of Commenters

Original Draft IS/MND

Comment emails were received on the Original Draft IS/MND by the individual identified below:

- Agency Commenters
  1) William Miller, Biomonitor, U.S. Fish and Wildlife Service (USFWS)
  2) Justin Equina, Senior Planner, City of Irvine
  3) Scott Shelley, Branch Chief, California Department of Transportation (Caltrans)
  4) William Miller, Biomonitor, USFWS
  5) Glen M. Lubcke, Environmental Program Manager, California Department of Fish and Wildlife (CDFW)
  6) Sam Wang, Program Supervisor, CEQA Intergovernmental Review (IGR), Air Quality Monitoring District (AQMD)
  7) Fiona M. Sanchez, Director of Water Resources, Irvine Ranch Water District
- Public Commenters[2]
  1) A. A., Commenter
  2) S. S., Resident
  3) J. M., Resident
  4) C. L., Resident
  5) D. A., Resident
  6) R. A., Resident
  7) C. S., Resident
  8) J. S., Resident
  9) R. A., Resident
  10) E. S., Resident
  11) C. M., Resident

[2] Public Commenters' names have been redacted for privacy.

12) K. S., Resident
13) L. F., Resident
14) S. H., Resident
15) J. H., Resident
16) B. R., Resident
17) A. and R. P., Resident
18) S. F., Resident
19) K. L., Resident
20) R. J., Resident
21) L. T., Resident
22) R. A., MD, Resident
23) D. L., Resident
24) C. P., Resident
25) M. O., Resident
26) P. S., Resident
27) M. J., Resident
28) P. L., Resident

Recirculated Focused Draft IS/MND

Comment emails were received on the Recirculated Focused Draft IS/MND by the agencies identified below:

- Agency Commenters
  1) Marika A Poynter, AICP, Chief of Planning and Policy, City of Irvine
  2) Shyamala Rajagopal, Supervising Hazardous Materials Specialist, OC Health Care Agency
  3) Fiona Nye, Director of Water Resources, Irvine Ranch Water District
  4) Helena Candaele, Environmental Scientist, CDFW

3.3 Original Draft IS/MND Comments and Responses

This section excerpts those comments received that specifically pertain to the scope and content of the Original Draft IS/MND. Copies of the comment letters are included in Appendix A.

3.3.1 Comment Letter 1 – William Miller, Biomonitor, USFWS

Comment 1-1

Can you please transmit a copy of the above referenced Mitigated Negative Declaration for our review? We were unable to find a copy at the location suggested in your Notice of Intent to Adopt.

Response 1-1

The document was sent to the USFWS through the CEQA portal. The MND was also posted on the OCWR website as follows: https://www.oclandfills.com/page/bowerman-power-rng-ceqa.

3.3.2 Comment Letter 2 – Justin Equina, Senior Planner, City of Irvine

Comment 2-1

Prior to the start of construction, provide a Construction Management Plan and coordinate closely with City of Irvine staff on the implementation of the Plan. Any proposed non-standard working hours impacting traffic control staging and/or closures of City streets shall require prior review and approval by the Department of Public Works & Sustainability.

Response 2-1

Comment noted. Bowerman Power will coordinate closely with City of Irvine staff on the implementation of the Plan.

Comment 2-2

Provide a sidewalk on the north side of Portola Parkway from Bee Canyon Access Road to Crean Way.

Response 2-2

The Project does not involve construction of sidewalks. The sections of Portola Parkway disturbed by the installation of the new SoCalGas pipeline route will be restored, similar to existing conditions.

Comment 2-3

Provide the distance of the point of receipt from the nearest residences, schools, and parks/open space.

Response 2-3

As shown in Figure 2-6 of the draft IS/MND, the SoCalGas Point of Receipt (POR) is located on the RNG Plant site, as the southern end of the site. The closest school to the RNG Plant and the SoCalGas POR, Crean Luther High School, is located approximately 1.4 miles to the southwest. The closest residences to the RNG Plant and the SoCalGas POR are located approximately 0.8 mile to the south. The closest park is the Irvine Ranch Open Space in the unincorporated area of Silverado, located approximately 1.10 miles north of the RNG Plant and the SoCalGas POR.

Comment 2-4

Provide the square footage of the renewable natural gas facility.

Response 2-4

As shown in Figure 2-7 of the draft IS/MND, RNG Plant Electric Building will be 2,100 square feet and the Control Building will be 1,250 square feet. The POR facility will be 8,000 square feet.

Comment 2-5

Provide building elevations of the renewable natural gas facility.

Response 2-5

The Electrical Building will have an approximately 22-foot 8-inch eave height on one side and an approximately 24-foot height on the other side. The Control Building will be approximately 12 feet on one side and 14 feet on the other side.

Comment 2-6

Page 3-76 6. This section references the Orange County Local California Environmental Quality Act (CEQA) Procedures Manual in determining transportation impacts. However, the City of Irvine has an adopted CEQA guideline for determining Vehicle Miles Travelled (VMT) impacts - see Appendix I - VMT Impact Analysis Guidelines of the City's CEQA Manual. This section should be updated to reflect Irvine's standard.

Response 2-6

Per the City of Irvine Traffic Study Guidelines (City of Irvine 2023), projects that demonstrate that they result in a net increase of 250 or less weekday daily trips require no further vehicle miles traveled impact analysis. As discussed in Section 3.4.17.a of the Original Draft IS/MND, the Project would generate less than 250 average daily trips and would not conflict with an adopted plan.

Comment 2-7

Aesthetics. Landscaping should be installed to screen the facility from the nearest residential neighborhoods within City limits - key observation points (KOP) 3 and 4. While the IS/MND states the facility would be barely visible, the photo simulations clearly show it is visible from those observation points.

Response 2-7

As discussed in Section 3.4.1 of the Original Draft IS/MND, while the Project RNG Plant infrastructure would potentially be visible from KOPs 3 and 4, it would be barely visible and would not attract the attention of the casual viewer. The “casual observer” is considered an observer who is not actively looking or searching for the Project RNG Plant, but who is engaged in activities at locations with potential views of the Project RNG Plant. Original Draft IS/MND Figures 3.4-4 and 3.4-5 provided simulated views of the Project from KOPs 3 and 4, respectively. As the Project is difficult to see from these views, indicator arrows were added to facilitate locating the Project. However, indicator arrows can also exaggerate how easy it is to see a feature. For a more realistic visual experience, these figures have been updated. As shown in Final IS/MND Figures 3.2-1A and 3.2-2A, the Project is very difficult to locate. Even highlighted, as shown in Final IS/MND Figures 3.2-1B and 3.2-2B, the Project is barely noticeable. This clarification is added to the Final IS/MND, see Section 4.

Therefore, the Project RNG Plant, while having potentially visible features, would not attract the attention of the casual viewer, and impacts would be less than significant. As impacts are less than

significant, mitigation is not required. In addition, landscaping would not be feasible. In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program. Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the Final IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Comment 2-8

Air Quality. Show the location of the point of receipt facility

Response 2-8

As shown in Figure 2-6 of the IS/MND, the SoCalGas POR is located on the RNG Plant site, at the southern end of the site.

Comment 2-9

Show the location of the 250-gallon odor tank.

Response 2-9

The odorant skid, which contains a 250-gallon odorant storage tank, is located within the SoCalGas POR. The SoCalGas POR is located on the RNG Plant site, at the southern end of the site; see Figure 2-6.

Comment 2-10

There is no mention of the possibility of odors from the proposed odorant skid injection tank at the SoCalGas Company point of receipt facility in the air quality section of the IS/MND. Will the renewable natural gas be injected with mercaptan? If not, please identify the odorant in the IS/MND.

Response 2-10

As discussed in Section 2.2.2 of the Original Draft IS/MND, the odorizing system injects odorant into the RNG stream prior to injection into SoCalGas' existing natural gas infrastructure. The odorant will be mercaptan. This clarification is added to the Final IS/MND, see Section 4.

As discussed in Section 3.4.3 of the Original Draft IS/MND, the proposed RNG Plant would not create odors because the LFG is being processed and compressed for shipment in the SoCalGas pipeline, and not released into the air. This includes the odorizing system.

Comment 2-11

How will the renewable natural gas facility identify a leak prior to the odorant injection at the point of receipt?

Response 2-11

As discussed in Section 3.4.9 of the Original Draft IS/MND, the RNG Plant will have emergency systems that will include a gas detection system and monitoring of pipeline pressure and flow. Any change outside of normal operating parameters will shut off the pipeline and shut down the RNG Plant.

Comment 2-12

The IS/MND states that the renewable natural gas plant will be automated and will have on-site maintenance personnel during daylight hours, as needed. Explain the protocol of an emergency, such as gas leak, that would occur during the evening hours.

Response 2-12

As discussed in Section 3.4.9 of the Original Draft IS/MND, gas processing systems will be monitored continuously via pressure sensors. Any leaks will trigger alarms due to the measured pressure falling outside set parameters. All alarms will notify on-call personnel or shut the plant down and stop the flow of gas.

Comment 2-13

Explain the emergency protocol of leak when conveying the renewable natural gas from the proposed two-mile SoCalGas pipeline (along Bee Canyon Access Road) to the existing SoCalGas pipeline (along Portola Parkway and Jeffrey Road).

Response 2-13

As discussed in Section 3.4.9 of the Original Draft IS/MND, the new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

Comment 2-14

Verify the findings in Table 3-7, Operational Emissions Summary and Significance Evaluation. The table appears to indicate the project emissions are greater than the South Coast Air Quality Management District CEQA significance thresholds. If [G] represents the difference between the proposed project and baseline emissions, and the incremental change in emissions when compared

to [H] the SCAQMD CEQA significance thresholds, should the table show "[G] < [H]" rather than "[G] > [H]?" Please confirm.

Response 2-14

A footnote has been added to Table 3-7 of the Revised Focused IS/MND explaining how the comparison is made. This will not affect the impact determination.

Comment 2-15

Figure 4-1: Air Dispersion Modeling Receptor Set Up - Why does the figure not include more of the residential neighborhood south of Portola Parkway? This figure should be updated to show all potentially impacted areas of the City.

Response 2-15

As shown in Figure 4-1 of the Air Quality, GHG, and LST Study (Appendix B of the Recirculated Focused Draft IS/MND) has been updated to show all potentially impacted areas of the City.

Comment 2-16

Noise. The project should implement noise reduction strategies during construction as noise levels will range anywhere from 85 decibels (dBA) during site preparation to 90 dBA during trenching and pipeline construction. Such strategies include, but are not limited, to:

a. Construction equipment, fixed or mobile, equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.

b. Construction staging areas located away from off-site sensitive uses.

c. Locating stationary construction equipment away from sensitive receptors nearest the project site, whenever feasible.

d. Limiting construction vehicle queuing on roads and in areas near residences prior to the start of construction.

Response 2-16

Although the estimated noise levels are below the threshold, the Project is proposing to install a noise monitoring instrument during the SoCalGas pipeline construction activities, as a Best Management Practice (BMP), to continuously monitor the construction noise levels to ensure that they remain below the 80 dBA threshold. Staging will take place away from sensitive receptors. All Project equipment and building materials staging for the RNG Plant and SoCalGas POR will occur on-site within the construction site work zones. The staging area for the new SoCalGas pipeline would be on a previously disturbed unpaved area adjacent to the westbound lane of Bee Canyon Access Road, approximately 600 feet northeast from the center of the Bee Canyon Access Road Bridge (No. 55-785). Noise barriers, and mufflers may also be installed as additional BMPs. This clarification is added to the Final IS/MND, see Section 4.

3.3.3 Comment Letter 3 – Scott Shelley, Branch Chief, Caltrans

Comment 3-1

Operations involving truck staging will need adequate truck parking onsite for pick-ups/drop offs.

Response 3-1

Adequate on-site parking will be provided for construction trucks. Staging for construction of the RNG plant will be located on the RNG plant site. SoCalGas new pipeline construction parking for on-site pickups/dropoffs would occur within two staging areas. The staging area for the SoCalGas POR would be located on a portion of the RNG plant footprint, adjacent to the POR location. The staging area for the new SoCalGas pipeline would be on a previously disturbed unpaved area adjacent to the westbound lane of Bee Canyon Access Road, approximately 600 feet northeast from the center of the Bee Canyon Access Road Bridge (No. 55-785). Both SoCalGas staging areas will be designed to accommodate all construction-related trucks and equipment for the duration of construction. This clarification is added to the Final IS/MND, see Section 4.

Comment 3-2

Internal site circulation may impact adjacent road operations. Encourage different areas for different activities, if space allows.

Response 3-2

As discussed in Section 2.2.5 of the Original Draft IS/MND, a traffic control plan will be prepared to accommodate this work area corridor along the new SoCalGas pipeline route.

Comment 3-3

Large operations should include emergency traffic management plans that prevents the local network from being overwhelmed, if feasible. Creation of emergency plans that include emergency routes and paths, can alleviate congestion in the event of an emergency and allow EMS to easily access the site.

Response 3-3

As discussed in Section 2.2.5 of the Original Draft IS/MND, a traffic control plan will be prepared to accommodate this work area corridor along the new SoCalGas pipeline route. As discussed in Section 3.4.9.f of the Original Draft IS/MND, an Emergency Action Plan compatible with the existing Bowerman Power Plant and FRB Landfill Emergency Action Plan will be established for the Project.

Comment 3-4

Site entrance and exit points must accommodate the expected truck turning radius and length and be free of obstructions that block sight distance.

Response 3-4

Comment noted.

Comment 3-5

Please ensure the project site provide posted speed signs throughout the project site for truckers to follow.

Response 3-5

Comment noted.

Comment 3-6

Please ensure that the project site provides enough truck height clearances throughout the site for trucks to maneuver without any issues while loading and unloading cargo.

Response 3-6

Comment noted.

Comment 3-7

Providing electric charging for personal vehicle use encourages the adoption of electric or hybrid vehicles.

Response 3-7

Comment noted. The Project will provide an electric charging station in the Project parking lot.

Comment 3-8

Please consider leveraging strategic investments to maintain and modernize a multimodal freight transportation system with innovative approaches, including advanced technology to optimize integrated network efficiency, improve travel time reliability, and achieve sustainable congestion reduction.

Response 3-8

During operations, the Project would result in very few vehicle trips for off-site access. There are no products from the facility that would be transported via vehicle. Off-site traffic would primarily be commuting by the plant operators or periodic delivery vehicles during normal business hours.

3.3.4 Comment Letter 4 – William Miller, Biomonitor, USFWS

Comment 4-1

Analysis provided in the MND indicates that the area of impact for the proposed project is located entirely within Phase X of the FRB Development where the NCCP/HCP anticipated there would be a loss of coastal sage scrub (CSS) vegetation, and the proposed loss of 2.9 acres of CSS can be accommodated by OC Waste and Recycling's (OCWR) "take" credits. However, a June 2023 biological field survey documented the occurrence of 17 individuals of Intermediate Mariposa Lily (Calochortus

weedii intermedius, "IML") within the center of the proposed RNG plant, and 2 individuals of this species near the existing landfill gas to energy plant and flare station.

The NCCP/HCP conservation strategy includes special conditions for certain species including the IML. These conditions require preparation of a mitigation plan for Planned Activities that affect populations of greater than 20 individuals of this species. Because prior efforts to translocate IML have had poor success, OCWR has coordinated in advance with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife (jointly "Wildlife Agencies") to determine an appropriate mitigation strategy for this species. The Wildlife Agencies have agreed in concept with payment of an in-lieu fee that would help to fund monitoring and adaptive management of IML in the NCCP/HCP Habitat Reserve. Additionally, because IML is a perennial geophyte that emerges from belowground root structures (corms) on an annual basis when conditions are favorable, and the number of plants that are apparent above ground each year can be difficult to quantify without continual monitoring (e.g. due to staggered plant emergence and lack of flowering of some individuals) we have recommended that OCWR assume that at least 20 individuals will be impacted by the proposed project.

Because the MND suggests that the project will be implemented during the first quarter of 2025, which would not allow for appropriate monitoring of the size of the IML population that will be impacted, we are amenable and concur with adoption of Mitigation Measure Bio-1 in the MND, which assumes 20 IML will be impacted by the project and payment of the in-lieu fee will be made to the Natural Communities Coalition. We note that because the proposal to mitigate for impacts to IML complies with the special conditions for this species, the minor amendment to the NCCP/HCP that the MND suggests will be processed in association with this mitigation measure is not required.

Response 4-1

Comment noted.

3.3.5 Comment Letter 5 – Glen M. Lubcke, Environmental Program Manager, CDFW

Comment 5-1

Issue: Project activities may result in incidental take of Crotch's bumble bee and indirect and cumulative impacts to Crotch's bumble bee, a candidate species for CESA listing.

The IS/MND does not provide avoidance, minimization, and/or mitigation measures to reduce the impact to Crotch's bumble bee to less than significant. Crotch's bumble bee is not a Covered Species under the NCCP/HCP, therefore the County of Orange does not have take coverage.

Specific impact: The Project may result in temporary or permanent loss of suitable nesting and foraging habitat of Crotch's bumble bee. Project ground-disturbing activities may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

Why impact would occur: According to California's Natural Diversity Database (CNDDB), observations of Crotch's bumble bee have been recorded throughout Orange County (CDFW 2024a) and near the

BSA. Additionally, iNaturalist has recent expert- verified observations of Crotch's bumble bee within Orange County (iNaturalist 2024).

As with any flying species, Crotch's bumble bee may fly throughout the County and utilize areas that have suitable nesting habitat and floral resources. The vegetation identified within the Project site has the potential to provide suitable nesting and foraging habitat for this species. As for nesting habitat, Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Ground disturbance and vegetation removal associated with Project implementation during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project site. The IS/MND does not discuss the Project's impact on Crotch's bumble bee. Furthermore, the IS/MND does not provide specific avoidance and minimization measures directly related to Crotch's bumble bee. Without sufficient species-specific avoidance, minimization, or mitigation measures, impacts to Crotch's bumble bee may occur.

Evidence impact would be significant: Impacts to CESA-listed species and their habitat meet the definition of endangered, rare, or threatened under CEQA (CEQA Guidelines § 15380). Impacts to CESA listed species and their habitats may result in a mandatory finding of significance because the Project has the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines § 15065).

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: Crotch's Bumble Bee Surveys - Within one year prior to vegetation removal and/or grading, a qualified entomologist/biologist with appropriate handling permits and is familiar with the species behavior and life history, shall conduct focused surveys to determine the presence/absence of Crotch's bumble bee. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023) and shall be developed in consultation with CDFW. Focused surveys shall also be conducted throughout the entire Project site when the species is most likely to be active and detected above ground, between March 1 to September 1. Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report shall provide the following:

1) a description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee;
2) field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched;
3) map(s) showing the location of nests/colonies; and,
4) a description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition)

conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).

Mitigation Measure #2: Avoidance Plan - If Crotch's bumble bee is detected, the Project applicant in consultation with a qualified entomologist/biologist and CDFW shall develop a plan to fully avoid impacts to Crotch's bumble bee. The plan shall include effective, specific, enforceable, and feasible measures. An avoidance plan shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities and/or vegetation removal where there may be impacts to Crotch's bumble bee.

Mitigation Measure #3: Incidental Take Permit - If Crotch's bumble bee is detected and if impacts to Crotch's bumble bee cannot be feasibly avoided**,** the Project applicant shall consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & G. Code, § 2080 et seq.). The Project applicant shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project applicant shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

Response 5-1

OCWR consulted with CDFW in regard to surveying and providing avoidance, minimization, and/or mitigation measures, as necessary, for the Crotch's bumble bee. The updated analysis and mitigation measures were provided in Section 3.3.4 of the Recirculated Focused Draft IS/MND. Note, when the CNNDB was accessed for the Project in July 2023, there were no records of the Crotch's bumble bee in the vicinity of the Project.

Comment 5-2

Mitigation for Impacts to Intermediate Mariposa Lily. While surveys identified 19 IML individuals within the Project footprint, the actual population is likely higher due to the species' perennial nature and reliance on favorable conditions for emergence. Therefore, it is likely there are more IML corms within the Project impact area than would be detected from surveys for vegetation.

Additionally, the IS/MND indicates construction is proposed to begin the first quarter of 2025, which would not be late enough to perform adequate plant surveys to during the IML growing season. To ensure accurate population counts and appropriate mitigation, CDFW, in consultation with USFWS, recommends the CEQA document include Mitigation Measure #4 below:

Mitigation Measure #4: Additional Surveys - OCWR shall delay Project construction to facilitate completion of IML-focused surveys during the IML growing season. A qualified botanist shall complete multiple IML focused surveys throughout the blooming period, typically May through July, to properly document the number of vegetative and flowering plants. OCWR shall mitigate through the in-lieu fee system as agreed upon by the Wildlife Agencies.

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).

Response 5-2

Because the IML is a perennial geophyte that emerges on an annual basis when conditions are favorable, and the number of plants that are apparent above ground each year can be difficult to quantify without continual monitoring (e.g., due to staggered plant emergence and lack of flowering of some individuals), the Project has provided Mitigation Measure Bio-1. Mitigation Measure Bio-1 assumes 20 IML will be impacted by the Project and payment of the in-lieu fee, paid via minor amendment, will be made to the Natural Communities Coalition. Also as noted in the comment letter for USFWS, Comment Letter 27, the USFWS states that additional surveys are not required and the mitigation for impacts to IML complies with the NCCP/HCP conservation strategy for this species. In consultations between OCWR and CDFW, CDFW approved of this approach.

Comment 5-3

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 (CNDDB). The CNDDB website3 provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the Combined Rapid Assessment and Relevé Form4.

OCWR should ensure data collected for the preparation of the IS/MND is properly submitted.

Response 5-3

Information on special status species and natural communities detected during Project surveys will be reported as described in the comment.

Comment 5-4

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by

CDFW. Payment of the environmental document filing 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.)

Response 5-4

The CDFW CEQA filing fees will be paid upon filing of the Notice of Determination.

3.3.6 Comment Letter 6 – Sam Wang, Program Supervisor, CEQA IGR, AQMD

Comment 6-1

Greenhouse Gas Emissions and CEQA Significance Evaluation

Based on Section 2.2, Project Description of the MND, the Lead Agency proposes to develop the RNG Plant to process a maximum of 6,000 scfm of raw LFG (46–53% methane (CH4)). This RNG Plant is intended to process excess LFG from the Frank R. Bowerman Landfill Gas Collection and Control System, which would otherwise be incinerated at the adjacent flare station, and deliver the processed product gas, RNG to SoCalGas.

The Proposed Project's greenhouse gas (GHG) emission estimates are summarized in Table 3-8, Greenhouse Gas Emissions Summary and Significance Evaluation in Section 3.4.8. A portion of the GHG emission estimates in Table 3-8 appear to have been calculated using the California Emissions Estimator Model (CalEEMod) for direct on-site and off-site GHG emissions from construction and operation, as well as indirect off-site GHG emissions from electric power, water conveyance, and waste disposal. Meanwhile, the GHG emissions from stationary sources, including the RNG thermal oxidizer, RNG flare, and emergency generator, were calculated separately and added to Table 3-8. However, the GHG analysis in the MND neither appears to include the baseline GHG emissions from the LFG itself, nor the GHG emissions from the proposed flare and the product gas that will be sent to SoCalGas and other sources. The MND states that only anthropogenic GHGs (CH_4 and N_2O from the tail gas combustion), not biogenic GHGs from the LFG itself, were included in the analysis.

While this approach may be suitable for the purpose of complying with California's Greenhouse Gas Mandatory Reporting Rules, CEQA Guidelines Section 15064.4 requires a Lead Agency to make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the full scope of all sources of GHG emissions. Therefore, as explained in further detail below, the MND should evaluate all GHG emissions, including CO2 from the tail gas from the thermal oxidizer as well as carbon dioxide (CO2), CH4, and nitrous oxide (N2O) from the proposed flare, and compare the total post-project GHG emissions in terms of carbon dioxide equivalents (CO_2eq) to the existing environmental setting/baseline conditions.

In addition, it is unclear in the MND how the CEQA baseline for the existing environmental setting and post-project GHG sources were defined for the Proposed Project. The GHG baseline should discuss existing conditions, including direct and indirect on-site and off-site sources such as the 6,000 scfm of raw LFG (46–53% methane) currently collected and sent to the existing flare. To calculate GHG emissions for both the baseline and the Proposed Project (e.g., post-project conditions), the Lead Agency is recommended to first convert the emissions of CO2, CH4, and N2O into CO_2eq by applying

the appropriate Global Warming Potentials (GWPs) and then subtract the baseline emissions from the post-project emissions to determine the incremental change. The GHG analysis in the MND should also discuss post-project scenarios for GHG sources by addressing both construction and all operational GHG sources. GHGs from short-term construction activities are typically amortized over 30 years. To amortize GHGs from temporary construction activities over a 30-year period (estimated life of the project/equipment), the amount of CO2eq emissions during construction are calculated and then divided by 30. Relative to operational activities, the GHG analysis should include all direct and indirect on-site and off-site sources, including but not limited to the RNG product gas sent to SoCalGas, RNG thermal oxidizer, RNG flare, and supplemental fuel (natural gas) for flare and thermal oxidizer, emergency generator, energy use, fugitive leak methane, and employee transportation.

Once the baseline and post-project GHG sources are defined and their emissions are quantified, the net change of GHGs between the two should be compared to the South Coast AQMD's air quality significance threshold of 10,000 metric tons per year (MT/yr) of CO2eq to determine the significance of the GHG impacts. As a result, the Lead Agency is recommended to revise the GHG analysis in the revised CEQA document or the Final MND.

Response 6-1

GHG analysis has been updated in the Recirculated Focused Draft IS/MND to included baseline GHG emissions, including biogenic CO_2e. The updated analysis adds operational CO_2e from tail gas combusted in the TOU, product gas combusted off-site, fugitive leaks, and employee travel (as mobile sources).

Comment 6-2

Air Dispersion Modeling Parameters

Fenceline Boundary and Worker Receptor Locations in Health Risk Assessment (HRA): Upon reviewing the AERMOD modeling files for the operation phase, South Coast AQMD staff noted that discrete cartesian receptors were placed along the large fenceline boundary of the 725-acre FRB Landfill but not along the smaller fenceline boundary for the 4.24-acre portion of the RNG production plant, as defined in the Project Description in Section 2 of the MND. This smaller boundary for the RNG plant should have been used for the air quality analyses and HRA conducted in the MND.

Additionally, South Coast AQMD staff found that the AERMOD modeling files did not place any worker receptors within the FRB Landfill site. This omission is concerning as the Proposed Project only occupies a 4.24-acre portion of the 725-acre FRB Landfill, which includes the operation of two other South Coast AQMD-permitted facilities, each with a distinct facility identification number as noted in the introductory summary of this letter. While workers at these other facilities are not considered on-site workers for the purpose of defining the Proposed Project, the HRA analysis should have evaluated these off-site workers as worker receptors.

Therefore, the Lead Agency is recommended to revise the air dispersion modeling to use the fenceline boundary specific to the RNG production plant portion of the Proposed Project. Considering its 4.24-acre area and in accordance with South Coast AQMD modeling guidance for AERMOD, South Coast

AQMD staff also recommends placing discrete cartesian receptors no more than 30 meters apart along the fenceline boundary of the RNG plant. The revised air dispersion modeling should also include worker receptors at the locations of other South Coast AQMD- permitted facilities within the FRB Landfill site, calculate the cancer risks for workers at these locations, and compare the maximum calculated cancer risks to South Coast AQMD's CEQA significance threshold of 10 in one million to determine the level of significance in a revised CEQA document or Final MND.

Response 6-2

The air quality and HRA analyses were updated in the Recirculated Focused Draft IS/MND to use the smaller RNG plant boundary, rather than the full 725-acre landfill boundary, aligning with SCAQMD's guidance. Discrete receptors in the AERMOD model were relocated to correspond to the fenceline of the RNG facility. The revised air dispersion modeling updated the receptor spacing to 10 meters along the RNG plant fenceline. The revised air dispersion modeling includes worker receptor locations within the FRB Landfill site.

Comment 6-3

Sources Modeled in the HRA: During the operational phase, stationary sources of air emissions for the Proposed Project will include: 1) combustion of pilot fuel (natural gas) and landfill tail gas in one Thermal Oxidizer Unit (TOU); 2) combustion of pilot fuel (natural gas) and off-specification product and process gases in one flare; and 3) combustion of natural gas for an emergency generator powered by a 253-horsepower natural-gas fueled internal combustion engine (ICE). The TOU and flare are assumed to operate continuously, while the ICE is expected to operate up to 4.2 hours per day or 50 hours per year for maintenance and testing.

In modeling of toxic air emissions for the operational phase, the stationary sources of TOU, flare, and ICE were modeled as point sources in the HRA. According to the MND, the ICE is anticipated to operate up to 4.2 hours per day or 50 hours per year for maintenance and testing. However, the potential to emit (PTE) for the ICE permit is expected to allow operation of up to 200 hours per year, which includes 50 hours per year for maintenance and testing. In the calculations of the annual toxic air emissions for the ICE, the HRA assumed 50 hours per year of operation. However, since CEQA requires a conservative approach which is typically expressed through conducting calculations based on the maximum potential emissions occurring during one or more worst-case operational scenarios, the HRA should be revised to reflect 200 hours per year for the ICE operation to avoid underestimating emission impacts. Additionally, cancer risks associated with emissions from on- road diesel vehicles traveling to and from the site were not evaluated which may also lead to an underestimation of the total impacts. Therefore, South Coast AQMD staff recommends that the Lead Agency rerun the modeling analysis to account for these discrepancies and revise the HRA for inclusion in the revised CEQA document or Final MND.

Response 6-3

A revised HRA and Air Quality Impact Assessment (AQIA) analysis in the Recirculated Focused Draft IS/MND assuming 200 hours/year of ICE usage was conducted. Revised emission calculations are also

based on 200 hour/year ICE usage. The revised Air Quality/GHG report includes a discussion on the CalEEMod parameters used. Additionally, a Tier 2 HRA was conducted using the SCAQMD Rule 1401 health risk assessment tool which showed that health risk impacts from on-road vehicles are considered de minimis

Comment 6-4

Project Scope and Cumulative Impact

Section 2.2.1 General Description of the MND states, "SoCalGas will develop a POR facility which will receive RNG from the plant, odorize, compress, and insert the RNG into its pipeline. A 250- gallon odorant tank will be installed in the POR facility." Figure 2-5, RNG Process Design Flow, and Figure 2-6, Project Site Plan, both indicate that the SoCalGas POR facility is within the boundary of the Proposed Project but the SoCalGas POR facility and its associated equipment do not appear to be analyzed in the MND. To avoid concerns about piecemealing under CEQA, South Coast AQMD staff recommends that the MND be revised to also include an analysis of the impacts from the SoCalGas POR facility. If the Lead Agency determines that the SoCalGas POR facility is not part of the Proposed Project, its impacts should be evaluated and discussed as cumulative impacts under Section 3.4.21, Mandatory Findings of Significance, in accordance with CEQA Guidelines Appendix G – Environmental Checklist Form, Section XVIII - Mandatory Findings of Significance (b).

Response 6-4

The Air Quality/GHG report (Appendix B of the Recirculated Focused Draft IS/MND) was revised to clarify that POR station emissions are included in the evaluation of fugitive GHG emissions. Also, the report now includes a qualitative discussion addressing the combined effects of the proposed RNG project, consistent with the intent of the 2003 SCAQMD cumulative impact guidance.

Comment 6-5

South Coast AQMD Air Permits and Role as a Responsible Agency

Since implementation of the Proposed Project would require South Coast AQMD air permits for new stationary and portable sources, including but not limited to the TOU, flare, and ICE previously mentioned in this letter, South Coast AQMD's role would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, when South Coast AQMD is identified as a Responsible Agency, the Lead Agency is required to consult with South Coast AQMD as set forth in CEQA Guidelines Sections15086. Furthermore, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final MND or other type of CEQA document should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final MND or other type of CEQA document should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information

will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Response 6-5

Correct. As described in the Original Draft IS/MND, Section 2.5, SCAQMD was identified as a public agency whose approval is expected to be required in the form of permits, financing approval. CEQA Guidelines Section 15086 defines a "Responsible agency" as a public agency, other than the lead agency, which has responsibility for carrying out or approving a project. Section 2.5 of the Original Draft IS/MND also describes the Project permits requiring SCAQMD approval. OCWR, the lead agency, has consulted with SCAQMD on September 9, 2024, December 20, 2025, and July 10, 2025.

Comment 6-6

Conclusion

South Coast AQMD staff recommends the Lead Agency revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the conclusions reached. If the requested information and analysis are not included in the Final MND or other type of CEQA document, the Lead Agency should provide the reasons for not doing so. Pursuant to Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, please provide detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted. In addition, if the Lead Agency proceeds with adopting the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

Response 6-6

See Responses 6-1 through 6-5.

3.3.7 Comment Letter 7 – Fiona M. Sanchez, Director of Water Resources, Irvine Ranch Water District

Comment 7-1

IRWD will require OC Waste & Recycling to complete studies analyzing the impact of the proposed project on IRWD-owned facilities (potable, recycled and sewer systems). These studies will verify if any additional off-site improvements to IRWD's existing systems are needed.

Response 7-1

A Water Infrastructure and Availability Study has been prepared for the Project; see Appendix D of the Recirculated Focused Draft IS/MND.

3.3.8 Comment Letter 8 – A.A., Commenter

Comment 8-1

I wanted to update you that we're in the thick of developing software to automate environmental impacts reporting. For our ongoing research, I'd like to interview you about your insights involving CEQA and NEPA.

Response 8-1

Comment noted. The comment does not contain or specifically refer to any information or findings found in the IS/MND.

3.3.9 Comment Letter 9 – S.S., Resident

Comment 9-1

I hope this message finds you well. I am writing as a concerned resident of Portola, Irvine, regarding the proposed natural gas plant project in our area. While I understand the need for energy infrastructure, I believe this project poses significant risks to our community's health, safety, and environment. Recently, there have been incidents involving natural gas leaks, which highlight the potential dangers associated with gas infrastructure. These leaks not only threaten public safety but also contribute to air pollution, which can exacerbate health conditions like asthma and other respiratory illnesses. With the well-documented risks of methane emissions from natural gas, a known contributor to climate change, it is crucial that we consider cleaner, more sustainable energy alternatives. Our community has worked hard to create a clean, healthy living environment, and adding a natural gas plant contradicts these efforts. I urge the city to explore alternative renewable energy options and refrain from moving forward with this project. Thank you for your time and attention to this matter. I look forward to hearing from you and hope that our city can prioritize the well-being of its residents and the environment in this decision.

Response 9-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

Decomposing waste in landfills naturally produces methane gas or landfill gas (LFG). As discussed in Section 2.2.1 of the IS/MND, the LFG currently created by the Frank R. Bowerman (FRB) Landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The majority of the LFG collected is used in the existing Bowerman Power Plant to produce electricity. The LFG not

processed by the Bowerman Power Plant is incinerated at the flare station. The gas collection and control system, Bowerman Power Plant, and flare station reduce the amount of LFG at the FRB Landfill. The Renewable Natural Gas (RNG) Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The LFG processed at the RNG Plant will not be stored but delivered via pipeline to SoCalGas.

California law specifically encourages the production and use of RNG. Senate Bill (SB) 1440 directs the California Public Utilities Commission (CPUC) to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from Orange County Fire Authority (OCFA) before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 Code of Federal Regulations (CFR). Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Draft IS/MND, a Health Risk Assessment (HRA) was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health

risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.10 Comment Letter 10 -J.M., Resident

Comment 10-1

I don't make it a habit of contacting my elected officials with complaints (I simply don't have the time in most cases), but this one is important. I am a resident of Portola Springs with two high school aged students at Portola High School. My wife and I unfortunately use Sand Canyon from Portola Parkway to get to and from the 5 and 405 freeways for work. My two kids use Irvine Blvd to get to and from school. With the expansion of Bowerman, the number and frequency of semi-trucks on both streets has become a tragedy waiting to happen. Sand Canyon is marred with back to back to back lines of semi-trucks making their way up to the dump and back to the freeways. Some are indeed sparing the rest of the city residents by turning onto Irvine Blvd to use the 133 toll road, but the intersection of Sand Canyon and Irvine Blvd is worse than areas in Commerce overrun by semi-trucks. I invite anyone on the board of directors to park themselves on Sand Canyon between Irvine Blvd and Portola Parkway anytime between 7:00am and 9:00am and see for themselves if that level of truck traffic is acceptable for homeowners whose properties now surround the landfill. Have them watch students walking from the parking lot to classes at Crean Lutheran High School that must play Frogger around these dump trucks. Have them watch the morning and evening commute traffic zig-zagging in and out of traffic that is supposed to flow at 50mph to avoid the laboring trucks heading up and down Sand Canyon. Have them watch the mess that is now the Woodbury shopping center as cars wait in endless lines to get into and out of the parking lots while trying to avoid pedestrians (mostly kids on e-bikes), semi-trucks, and the rest of the incredibly skilled (??) Irvine drivers all on the same road at the same time. My work often takes me to the City of Commerce and on the 710 freeway, both areas absolutely destroyed by incessant semi-truck traffic and I can honestly say that this section of Irvine is quickly catching up. Unfortunately, while Commerce has almost no residential areas near truck routes, Portola Parkway and Sand Canyon are already surrounded by residential areas and development is on-going to build more homes just to make sure the problem can be exacerbated. In the seven years I've lived here, I've seen three semi-truck vs white Tesla or Lexus crashes on Sand Canyon, have had my windshield chipped three times due to debris flying off a dump truck, and have seen two near misses of semi-truck vs e-biker on Irvine Blvd. This is dangerous. This is an embarrassment for the many multi-million dollar home owners who call the area home. It needs to end.

Response 10-1

Comment noted. The comment does not contain or specifically refer to any information or findings found in the IS/MND.

Comment 10-2

Now, the Bowerman landfill is notifying (note requesting input, but simply notifying) residents that they will be expanding operations further and building a natural gas plat at the facility. As my representative on the board of supervisors, I urge you to please put a stop to this. Bowerman needs to be shut down, not expanded. It may have been the ideal place for the county dump when El Toro Marine base was the only thing in the area, but undeterred development has turned everything around Bowerman into high-cost residential communities that may an insane amount in annual property taxes to the county. Allowing Bowerman to continue operating as is and allowing it to expand are just plain stupid – economically for the county (this will have a negative impact on property values), environmentally for the thousands that call the area home, and force these residents to risk their lives and their children's lives each and every day as they go about their normal lives. My suggestions: Near-term: Build an onramp/offramp from the 241 toll road into Bowerman and force all trucks to use that to get rid of any semi-truck traffic on city streets. Mid-term: Cap any and all expansion of Bowerman. No expanded recylcling [*sic*], no natural gas harvesting, etc. Long-term: Prepare plans to shut down Bowerman longer term and find a more remote location for a new county dump. Figure out who and how the toxic environment around Bowerman will be managed and exposure for Irvine residents mitigated.

Response 10-2

Comment noted. The IS/MND analyzed the potential air quality, hazard, and traffic impacts of the proposed Project; see Section 3.4.3 – Air Quality of the Recirculated Draft IS/MND and Sections 3.4.9 – Hazards and Hazardous Materials and 3.4.17 – Transportation of the Original Draft IS/MND. No unmitigated significant impacts were identified.

The proposed RNG plant will be located entirely within the existing landfill property. The proposed Project will not change the nature or location of approved activities within the FRB Landfill, including the limits of refuse, nor would it alter the footprint, property limits, or configuration of the FRB Landfill. Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations.

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance, and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises, and promoting recycling to ensure a safe and healthy community for current and future generations.

3.3.11 Comment Letter 11 – C.L., Resident

Comment 11-1

This letter is in regards to a proposal of building a renewable gas plant on Jeffrey road and portola. I asked that you please deny and not consider this proposal. Our community/neighborhood in this part

of town had just battled the city over the asphalt plant that was also close to this proposed area. Irvine company also had decided to build more Homes along portola parkway. This is and will not be good for our neighborhood/community health and again ask that you deny this proposal for the health of our families.

Response 11-1

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant. Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.12 Comment Letter 12 – D.A., Resident

Comment 12-1

I'm writing to express my concern regarding a renewable gas plant near my home in Portola Springs. This will have numerous negative impacts include increased health risks, air quality degradation, odor nuisance, noise pollutions and potential accidents and gas leaks. My property values will go down because of it. Please take this into consideration.

Response 12-1

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

The proposed RNG Plant would not create odors because the LFG is being processed and compressed for delivery to the SoCalGas pipeline and not released into the air. The byproducts of the treatment would be combusted at high temperatures just as it is currently being combusted in the existing flare station.

As discussed in Section 3.4.13 of the Original Draft IS/MND, although the estimated noise levels are below the threshold, the Project is proposing to install a noise monitoring instrument during the SoCalGas pipeline construction activities, as a Best Management Practice (BMP), to continuously monitor the construction noise levels to ensure that they remain below the 80 dBA threshold. Staging will take place away from sensitive receptors. Noise barriers, and mufflers may also be installed as additional BMPs.

As discussed in Section 3.4.13 of the Original Draft IS/MND, the noise from the proposed RNG Plant operation is not expected to raise the ambient noise levels for the nearest sensitive receptors as they are approximately 0.8 mile from the Project site and are shielded by the hills that are located between the residential area and the proposed facility.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous

Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance, and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises, and promoting recycling to ensure a safe and healthy community for current and future generations.

3.3.13 Comment Letter 13 – R.A., Resident

Comment 13-1

We were sent a notice about a virtual public meeting regarding a gas plant at the landfill. This meeting was to begin at 6 pm. It is currently 6:35 and no meeting started. I call the zoom number to confirm it has not started. You can't claim to have a public meeting so residents can have input and then not have a public meeting. Can you please send more information and an actual meeting time for me to disseminate? Thank you very much. This seems like important information.

Response 13-1

The virtual public information meeting for the Bowerman RNG Plant Project was held on October 22, 2024, from 6:00 p.m. to 7:00 p.m. The meeting was recorded and was provided to the public for viewing here: www.vimeo.com/1022613976.

3.3.14 Comment Letter 14 – C.S., Resident

Comment 14-1

I don't want the gas plant near my home.

Response 14-1

Comment noted. The comment does not contain or specifically refer to any information or findings found in the IS/MND.

3.3.15 Comment Letter 15 – J.S., Resident

Comment 15-1

Hello, I am an Irvine resident, mother of two young children. I am extremely concerned about the proposal to bring the renewable gas plant to Irvine. I understand the need for renewable plants however, our Irvine community should not suffer the health consequences of this plant. Please consider another location for this plant. Our children deserve clean air. Please share your plan to address these concerns and your plan for action in this matter.

Response 15-1

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

3.3.16 Comment Letter 16 – R.A., Resident

Comment 16-1

Hello, I listened to the recorded OCWR meeting and looked at some of the documents. The maps are of particular public interest. Here are my questions/concerns: It was mentioned that there will be byproducts that would be incinerated. How do those byproducts differ from what is being burned now?

Response 16-1

Currently the existing Bowerman Power Plant processes approximately 8,350 standard cubic feet per minute (scfm) of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the existing flare station. The proposed RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the flare station and then deliver the processed RNG to SoCalGas; see Section 2.2.1 – General Description of the IS/MND.

Comment 16-2

Will all of the gas be delivered via a pipeline? Will an increase in trucks involved?

Response 16-2

The RNG will be delivered by pipeline; see Section 2.2.1 – General Description. Trucks will not be involved to deliver the RNG.

Comment 16-3

Will there need to be more pipelines dug?

Response 16-3

SoCalGas will construct a new 12-inch-diameter pipeline to convey the RNG from the point-of-receipt on the Project RNG site to the existing SoCalGas pipeline at the corner of Portola Parkway and Jeffrey Road; see Section 2.2.1 – General Description.

Comment 16-4

If it is going use current pipelines, were those pipelines built to handle additional capacity?

Response 16-4

The RNG plant was sized based on the available capacity of the existing SoCalGas pipeline system, as provided by SoCalGas. In addition, SoCalGas will take the further safety precaution of pressure testing the new pipeline prior to placing it in service to validate the engineering and fitness of the pipe. The test subjects the pipeline to a significantly greater pressure level than its operating pressure in order to validate its fitness for service. The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

Comment 16-5

The gas that is sold goes to whom? It seems that this is a government funded project and any profit should go to the government for differed maintenance for the landfill/renewable.

Response 16-5

This project is funded by Bowerman Power LFG, LLC, a subsidiary of Montauk Renewables Inc. Through a revenue sharing agreement between Montauk Renewables and OCWR, OCWR will receive compensation from the sale of RNG. All RNG from the facility will be sold to SoCalGas to be distributed within their network.

Comment 16-6

Won't this type of project create increased risks for the residents when (not if) there is a wildfire at the landfill or areas around it?

Response 16-6

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[3] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with California Building Code (CBC) Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

Comment 16-7

What are the increased risks during a major earthquake both at the facility and for pipeline ruptures compared to current operations?

[3] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

Response 16-7

As discussed in Section 3.4.7 of the Original Draft IS/MND, the CBC mandates that the design for structures requiring building permits must take into account foundation conditions, proximity of active faults, and their associated ground-shaking characteristics. Design-level geotechnical reports must include CBC seismic design parameters. Those parameters are used by the structural engineer in the design of above-ground structures and underground lines. With conservative design and high quality construction, ground-shaking damage can be kept to a practical minimum. As with the existing Bowerman Power Plant, the proposed Project has been designed in accordance with applicable seismic safety standards. The RNG Plant will have a seismic sensor. In the event of a large earthquake, the RNG Plant equipment will be shut down and pipeline valves will be closed. The operation of the proposed Project (including the new pipeline), therefore, is not anticipated to expose people or structures to potential substantial adverse effects from strong seismic ground-shaking.

Comment 16-8

How often are there a gas leaks from facilities or pipelines?

Response 16-8

Bowerman Power Plant has safely operated at the FRB Landfill since 2016 with no known gas leaks. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

3.3.17 Comment Letter 17 – E.S., Resident

Comment 17-1

I am a homeowner in Portola Springs, and my family does not want renewable gas plant built near our residence. We strongly oppose this proposed idea and will spread the message to our neighbors.

Response 17-1

Comment noted. The comment does not contain or specifically refer to any information or findings found in the IS/MND.

3.3.18 Comment Letter 18 – C.M., Resident

Comment 18-1

I am writing to strongly oppose the new renewable gas plant proposal for the Frank E bowerman landfill near our house. I have kids and have been a resident of Portola springs Irvine for over ten years and Portola springs and the rest of Irvine is heavily populated with families with kids it is very harmful for our health and has many negative impact as it's in the close proximity if this gets approved. Irvine is known for safety and natural inhabitants and it would greatly risk all the living lives in this region so please STOP this proposal for the future of Irvine residents and move the plant to somewhere remote where it's not so close to a residential properties and schools.

Response 18-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA

results predict that all health risk factors for construction and operation would be less than significant.

The proposed Project is intended to use LFG gas from the FRB Landfill, requiring the location of the plant at the FRB Landfill.

3.3.19 Comment Letter 19 – K.M, Resident

Comment 19-1

Despite the fossil fuel industry's greenwashing, this fuel still pollutes the climate and hurts our health. We live in Eastwood Village and with the vicinity of homes, school and fire municipalities nearby we ask that you do not build the renewable natural gas site near this community. We already have health issue the asphalt company and we do not want a greenwashed natural gas site near places where leaks in the environment is possible.

Response 19-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality and 3.4.8 – Greenhouse Gas Emissions of the Recirculated Focused Draft IS/MND, and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified. As discussed in Section 3.4.8 of the Recirculated Focused Draft IS/MND, the Project will provide a beneficial use by contributing to California Public Utility Commission's Renewable Gas Program to procure RNG made by methane from organic waste from landfills and other sources, reducing the volume of LFG being flared, and reducing greenhouse gas (GHG) emissions from the FRB Landfill. The RNG plant will have the capacity to process 6,000 scfm of LFG, which is equivalent to avoiding the GHG emissions from approximately the amount of trash landfilled over a 1.5-year period.

The majority of the LFG collected is used in the existing Bowerman Power Plant to produce electricity. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The gas collection and control system, Bowerman Power Plant, and flare station reduce the amount of LFG at FRB Landfill. The RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The LFG processed at the RNG Plant will not be stored but delivered via pipeline to SoCalGas. Therefore, the RNG Plant will create a beneficial use for the excess LFG that would otherwise be incinerated in the flares and when compared to flaring LFG, the RNG Plant will reduce Greenhouse Gas (GHG) emissions by 90%.

California law specifically encourages the production and use of RNG. SB 1440 directs the CPUC to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will

comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.20 Comment Letter 20 – L.F., Resident

Comment 20-1

I am a resident in the Stonegate community of Irvine. I received notice in the mail regarding the proposed gas plant at the Bowerman landfill site. I strongly oppose this proposal- I do not condone any plans that endanger our neighborhood and specifically kids and this plan clearly poses hazard to anyone living within certain radius. Thank you in advance for your immediate attention in stopping this project.

Response 20-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Section 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 Code of Federal Regulations (CFR). Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.21 Comment Letter 21 – S.H., Resident

Comment 21-1

Good afternoon, I am a resident in the Portola Springs community of Irvine. I received notice from a neighbor regarding the proposed gas plant at the Bowerman landfill site. I strongly oppose this proposal- I do not accept endangering our neighborhood and kids to the health hazards this would pose. Thank you for your consideration in stopping this project.

Response 21-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.22 Comment Letter 22 – J.H., Resident

Comment 22-1

Good afternoon, I am a resident in the Portola Springs community of Irvine. I received notice from a neighbor regarding the proposed gas plant at the Bowerman landfill site. I strongly oppose this proposal- I do not accept endangering our neighborhood and kids to the health hazards this would pose. Thank you for your consideration in stopping this project.

Response 22-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously

monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.23 Comment Letter 23 – B.R., Resident

Comment 23-1

I am a resident of Irvine, residing at less than 2 miles from Frank R Bowerman landfill. I knew the plan of building Renewal Natural Gas plant at Frank R Bowerman landfill from social media recently as I did not get any notice from OC Waste & Recycling about this plan. I was informed that the virtual public meeting on October 22, 2024 was attended only by 32 residents.

Response 23-1

OCWR mailed notices with information about the public information meeting and availability of the IS/MND for the Project to properties located 1.5 miles from the FRB Landfill. This information was advertised in the Orange County Register newspaper on October 15, 2024, and posted at the County Clerk on October 17, 2024. A virtual public information meeting for the Bowerman RNG Plant Project was held on October 22, 2024, from 6:00 p.m. to 7:00 p.m. The meeting was recorded and was provided to the public for viewing here: www.vimeo.com/1022613976.

Comment 23-2

I foresee the impact on traffic and air pollution to nearby homes and schools during the construction of this RNG plant.

Response 23-2

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact. As discussed in Section 3.4.17 of the Original Draft IS/MND, the Project will result in a short-term increase in traffic associated with construction of the Project. During construction, a traffic control plan will be prepared to accommodate this work area corridor along the new SoCalGas pipeline route. These impacts would be short-term and temporary and would have a less than significant impact on circulation surrounding FRB Landfill. During operations, the Project would result in very few vehicle trips for off-site access. There are no products from the facility that would be transported via vehicle.

Comment 23-3

I am for converting landfill gas to energy. However, I question the decision to build a new gas infrastructure in 2025 knowing that the State is moving away from natural gas. New homes in Orange County are required to be all-electric, including no gas stoves. The California Air Resources Board (CARB) has banned the sale of new gas furnaces and water heaters by 2030. On the other hand, all new cars and passenger trucks sold in California are required to be zero-emission by 2035 requiring increased demand for electricity. Though many existing homes still need natural gas service for many years to come, why not investing in the infrastructure that certainly will have more demand?

Response 23-3

California law specifically encourages the production and use of RNG. SB 1440 directs the CPUC to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

3.3.24 Comment Letter 24 – A. and R. P., Resident

Comment 24-1

As a family residing in Irvine, we are strongly opposed to having this near our homes due to concerns for the health and safety of our community. Families choose to live in Irvine because of the strong community, excellent school districts, and safe surroundings. Many of us work hard and make sacrifices to provide a good life for our families here. We don't need something like this disrupting our neighborhood.

Response 24-1

The IS/MND analyzed the potential air quality and hazard impacts of the proposed Project; see Sections 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND and Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND. No unmitigated significant impacts were identified.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.25 Comment Letter 25 – S.F., Resident

Comment 25-1

My family and I lived in Irvine for more than 17 years, But I did not receive any notice about OCWR's plan to build a RNG plant until a friend notified me a few days ago. This is a major project that should be informed to the residents beforehand and take our input in as well because it will have a significant impact on our quality of life.

Response 25-1

OCWR mailed notices with information about the public information meeting and availability of the IS/MND for the Project to properties located 1.5 miles from the FRB Landfill. This information was also advertised in the Orange County Register newspaper on October 15, 2024, and posted at the County Clerk on October 17, 2024. A virtual public information meeting for the Bowerman RNG Plant Project was held on October 22, 2024 from 6:00 p.m. to 7:00 p.m. The meeting was recorded and was provided to the public for viewing here: www.vimeo.com/1022613976.

Comment 25-2

“Fossil fuel companies want to sell us so-called “renewable” natural gas for the same things we use natural gas for now, like heating and cooking. Also known as “biomethane,” this fuel is made from manure, industrial food waste, landfill gas, wood, and more. It’s a highly processed gas that still contains at least 90% methane – a greenhouse gas that significantly damages the climate more than carbon dioxide. So, the term “renewable” natural gas is just a cover for what this fuel really is: methane, just like regular natural gas. Which makes the industry’s claims that it will solve our climate crisis both wrong and misleading.

Response 25-2

As described in Section 2.2, the LFG currently created by the FRB landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The existing Bowerman Power Plant, an existing 19.6-megawatt landfill gas to energy facility, processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The Project's RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station and then deliver the processed RNG to SoCalGas. The IS/MND analyzed the potential GHG impacts of the proposed Project; see Section 3.4.8 – Greenhouse Gas Emissions of the Recirculated Focused IS/MND. No significant impacts were identified. As discussed in Section 3.4.8 of the Recirculated Focused Draft IS/MND, the Project will provide a beneficial use by contributing to California Public Utility Commission’s Renewable Gas Program to procure RNG made by methane from organic waste from landfills and other sources, reducing the volume of LFG being flared, and reducing GHG emissions from the FRB Landfill. The RNG plant will have the capacity to process 6,000 scfm of LFG, which is equivalent to avoiding the GHG emissions from approximately the amount of trash landfilled over a 1.5 -year period. When compared to flaring LFG, an RNG Plant will reduce GHG emissions by 90 percent.

Comment 25-3

Buying into the gas industry's greenwashing by boosting the production of "renewable" natural gas would hurt our climate and our health. When burned, "renewable" natural gas releases nitrous oxide, a pollutant that creates smog and lowers air quality. These toxins can cause respiratory illnesses, like asthma. And for those already living with respiratory issues, such pollution worsens those conditions." Therefore, as a resident of Irvine who cares for the health of my family, I do not agree to have a RNG Plant in this city.

Response 25-3

See Response to Comments 25-2. The IS/MND analyzed the potential air quality impacts of the proposed Project; see Section 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND. No unmitigated significant impacts were identified.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

3.3.26 Comment Letter 26 – K.L., Resident

Comment 26-1

We strongly oppose the proposed Bowerman Natural Gas Plant. Major risks of a nearby gas plant include: 1) air pollution, including nitrogen oxides, sulfur dioxide, particulate matter and volatile organic compounds; 2) negative health effects on the local population, including respiratory issues, cardiovascular disease and cancer; 3) potential leaks, explosions and fires from malfunctioning equipment or pipelines; and 4) negative environmental impacts from greenhouse gas emissions (methane leaks), imprudent land use (land disturbance related to the construction and use of a natural gas plant and its associated infrastructure), and water contamination.

Response 26-1

The IS/MND analyzed the potential air quality, GHGs, hazards and hazard materials, hydrology and water quality, and land use impacts of the proposed Project; see Sections 3.4.3 – Air Quality and 3.4.8 – Greenhouse Gas Emissions of the Recirculated Focused Draft IS/MND and Sections 3.4.9 – Hazards and Hazardous Materials, 3.4.10 – Hydrology and Water Quality, and 3.4.11 – Land Use of the Original Draft IS/MND. No unmitigated significant impacts were identified. As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants including nitrogen oxides, sulfur dioxide, particulate matter, and volatile organic compounds as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

As discussed in Section 3.4.8 of the Recirculated Focused Draft IS/MND, the Project will provide a beneficial use by contributing to California Public Utility Commission's Renewable Gas Program to procure RNG made by methane from organic waste from landfills and other sources, reducing the volume of LFG being flared, and reducing GHG emissions from the FRB Landfill. The RNG plant will have the capacity to process 6,000 scfm of LFG, which is equivalent to avoiding the GHG emissions from approximately the amount of trash landfilled over a 1.5 -year period. When compared to flaring LFG, an RNG Plant will reduce GHG emissions by 90 percent.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the

pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

As discussed in Section 3.4.10 – Hydrology and Water Quality of the Original Draft IS/MND, implementation of a Stormwater Pollution Prevention Plan, a Water Quality Management Plan, and the installation of a bioretention basin will limit off-site stormwater drainage and possible pollutants and ensure that impacts to water quality are controlled or eliminated. The Project RNG Plant will be constructed within the FRB Landfill, adjacent to the existing Bowerman Power Plant, and will process the excess LFG from the FRB Landfill that would otherwise require incineration at the existing adjacent flare station.

As discussed in Section 3.4.11 – Land Use of the Original Draft IS/MND, the Project does not involve changes to the FRB Landfill boundary or FRB Landfill land use designation or zoning,and would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project.

Comment 26-2

Natural gas contributes greatly to the greenhouse effect, mainly through methane. Center for Climate and Energy Solutions states that methane's global warming potential is 21 times higher than carbon dioxide over a 100-year period. The California Air Resources Board voted to ban new gas furnaces and water heaters beginning in 2030. They are also considering the prohibition of gas stoves since natural gas is a significant source of indoor pollution, including toxins and carcinogens. In fact, California and its cities are moving toward an all-electric appliance future.

Response 26-2

See Response 26-1.

California law specifically encourages the production and use of RNG. SB 1440 directs the CPUC to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Comment 26-3

The proximity of the proposed natural gas plant to thousands of homes, numerous parks and several schools puts thousands of Irvine families at risk from: 1) air pollution, including the release of toxins

and carcinogens, and its resultant negative health effects, 2) potential catastrophic leaks and fires within Very High Fire Hazard Severity Zones caused by equipment and pipeline malfunctions, and 3) negative environmental impacts from ill-advised land use, water contamination, and greenhouse gas emissions, among other air pollutants.

Response 26-3

See Response to Comment 26-1.

As discussed in Sections 3.4.9 and 3.4.20 of the Original Draft IS/MND, Project implementation will include emergency systems including fire suppression systems. These systems will be similar to the emergency systems used at the existing Bowerman Power Plant. They include fire detection and suppression systems, alarm, and shutdown monitoring system. The Project will be required to obtain approval from OCFA before a building permit can be issued. Bowerman Power has been in discussions with OCFA during Project design. In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[4] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

3.3.27 Comment Letter 27 – R.J., Resident

Comment 27-1

I live in Portola Springs. It's concerning that my family did not receive any notice about the RNG public meeting and most of my neighbors were unaware about it either.

Response 27-1

OCWR mailed notices with information about the public information meeting and availability of the IS/MND for the Project to properties located 1.5 miles from the FRB Landfill. This information was also advertised in the Orange County Register newspaper on October 15, 2024, and posted at the County Clerk on October 17, 2024. A virtual public information meeting for the Bowerman RNG Plant Project

[4] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

was held on October 22, 2024 from 6:00 p.m. to 7:00 p.m. The meeting was recorded and was provided to the public for viewing here: www.vimeo.com/1022613976.

Comment 27-2

I live less than 2 miles from the proposed RNG Plant. According to First Street report that is commonly used by realtors, our home has a 4% chance of being in a wildfire in the next 30 years. My homeowner insurance premium has doubled compared to what I paid 2 years ago. After contacting several insurance agents, I discovered that many insurers are already pulling out of California, making it difficult to find alternative coverage. Now, insurance companies may view my home as high risk due to its proximity to the RNG plant, which raises genuine concerns about the availability of coverage. Additionally, we worry that the presence of the plant could negatively impact our property values.

Response 27-2

As discussed in Sections 3.4.9 and 3.4.20 of the Original Draft IS/MND, Project implementation includes emergency systems including fire suppression systems. These systems will be similar to the emergency systems used at the existing Bowerman Power Plant. They include fire detection and suppression systems, alarm, and shutdown monitoring system. The Project will be required to obtain approval from OCFA before a building permit can be issued. Bowerman Power has been in discussions with OCFA during Project design. In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[5] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance, and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises and promoting recycling to ensure a safe and healthy community for current and future generations.

[5] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

Comment 27-3

The draft mitigation report mentioned that the plant is built in an SRA Very High Fire Hazard Severity Zone. While it has mitigation plans in place, the 2020 Silverado Fire, which led to the evacuation of 90,000 residents under mandatory orders by OCFA, raises concerns about the effectiveness of these measures. The Airport Fire, caused by human error, burned around 23,000 acres, highlighting the potential risks of human error as well.

Response 27-3

See Response 27-2.

Comment 27-4

SoCalGas was involved in a significant gas leak at its Aliso Canyon facility in 2015. The leak was discovered on October 23, 2015, but it wasn't sealed until February 12, 2016. Additionally, SoCalGas failed to detect 60 casing leaks before the SS-25 incident. Reports indicate that residents' health was impacted as well. Given this history, I am deeply concerned about the risks faced by the residents.

Response 27-4

The gas leak at Aliso Canyon is public record now and additional information can be found on the CPUC website (https://www.cpuc.ca.gov/regulatory-services/safety/gas-safety-and-reliability-branch/aliso-canyon-well-failure). The governing body of the CPUC and California Geologic Energy Management Division updated the codes and regulations for storage well construction and inspection back in 2016 to avoid any leaks like this in the future. Aliso Canyon utilizes steel casing to transport gas thousands of feet deep into the earth to store that gas inside the rock formation for extended periods of time. The infrastructure that will be installed at Bowerman Landfill to support RNG production is nothing like the infrastructure at Aliso Canyon. The RNG project at Bowerman Landfill does not store gas. The RNG project at Bowerman Landfill will not use steel casing. This RNG project is simply adding some surface equipment for safety and compliance monitoring and less than 3 miles of new pipeline to transport gas from the landfill to SoCalGas' existing pipeline infrastructure. SoCalGas currently manages more than 101,000 miles of pipeline. See more information on SoCalGas' existing pipeline infrastructure : https://www.socalgas.com/documents/news-room/fact-sheets/PipelineBasics.pdf.

Comment 27-5

It's time for the government to prioritize the people. Residents of Portola Springs contribute through income tax, property tax, and Mello Roos tax. Given that Orange County has fully paid off its bankruptcy bonds since 2017, why are we still importing trash?

Response 27-5

Comment noted. The comment does not contain or specifically refer to any information or findings found in the IS/MND.

Comment 27-6

Given the history of incidents and the potential risks to residents, I do not support this project. The safety and well-being of the community should be the top priority, and the concerns raised about the proximity to the RNG plant, fire hazards, and past gas leaks are significant. It's crucial to consider the impact on residents' health, property values, and overall quality of life.

Response 27-6

See Responses 27-2 and 27-4. The IS/MND analyzed the potential air quality impacts of the proposed Project; see Section 3.4.3 – Air Quality of the Recirculated Focused Draft IS/MND. No unmitigated significant impacts were identified. As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation, and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance, and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises, and promoting recycling to ensure a safe and healthy community for current and future generations.

3.3.28 Comment Letter 28 – L.T., Resident

Comment 28-1

I am writing to strongly oppose the construction of the projected Bowerman Renewable Natural Gas (RNG) plant in Irvine with the following reasons: 1. As noted in the Initial Study/ Mitigated Negative Declaration (IS/MND), "the Project site is located in a State Responsibility Area (SRA) Very High Fire Hazard Severity Zone (OSFM 2023)." Regardless of the number of precautionary or mitigation methods that are planned to be put in place, "the potential impacts of the Project due to accidental release of hazardous materials, explosion, or wildfire from foreseeable upset and/or accident conditions (such as pipeline rupture)" would only be reduced as stated in the IS/MND. In other words,

the risk of loss, injury or death to the residents would actually be higher with a highly inflammable source.

Response 28-1

The proposed Project does not create LFG or store RNG. As described in Section 2.2, the LFG currently created by the FRB Landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The existing Bowerman Power Plant, an existing 19.6-megawatt landfill gas to energy facility, processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The Project's RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas.

As discussed in Sections 3.4.9 and 3.4.20 of the Original Draft IS/MND, Project implementation will include emergency systems such as fire suppression systems. These systems will be similar to the emergency systems used at the existing Bowerman Power Plant. They include fire detection and suppression systems, alarm, and a shutdown monitoring system. The Project will be required to obtain approval from OCFA before a building permit can be issued. Bowerman Power has been in discussions with OCFA during Project design. In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[6] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

Comment 28-2

With the proposed plant just approximately 4,200 feet (0.8 mile) from the nearest residences, plus a portion of the new SoCalGas pipeline only approximately 200 feet (0.04 miles) and 0.27 miles from the nearest residences adjacent to Portola Parkway and Stonegate Elementary School, it definitely raises concerns about the impact on local residents' quality of life and safety.

[6] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

Response 28-2

See Response 28-1. Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

Comment 28-3

The air quality assessment provided by the South Coast Air Quality Management District (SCAQMD) in the IS/MND are solely based on modeling, with data obtained from two monitoring sites that are many miles away. In addition, there are pieces of land near the project site that have not been built out, and therefore, the data wouldn't be accurate enough to represent the actual scenario when all receptors are completed with a huge increase in the population density.

Response 28-3

The air quality assessment used modeling analysis to compare Project impacts with existing background regional air pollutant concentration. The assessment used background data collected from established SCAQMD monitoring sites because those are used to determine regional air quality and use approved measurement methods for all criteria pollutants. While we considered another monitoring site also located within Orange County, this site did not collect a complete set of air quality measurement data required for the Project. Moreover, this site did not show an appreciable difference in baseline (i.e., background) air quality levels compared to data measured at the SCAQMD Central Orange County monitoring site. Because only minor differences were observed between sites, it was more appropriate to represent existing air quality conditions based on collocated measurement

data to ensure consistency in background concentrations for the criteria pollutants. This was the case for all pollutants except for sulfur dioxide (SO_2). Since SO_2 was not measured at any Orange County monitoring site, the closest available monitoring location of this pollutant was used. Regarding the modeling areas near the site that may be the location of future development, ambient air was evaluated at all locations where the general public has access. Potential air quality impacts from the Project were evaluated at all areas outside the property boundary because these locations are not within the control of the landfill.

3.3.29 Comment Letter 29 – R.A., Resident

Comment 29-1

I write this with both urgency and profound concern for not only myself, you, our local schools, our kids and significant others, but for our entire community and environment.

When I was informed about the proposed natural gas plant and expansion at Bowerman Landfill , I felt compelled to fulfill my civic duty by speaking out, yet again. Given my unfortunate, yet unique life circumstances and area of expertise, I hope to present you with a new perspective. Each one of you fulfills a vital role in our community, the community I like to call "Humanity". I am a physician, a cancer survivor, and a mother who is trying to protect not only my kids, but also all of our kids, grandchildren, and the parents that they still need.

I am not naive to the role politics and money plays in situations such as these. But let me be clear, I have no concern with any of those factors. I reach out to you as a fellow human in hope of reminding you not only of the legacy you can still leave behind, but also of your conscience, responsibility to those you serve, to your family, to your spiritual guide/religion, but most importantly to your community of fellow humans.

My family and I moved to Irvine recently after being victims of the Socal Gas Blowout in Porter Ranch. We moved to Irvine because it was supposedly the "safest city". Then we came to find out about All American Asphalt when we almost purchased a home in North Park. We immediately halted considering anything within miles of the facility. Luckily, the residents were heard and the Asphalt company was shut down. Shortly after, come to find out about the Landfill and the expansion to include none other than Socal Gas. In Porter Ranch, reports of odors were prominent, yet we were told there was no gas leak. Only to find out (and only after infrared video created evidence that no longer could be denied) that there was massive blowout. There were reports of known faulty valve that went unaddressed and it took months for the blowout to be contained. Massive relocation occurred, and there were detrimental health, financial and environmental impacts.

I no longer practice medicine because my life and health has been turned upside down by the gas blowout. My husband got cancer, and shortly after, I did too. The teachers, first responders, and neighbors were all impacted, many with similar symptoms, cancers, and even more rare cancers. Hearing about the potential gas plant and Socal Gas involvement is like reliving the gas leak. Similar symptoms, similar odors and soon, similar cancer stories.

As a physician, I unequivocally feel that it is unsafe to send my kids on play dates to homes, parks, and schools even remotely close to Bowerman, let alone once a gas plant is put on premises. I would not put ANYTHING over my children's health and frankly, nobody should! In Porter Ranch, many of the teachers close to the facility got cancer. For those reading this who value finances, this will eventually lead to financial loss. In fact, a major housing developer in Porter Ranch litigated with the gas company because the carcinogens affected their business and property value. As more and more victims develop cancer, the lawsuits will follow.

Response 29-1

The gas leak at Aliso Canyon (also referred to as Porter Ranch) is public record now and additional information can be found on the CPUC website (https://www.cpuc.ca.gov/regulatory-services/safety/gas-safety-and-reliability-branch/aliso-canyon-well-failure). The governing body of the CPUC and California Geologic Energy Management Division updated the codes and regulations for storage well construction and inspection back in 2016 to avoid any leaks like this in the future. Aliso Canyon utilizes steel casing to transport gas thousands of feet deep into the earth to store that gas inside the rock formation for extended periods of time. The infrastructure that will be installed at Bowerman Landfill to support RNG production is nothing like the infrastructure at Aliso Canyon. The RNG project at Bowerman Landfill does not store gas. The RNG project at Bowerman Landfill will not use steel casing. This RNG project is simply adding some surface equipment for safety and compliance monitoring and less than 3 miles of new pipeline to transport gas from the landfill to the SoCalGas' existing pipeline infrastructure. SoCalGas currently manages more than 101,000 miles of pipeline. See more information on SoCalGas existing pipeline infrastructure (https://www.socalgas.com/documents/news-room/fact-sheets/PipelineBasics.pdf).

The proposed RNG plant will be located entirely within the existing landfill property. The proposed Project will not change the nature or location of approved activities within the FRB Landfill, including the limits of refuse, nor would it alter the footprint, property limits, or configuration of the Landfill.

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises and promoting recycling in order to ensure a safe and healthy community for current and future generations.

Comment 29-2

Shutting down the landfill is the way to go. It emits carcinogens. They are trying to mitigate it with these conversion plants. But a fire that shuts the plant down (even out of caution) then causes tons of uncaptured emissions. Irvine should not renew permit. County should shut it down and divert out of area.

Response 29-2

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project does not create LFG but will process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers.

The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

Comment 29-3

And what about the effect on home insurance coverage on nearby residential homes? The landfill was damaged in 2020 Silverado Fire, people evacuated. Having a gas plant at the landfill will amplify the fire risk, and reason for insurance deniability. This does not even take into account that we live in earthquake prone Southern California. An earthquake could be disastrous when it involves natural gas.

Response 29-3

The proposed Project does not create LFG or store RNG. As described in Section 2.2, the LFG currently created by the FRB landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The existing Bowerman Power Plant, an existing 19.6-megawatt landfill gas to energy facility, processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The Project's RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program. Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

As discussed in Section 3.4.7 of the Original Draft IS/MND, the CBC mandates that the design for structures requiring building permits must take into account foundation conditions, proximity of active faults, and their associated ground shaking characteristics. Design-level geotechnical reports must include CBC seismic design parameters. Those parameters are used by the structural engineer in the design of above-ground structures and underground lines. With conservative design and high quality construction, ground shaking damage can be kept to a practical minimum. As with the existing Bowerman Power Plant, the proposed Project has been designed in accordance with applicable seismic safety standards. The RNG Plant will have a seismic sensor. In the event of a large earthquake, the RNG Plant equipment will be shut down and pipeline valves will be closed. The operation of the proposed Project (including the new pipeline), therefore, is not anticipated to expose people or structures to potential substantial adverse effects from strong seismic ground-shaking.

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises, and promoting recycling to ensure a safe and healthy community for current and future generations.

Comment 29-4

When you put your head down at night, please ask yourself: How many kids have died and families destroyed from my inaction? What side of history will I be remembered for being on once litigation ensues? IF you attend church, synagogue, mosque, temple or just connect with spirituality, can you ultimately answer for your lack of action and poor decisions that essentially lead to loss of life BECAUSE it WAS ALL PREVENTABLE? Can you look into the eyes of the very people you took an oath to protect and know that you did your BEST? Will you feel guilt and wish you did more when you look into the eyes of your child, sibling, parent, spouse or grandchild who has recently been diagnosed with cancer?

As a physician, I cannot stay silent when there is an apparent and undeniable modifiable risk factor to preventing so many cancers. I ask you, would you or your family be willing to live, play and breathe in the neighborhoods surrounding this Landfill and facility? Let me assure you this, the carcinogens of Porter Ranch blowout reached the LA Basin and most of the valley. So none of us in Irvine, surrounding OC cities or county are safe from a Gas Plant. As a doctor, I never thought it would be me that would get cancer. We often focus on finding the cure for cancer when all we have to do is stop the obvious preventable causes for those very cancers! Yes, it really can be that simple in some cases. Lastly, Irvine residents don't matter less than Brea residents. They closed down their landfill, only to expand ours. Lets join LA county and send our trash to less populated areas..ie desert etc. The cost affects will be well worth the health benefits. What good is money when you're too sick to enjoy it?

The red tape must be cut, and we should all work together as humans to LIVE and BREATHE clean air. The city, higher government, and environmental oversight agencies have the power to not only NOT build a gas plant or expand Bowerman, but also to shut the landfill down and mitigate….that is, if the financial gain is put aside. They failed in Porter Ranch, please do not let there be failure in Irvine/OC too. You may think that you are immune to what is being emitted. You may or may not live in Irvine, but your kid can be the next one with cancer. The lawsuits are inevitable. Once the cancer clusters become undeniable, the tainted reputation will stick, profits will be gone. Trust me, from personal experience; If cancer hits your household, you won't care about anything but health and wishing you could undo what WAS preventable. PLEASE join your fellow humans and do the humane thing NOW, not making it something you wished you had done when it is too late. Use emergency powers, halt activity at Bowerman yesterday, and then focus on redirecting trash/waste. You cannot buy your way back into health so plan for your future today.

Response 29-4

See Response 29-1 through 29-3. The proposed RNG plant will be located entirely within the existing landfill property. The proposed Project will not change the nature or location of approved activities within the FRB Landfill, including the limits of refuse, nor would it alter the footprint, property limits, or configuration of the FRB Landfill.

3.3.30 Comment Letter 30 – D.L., Resident

Comment 30-1

The benefit of RNG mentioned in your presentation is to reduce greenhouse emission.

The presentation says this RNG plant will be "avoiding the greenhouse gas emissions from 60,196 tons of landfilled waste each year'.

Given FRB's permitted 11,500 tons per day capacity, the benefit is merely of 60196/11500*365 = 1.43%. We also understand the current agreement between city and county is to cap the daily deposit at 8000 tons. If we use that number instead, we are looking at 2.06% improvement in your best case scenario. News published by Montauk Renewables in 2023, the company estimated 85-95 Millions to build this out. It's very clear that benefit is not to the public or the earth, Montauk and OCWR stand to benefit from this. We request OCWR to accurately reflect the reasoning behind this RNG and show how OCWR is going to benefit from collecting royalty.

Response 30-1

As described in Section 2.2, the LFG currently created by the FRB landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The majority of the LFG captured will be processed through the existing Bowerman Power Plant. The Bowerman Power Plant, a 19.6-megawatt landfill gas to energy facility, processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The Project's RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas. The annual CH_4 emissions avoided from 6,000 scfm of LFG is equivalent to 30,051.4 metric tons of CH_4 per year. Based on 2020 Bowerman Landfill GHG data, the 2020 disposable quantity of 1,998,625 metric tons of waste resulted in 14,179.32 metric tons of CH_4. Based on this ratio and the Bowerman Landfill permitted capacity of 8,000 tons per day or 2.9 million metric tons per year, the 6,000 scfm of LFG collected and sent into the SCE pipeline would reduce the equivalent amount of CH_4 from waste collected at the landfill for an approximately 1.5-year period. Therefore, the RNG Plant will create a beneficial use for the excess LFG that would otherwise be incinerated in the flares and when compared to flaring LFG, the RNG Plant will reduce Greenhouse Gas (GHG) emissions by 90%.

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

This project is funded by Bowerman Power LFG, LLC, a subsidiary of Montauk Renewables Inc. Through a revenue sharing agreement between Montauk Renewables and OCWR, OCWR will receive compensation from the sale of RNG. All RNG from the facility will be sold to SoCalGas to be distributed within their network.

Comment 30-2

Considering the proposed landfill expansion which will bring additional 400 trucks, from approximately 600 trucks currently, 6 days a week, the RNG greenhouse reduction argument does not stand. Please show us how this expansion will impact our local communities where OCWR might be able to make it up with RNG. Give us clear and scientific comparison.

Response 30-2

The proposed RNG plant will be located entirely within the existing landfill property. The proposed Project will not change the nature or location of approved activities within the Landfill, including the limits of refuse, nor would it alter the footprint, property limits, or configuration of the Landfill.

See Response 30-1.

Comment 30-3

We understand the power plant was damaged by the last fire and certain equipment is not fully functioning after several years. Since the power plant is consuming most of the LFG, a logical approach is to somehow upgrade the power plant to process all LFG. This way OCWR can still make money if that's the main goal.

Response 30-3

The existing Bowerman Power Plant was not damaged in the 2020 Silverado wildfire.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program. Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area, that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation, see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California

gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Comment 30-4

To build a RNG plant inside a wildfire zone is unthinkable. There are thousands of homes in the immediate neighborhood and OCWR RNG plant might be a bomb waiting to explode. Did RNG think about its future liability if unfortunate fire event reoccur again? Is OCWR ready to face litigation in the future? Have you completed the risk analysis from this angle?

Response 30-4

See Response 30-3.

The proposed Project does not create LFG or store RNG. As described in Section 2.2, the LFG currently created by the FRB landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The existing Bowerman Power Plant, an existing 19.6-megawatt landfill gas to energy facility, processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The Project's RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas.

3.3.31 Comment Letter 31 – C.P., Resident

Comment 31-1

This email is to express my strong disagreement to build a renewable natural gas plant at Franklin Bowerman Landfill near to my community. I am a resident or Irvine. I am strongly against this proposal for the following reasons:

All types of the gasses this plant will be processing are highly flammable material and the facility itself is prone to fires due to its nature. The potential for fire or explosions is high, our communities are exposed to this great risk.

Response 31-1

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[7] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area, that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

Comment 31-2

Insurance companies are pulling out of insuring homes in California due to the perceived risk of fires. This is another example of careless planning, putting homes near a highly flammable material. The current venting is not storing any or creating more pipelines in the highly flammable zones.

Response 31-2

See Response 31-1. The proposed Project does not create or store LFG. The proposed Project involves diverting existing LFG currently being flared and converting it into RNG that will supply the SoCalGas pipeline. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. Further, the Project will include a review by the OCFA for conformance with fire safety standards.

Comment 31-3

In the event a fire starts in the plant, it would expose the surrounding community with toxic carcinogenic gasses that escape into the air for miles, that we may not even be alerted to , nor can escape from, even within our homes.

Response 31-3

See Responses 31-1 and 31-2.

Comment 31-4

There have been multiple wildfires in this location. In the high likelihood that this plant is in the path of a wildfire, it can become a highly toxic fire to the surrounding community as well as leak toxic carcinogen gasses into our air for miles.

[7] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

Response 31-4

See Responses 31-1 and 31-2.

Comment 31-5

This will likely cause insurance companies refusing to insure our homes against fires, due to a natural gas processing plant proximity.

Response 31-5

See Responses 31-1 and 31-2.

Comment 31-6

OCWR will be making a revenue from this annually and has no loss at stake once they make a profit past their investment to build it. The community will always have their lives, and homes at stake, every day if its built.

Response 31-6

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating public landfills, protecting the local environment, investing in renewable energy enterprises and promoting recycling in order to ensure a safe and healthy community for current and future generations.

Comment 31-7

This country has entire states working to ban the expansion of natural gas as a fuel. We need to switch to more environmentally friendly renewable fuels. Investing more in natural gas infrastructure is a step in the opposite direction of progress for California.

Response 31-7

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Comment 31-8

There is no long term research provided to the community that demonstrates what types of piping materials are safest for this new type of fusion of biogas and existing natural gas lines.

Response 31-8

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County. See more information on SoCalGas existing pipeline infrastructure (https://www.socalgas.com/documents/news-room/fact-sheets/PipelineBasics.pdf).

Comment 31-9

It has been proven that natural gas can be a cause of illnesses when within homes. The City of Irvine is banning natural gas in all new construction. Where are third party, long term, non-biased datasets, to show that acute long-term exposure of this fusion of gasses is not going to increase risks of diseases in our homes?

Response 31-9

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

Comment 31-10

If there is a leak in any holding or processing tanks, or pipes, its can leak for months until inspections come around. The entire community can be exposed to toxic carcinogens for months, like the residents of Porter Ranch's 2015 blowout. Many Porter Ranch residents and first responders now have cancer from being exposed to gases leaking from tanks that were to be monitored by the same agencies that would monitor this plant.

Response 31-10

The gas leak at Aliso Canyon (also referred to as Porter Ranch) is public record now and additional information can be found on the CPUC website (https://www.cpuc.ca.gov/regulatory-services/safety/gas-safety-and-reliability-branch/aliso-canyon-well-failure). The governing body of the CPUC and California Geologic Energy Management Division updated the codes and regulations for storage well construction and inspection back in 2016 to avoid any leaks like this in the future. Aliso Canyon utilizes steel casing to transport gas thousands of feet deep into the earth to store that gas inside the rock formation for extended periods of time. The infrastructure that will be installed at Bowerman Landfill to support RNG production is nothing like the infrastructure at Aliso Canyon. The RNG project at Bowerman Landfill does not store gas. The RNG project at Bowerman Landfill will not

use steel casing. This RNG project is simply adding some surface equipment for safety and compliance monitoring and less than 3 miles of new pipeline to transport gas from the landfill to the SoCalGas' existing pipeline infrastructure. SoCalGas currently manages more than 101,000 miles of pipeline. See more information on SoCalGas existing pipeline infrastructure (https://www.socalgas.com/documents/news-room/fact-sheets/PipelineBasics.pdf).

Comment 31-11

Parts for such a specialized project to build are hard to come by, so it may take weeks to replace broken sensors, monitors and such, which some have only a 3 year warranty for. With the quality of construction and parts plaguing the world, I think the chances for malfunctions and equipment failures is higher now more than ever. That increases chances to be exposed to toxic gasses that can cause cancer in our families.

Irvine residents cannot withstand any of these risks to live near this type of facility. This is a city where people invest the lives of their most precious family. It is supposed to be the safest city. This plant robs residents of their safety for their lives and homes. Please consider building a facility that produces your methane gas, very far from communities of residents. For all these reasons, I will continue to fight against the approval to build a renewable natural gas plant.

Response 31-11

See Response 31-2. The proposed Project does not produce LFG. Decomposing waste in landfills naturally produces methane gas or LFG. As discussed in the IS/MND, Section 2.2.1, the LFG currently created by the FRB landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The majority of the LFG collected is used in the existing Bowerman Power Plant to produce electricity. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The gas collection and control system, Bowerman Power Plant, and flare station reduce the amount of LFG at FRB Landfill. The RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The LFG processed at the RNG Plant will not be stored but delivered via pipeline to SoCalGas.

The existing Bowerman Power Plant includes a hazardous management business plan prepared in accordance with County regulations. The plan will be updated to address new aspects of the RNG Plant equipment and operation. Procedures will require safe operation of the RNG Plant and will include shutting down the plant if necessary to conduct repairs.

3.3.32 Comment Letter 32 – M.O., Resident

Comment 32-1

To the OC Board of Supervisors, OC Waste and Recycling Board and CEQA Review Members:

We strongly oppose any expansion of the Bowerman Landfill to include the addition of a natural gas production plant. This expansion would create an enormous hazard to the surrounding homes, schools and community that can not be managed by any "safety" precautions. To be candid, the

projections of harm in the CEQA review materials are naïve and vastly understate the likely risks and future damage.

One need only remember the Aliso Canyon/Porter Ranch gas storage leak in 2015, arising from "normal" degradation in the gas line system which disrupted 8000 plus residents for 4 months, caused irreversible health issues, released 109,000 metric tons of methane and resulted in $1.8 billion in damages.

Response 32-1

The proposed RNG plant will be located entirely within the existing landfill property. The proposed Project will not change the nature or location of approved activities within the FRB Landfill, including the limits of refuse, nor would it alter the footprint, property limits or configuration of the Landfill.

The gas leak at Aliso Canyon (also referred to as Porter Ranch) is public record now and additional information can be found on the CPUC website (https://www.cpuc.ca.gov/regulatory-services/safety/gas-safety-and-reliability-branch/aliso-canyon-well-failure). The governing body of the CPUC and California Geologic Energy Management Division updated the codes and regulations for storage well construction and inspection back in 2016 to avoid any leaks like this in the future. Aliso Canyon utilizes steel casing to transport gas thousands of feet deep into the earth to store that gas inside the rock formation for extended periods of time. The infrastructure that will be installed at Bowerman Landfill to support RNG production is nothing like the infrastructure at Aliso Canyon. The RNG project at Bowerman Landfill does not store gas. The RNG project at Bowerman Landfill will not use steel casing. This RNG project is simply adding some surface equipment for safety and compliance monitoring and less than 3 miles of new pipeline to transport gas from the landfill to the SoCalGas' existing pipeline infrastructure. SoCalGas currently manages more than 101,000 miles of pipeline. See more information on SoCalGas existing pipeline infrastructure (https://www.socalgas.com/documents/news-room/fact-sheets/PipelineBasics.pdf).

Comment 32-2

Is the Bowerman Power LFG, LLC equipped to provide anything near this level of damages to residents for negligence on Bowerman's part (even by insurance or indemnification)? Hardly. Is Orange County prepared to cover billions of dollars of damage? Hardly. Since the proposed is not a SoCal Gas facility, do not expect SoCal Gas to accept responsibility. The potential, highly overstated benefits of this expansion are greatly outweighed by the certain harm that will result.

Response 32-2

The proposed RNG plant will be located entirely within the existing landfill property. The proposed Project will not change the nature or location of approved activities within the FRB Landfill, including the limits of refuse, nor would it alter the footprint, property limits or configuration of the Landfill. Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations.

Comment 32-3

The Bowerman Landfill area, with its hills, brush and Santa Ana winds, has been directly involved in or closely adjacent to wildfires virtually every other year. One recent was the Silverado fire of 2020, which burned acres in this very area and nearly consumed the All American Asphalt plant. And in 2024, there were other major adjacent wildfires – for example, the Airport Fire in Orange County, where 5000 acres were on fire within just hours of discovery and could not be prevented by fire officials. The location of the present Bowerman landfill is smack in the middle of these annual Santa Ana winds -- !!! Wildfires will happen.

Nothing in the CEQA initial study/review document reasonably or realistically addresses the true risks guaranteed by the proposed expansion. The posted CEQA supporting consultants' report and the report's dismissal of realistic risks are even more disappointing in their bland treatment of these highly likely hazards. How many of the writers of this report live nearby?

It is undeniable that the existing vegetation around Bowerman landfill is nothing more than acres of fuel for fast-moving wildfires or plant generated fires. Reporting of fires by the proposed plant's part-time staff would likely be late in detection or significantly delayed. Nothing can change this vegetation landscape or its risk for fuel in any fire.

As importantly, the sole and narrow two-lane road – Bee Canyon Access Road – that might permit access to a few firefighters would likely be immediately impassable in the event of any fire, whether from wildfire or plant generated. THERE IS NO OTHER ACCESS but this two lane road, hence any assertion that risk from fire damage is low or manageable is patently false.

The issue is not one of financial damage. The issue is one of serious harm to community health, loss of homes and potential deaths. Thousands of homes surround the Bowerman landfill. Families with young children live in these homes. The most recent beautiful development, Orchard Hills, is directly adjacent to this risk area. Several schools are likewise in the path of destruction. A few fire trucks at a distance or even helicopters WILL NOT contain the very likely and fast-arising damage to these homes.

Any revenue to be made from this ill-conceived proposal will be wholly outweighed by the highly likely (and repeated) damage that will result from nature's constant wildfires or from ordinary aging of the plant and pipelines. No precautions by Bowerman or Orange County can prevent these wildfires.

Response 32-3

As discussed in Sections 3.4.9 and 3.4.20 of the Original Draft IS/MND, Project implementation includes emergency systems such as fire suppression systems. These systems will be similar to the emergency systems used at the existing Bowerman Power Plant. They include fire detection and suppression, alarm, and shutdown monitoring system. The Project will be required to obtain approval from OCFA before a building permit can be issued. Bowerman Power has been in discussions with OCFA during Project design. In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[8] Vegetation management has proven to be

[8] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area, that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

Comment 32-4

The following cautions should also be reviewed and considered in support of resident rejection of this expansion of the Bowerman landfill, which I also submit for your consideration: www.edf.org/media/new-map-helps-show-significant-methane-pollution-municipal-landfills. Please take these concerns seriously. This is not about revenue, this is about our lives, our families, our children.

Response 32-4

The article referenced discusses methane emissions from landfills and promotes landfill use of gas collection and control systems. As discussed in the IS/MND Section 2.2.1, the LFG currently created by the FRB Landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The Bowerman Power Plant currently processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The proposed RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas. The RNG plant will have the capacity to process 6,000 scfm of LFG, which is equivalent to avoiding the GHG emissions from approximately the amount of trash landfilled over a 1.5 -year period. When compared to flaring LFG, an RNG Plant will reduce GHG emissions by 90 percent.

3.3.33 Comment Letter 33 – P.S., Resident

Comment 33-1

This email is to express my strong disagreement to build a renewable natural gas plant at Franklin Bowerman Landfill near to my community. I am a resident or Irvine. I am strongly against this proposal for the following reasons:

All types of the gasses this plant will be processing are highly flammable material and the facility itself is prone to fires due to its nature. The potential for fire or explosions is high, our communities are exposed to this great risk.

Response 33-1

The proposed Project does not create LFG or store RNG. Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[9] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area, that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation, see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

Implementation of consistency measures, appropriate design criteria, and conformance with CBC Chapter 7A (CBC 2022; Materials and Construction Methods for Exterior Wildfire Exposure) and California Fire Code Chapter 47 (CFC 2022: Requirements for Wildland-Urban Interface Fire Areas) would ensure that impacts associated with wildland fires would be less than significant.

Comment 33-2

Insurance companies are pulling out of insuring homes in California due to the perceived risk of fires. This is another example of careless planning, putting homes near a highly flammable material. The current venting is not storing any or creating more pipelines in the highly flammable zones.

Response 33-2

See Response 33-1.

Comment 33-3

In the event a fire starts in the plant, it would expose the surrounding community with toxic carcinogenic gasses that escape into the air for miles, that we may not even be alerted to, nor can escape from, even within our homes.

[9] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

Response 33-3

See Responses 33-1 and 33-2.

As discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, the proposed Project will reduce emissions of criteria pollutants as compared to existing conditions. The Project would not contribute substantially to an existing air quality violation and with implementation of the proposed mitigation measure MM AQ-1, impacts to air quality would be less than significant impact.

Also discussed in Section 3.4.3 of the Recirculated Focused Draft IS/MND, an HRA was conducted for the Project to evaluate health risk impacts (cancer, non-cancer chronic, and acute health risk) due to construction and operational emissions for nearby residents and workers. The principal emissions during Project construction would be from diesel-powered equipment. The principal emissions during Project operation would be from: the thermal oxidizer unit that uses tail gas from the landfill and natural gas as the supplemental fuel; the off-spec flare pilot that uses natural gas; and the emergency generator that uses natural gas. The HRA results predict that all health risk factors for construction and operation would be less than significant.

Comment 33-4

There have been multiple wildfires in this location. In the high likelihood that this plant is in the path of a wildfire, it can become a highly toxic fire to the surrounding community as well as leak toxic carcinogen gasses into our air for miles.

Response 33-4

See Responses 33-1, 33-2, and 33-3.

Comment 33-5

This will likely cause insurance companies refusing to insure our homes against fires, due to a natural gas processing plant proximity.

Response 33-5

See Responses 33-1, 33-2, and 33-3.

Comment 33-6

OCWR will be making a revenue from this annually and has no loss at stake once they make a profit past their investment to build it. The community will always have their lives, and homes at stake, every day if its built.

Response 33-6

OCWR takes pride in being good neighbors. OCWR landfills, including FRB Landfill, use sanitary and environmentally friendly operational methods and have earned many awards for their modern management techniques, regulatory compliance and environmental practices. OCWR will continue to serve the County's solid waste disposal needs by providing waste management services, operating

public landfills, protecting the local environment, investing in renewable energy enterprises and promoting recycling in order to ensure a safe and healthy community for current and future generations.

Comment 33-7

This country has entire states working to ban the expansion of natural gas as a fuel. We need to switch to more environmentally friendly renewable fuels. Investing more in natural gas infrastructure is a step in the opposite direction of progress for California.

Response 33-7

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Comment 33-8

There is no long term research provided to the community that demonstrates what types of piping materials are safest for this new type of fusion of biogas and existing natural gas lines.

Response 33-8

The new SoCalGas pipeline will be designed to meet the most stringent design, pipeline class, and safety standards (Class 4 requirements) in accordance with Title 49 CFR. Emergency shut-off valves, pressure monitoring devices, and other control equipment will be incorporated into the design of the pipeline. The system will include devices required by 49 CFR 192 and as deemed appropriate by the County.

Comment 33-9

It has been proven that natural gas can be a cause of illnesses when within homes. The City of Irvine is banning natural gas in all new construction. Where are third party, long term, non-biased datasets, to show that acute long-term exposure of this fusion of gasses is not going to increase risks of diseases in our homes?

Response 33-9

See Response 33-3.

Comment 33-10

If there is a leak in any holding or processing tanks, or pipes, its can leak for months until inspections come around. The entire community can be exposed to toxic carcinogens for months, like the residents of Porter Ranch's 2015 blowout. Many Porter Ranch residents and first responders now have cancer from being exposed to gases leaking from tanks that were to be monitored by the same agencies that would monitor this plant.

Response 33-10

The gas leak at Aliso Canyon (also referred to as Porter Ranch) is public record now and additional information can be found on the CPUC website (https://www.cpuc.ca.gov/regulatory-services/safety/gas-safety-and-reliability-branch/aliso-canyon-well-failure). The governing body of the CPUC and California Geologic Energy Management Division updated the codes and regulations for storage well construction and inspection back in 2016 to avoid any leaks like this in the future. Aliso Canyon utilizes steel casing to transport gas thousands of feet deep into the earth to store that gas inside the rock formation for extended periods of time. The infrastructure that will be installed at Bowerman Landfill to support RNG production is nothing like the infrastructure at Aliso Canyon. The RNG project at Bowerman Landfill does not store gas. The RNG project at Bowerman Landfill will not use steel casing. This RNG project is simply adding some surface equipment for safety and compliance monitoring and less than 3 miles of new pipeline to transport gas from the landfill to the SoCalGas' existing pipeline infrastructure. SoCalGas currently manages more than 101,000 miles of pipeline. See more information on SoCalGas existing pipeline infrastructure (https://www.socalgas.com/documents/news-room/fact-sheets/PipelineBasics.pdf).

SoCalGas responds to emergency calls 24 hours per day, 365 days per year from any of its residential, commercial, industrial, and agriculture customers. SoCalGas' technicians/gas service representatives respond to gas leaks or gas odors and take appropriate action. SoCalGas has robust procedures in place to respond to leaks in accordance with its company standards, derived from state and federal requirements. This could involve immediately conducting an onsite hazard assessment, eliminating ignition sources, requesting assistance if necessary, evacuating affected areas, and continuously monitoring the atmosphere until the leak is controlled and conditions are safe. SoCalGas also works closely with first responders to provide an effective and safe response to potential leaks.

Comment 33-11

Parts for such a specialized project to build are hard to come by, so it may take weeks to replace broken sensors, monitors and such, which some have only a 3 year warranty for. With the quality of construction and parts plaguing the world, I think the chances for malfunctions and equipment failures is higher now more than ever. That increases chances to be exposed to toxic gasses that can cause cancer in our families.

Irvine residents cannot withstand any of these risks to live near this type of facility. This is a city where people invest the lives of their most precious family. It is supposed to be the safest city. This plant robs residents of their safety for their lives and homes. Please consider building a facility that produces your methane gas, very far from communities of residents. For all these reasons, I will continue to fight against the approval to build a renewable natural gas plant.

Response 33-11

See Responses 33-1, 33-2, and 33-3. The existing Bowerman Power Plant includes a hazardous management business plan prepared in accordance with County regulations. The plan will be updated to address new aspects of the RNG Plant equipment and operation. Procedures will require

safe operation of the RNG Plant and will include shutting down the plant if necessary to conduct repairs.

3.3.34 Comment Letter 34 – M.J., Resident

Comment 34-1

I wanted to express my concerns regarding the proposed construction of a new Renewable Natural Gas Plant at Bowerman Landfill. My concerns are as follows:
There should be a full EIR to assess the impact on this major construction. A new RNG Plant will have significant impact on the surrounding communities, including an approved to be built area called Gateway Village which will have approximately 900 new homes adjacent to the landfill. This plant will have a significant impact on the sales of these homes which are needed to repay the City of Irvine for their purchase of the All American Asphalt Plant.

Response 34-1

Per Section 15070 of the CEQA Guidelines, a mitigated negative declaration is the appropriate level of documentation for a project subject to CEQA when initial study shows that there is no substantial evidence that the project may have a significant effect on the environment and/or effects are mitigated to a level of less than significance. The initial study for the Project found that, by implementing the identified mitigation measures, the Project's potential impacts will be maintained at a less than significant level, therefore, an MND is appropriate.

Comment 34-2

The proposed plant will only process approximately 7 days of solid waste per year according the details provided by the CEQA call. The overwhelming majority of the methane gas which can be captured is utilized by the existing power plant. What is the benefit of building a RNG Plant in such close proximity to new homes that can process only a small portion of the methane at Bowerman? It was not made clear who profits from the construction and usage of the new RNG plant? Does the city of Irvine or the County receive any revenues from this facility?

Response 34-2

The majority of the LFG collected is used in the existing Bowerman Power Plant to produce electricity. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station.

As discussed in Section 3.4.8 of the Recirculated Focused Draft IS/MND, the Project will provide a beneficial use by contributing to CPUC's Renewable Gas Program to procure RNG made by methane from organic waste from landfills and other sources, reducing the volume of LFG being flared, and reducing GHG emissions from the FRB Landfill. The RNG plant will have the capacity to process 6,000 scfm of LFG, which is equivalent to avoiding the GHG emissions from approximately the amount of trash landfilled over a 1.5 -year period. Therefore, the RNG Plant will create a beneficial use for the

excess LFG that would otherwise be incinerated in the flares and when compared to flaring LFG, the RNG Plant will reduce Greenhouse Gas (GHG) emissions by 90%.

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

This project is funded by Bowerman Power LFG, LLC, a subsidiary of Montauk Renewables Inc. Through a revenue sharing agreement between Montauk Renewables and OCWR, OCWR will receive compensation from the sale of RNG. All RNG from the facility will be sold to SoCalGas to be distributed within their network.

Comment 34-3

There is no apparent mitigation from Wildfires which impacted the area twice and most recently in 2020 when the electricity plant had to be shut down, Bowerman sustained significant damage from the fires which remain unaddressed. What is the plan in the event of another wildfire that reaches the plant which is close to many residential homes?

Response 34-3

The existing Bowerman Power Plant was not damaged in the 2020 Silverado wildfire. Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials of the Original Draft IS/MND, the Project will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[10] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation; see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

[10] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

Comment 34-4

What is the plan due to landslides that occur in the area and remain unremediated? What insulates this new RNG plant from earthquakes and the hazards that could inflict on the local community?

Response 34-4

As discussed in Section 3.4.7 of the Original Draft IS/MND, the proposed Project site and new pipeline route are not located near the known North End or East Flank landslide areas of the FRB Landfill, and therefore would not be affected in any way by these landslides. In addition, the Project site development will involve placing a significant amount of engineered fill into a topographic low spot, with very little cutting of in situ Sespe formation rocks. The new pipeline installation will use trenching and tunneling techniques primarily within road right-of-ways, so it will not create new landslide risks. These construction and installation techniques will seriously limit any existing landslide potential for this location. Thus, no significant impacts from landslides would occur.

Also as discussed in Section 3.4.7 of the Original Draft IS/MND, the CBC mandates that the design for structures requiring building permits must take into account foundation conditions, proximity of active faults, and their associated ground shaking characteristics. Design-level geotechnical reports must include CBC seismic design parameters. Those parameters are used by the structural engineer in the design of above-ground structures and underground lines. With conservative design and high quality construction, ground shaking damage can be kept to a practical minimum. As with the existing Bowerman Power Plant, the proposed Project has been designed in accordance with applicable seismic safety standards. The RNG Plant will have a seismic sensor. In the event of a large earthquake, the RNG Plant equipment will be shut down and pipeline valves will be closed. The operation of the proposed Project (including the new pipeline), therefore, is not anticipated to expose people or structures to potential substantial adverse effects from strong seismic ground-shaking.

Comment 34-5

The closure of the Brea landfill in 2026 will bring about a significant increase in truck traffic to the Bowerman landfill. This plant will take 2 years to construct the pipeline and plant, cause significant disruption along Jeffrey to Portola along with construction traffic. What mitigation measures are being taken for this?

Response 34-5

As discussed in Section 3.4.17 of the Original Draft IS/MND, construction of the new SoCalGas pipeline will take place along Bee Canyon Access Road and Portola Parkway. During construction, traffic control will be needed to temporarily reduce available lanes during the construction within Bee Canyon Access Road and Portola Parkway. A traffic control plan will be prepared to accommodate this work area corridor along the new SoCalGas pipeline route. These impacts would be short-term and temporary and would have a less than significant impact on circulation surrounding FRB Landfill.

Comment 34-6

What are the actual benefits from utilitizing a RNG vs the current flare system? It does not appear based on the small amount of methane that will be processed at the RNG that this will provide any significant benefit to the community. There will still be methane pollution that affects local residents. If the plant is built, will the 6 flares operating on site be fully shut down and disassembled?

In summary, proceeding with a new RNG plant at the Bowerman site is not prudent given the lack of public benefit and the risk to the nearby communities. The project should be denied.

Response 34-6

The majority of the LFG collected is used in the existing Bowerman Power Plant to produce electricity. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station. The LFG processed at the RNG Plant will not be stored but delivered via pipeline to SoCalGas.

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations.

3.3.35 Comment Letter 35 – P.L., Resident

Comment 35-1

The benefit of RNG mentioned in your presentation is to reduce greenhouse emission. The presentation says this RNG plant will be "avoiding the greenhouse gas emissions from 60,196 tons of landfilled waste each year'.

Given FRB's permitted 11,500 tons per day capacity, the benefit is merely of 60196/11500*365 = 1.43%. We also understand the current agreement between city and county is to cap the daily deposit at 8000 tons. If we use that number instead, we are looking at 2.06% improvement in your best case scenario. News published by Montauk Renewables in 2023, the company estimated 85-95 Millions to build this out. It's very clear that benefit is not to the public or the earth, Montauk and OCWR stand to benefit from this. We request OCWR to accurately reflect the reasoning behind this RNG and show how OCWR is going to benefit from collecting royalty.

Response 35-1

As described in Section 2.2 of the IS/MND, the LFG currently created by the FRB landfill is managed via a gas collection and control system that includes vertical and horizontal gas extraction wells, a collection pipe system, and a flare station complex comprising six flares. The majority of the LFG captured will be processed through the existing Bowerman Power Plant. The Bowerman Power Plant, a 19.6-megawatt landfill gas to energy facility, processes approximately 8,350 scfm of raw LFG. The LFG not processed by the Bowerman Power Plant is incinerated at the flare station. The Project's RNG Plant will be designed to process the excess LFG that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to SoCalGas. The annual CH_4 emissions avoided from 6,000 scfm of LFG is equivalent to 30,051.4 metric tons of CH_4 per year. Based on 2020 Bowerman Landfill GHG data, the 2020 disposable quantity of 1,998,625 metric tons of waste resulted in 14,179.32 metric tons of CH_4. Based on this ratio and the Bowerman Landfill permitted capacity of 8,000 tons per day or 2.9 million metric tons per year, the 6,000 scfm of LFG collected and sent into the SCE pipeline would reduce the equivalent amount of CH_4 from waste collected at the landfill for an approximately 1.5-year period. Therefore, the RNG Plant will create a beneficial use for the excess LFG that would otherwise be incinerated in the flares and when compared to flaring LFG, the RNG Plant will reduce Greenhouse Gas (GHG) emissions by 90%.

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

This project is funded by Bowerman Power LFG, LLC, a subsidiary of Montauk Renewables Inc. Through a revenue sharing agreement between Montauk Renewables and OCWR, OCWR will receive compensation from the sale of RNG. All RNG from the facility will be sold to SoCalGas to be distributed within their network.

Comment 35-2

Considering the proposed landfill expansion which will bring additional 400 trucks, from approximately 600 trucks currently, 6 days a week, the RNG greenhouse reduction argument does not stand. Please show us how this expansion will impact our local communities where OCWR might be able to make it up with RNG. Give us clear and scientific comparison.

Response 35-2

See Response to Comment 35-1. The proposed RNG plant will be located entirely within the existing landfill property. The proposed project will not change the nature or location of approved activities within the Landfill, including the limits of refuse, nor would it alter the footprint, property limits or configuration of the Landfill.

Comment 35-3

We understand the power plant was damaged by the last fire and certain equipment is not fully functioning after several years. Since the power plant is consuming most of the LFG, a logical approach is to somehow upgrade the power plant to process all LFG. This way OCWR can still make money if that's the main goal.

Response 35-3

The existing Bowerman Power Plant was not damaged in the 2020 Silverado wildfire. Bowerman Power Plant has safely operated at the FRB Landfill since 2016. The proposed Project will be subject to the same regulations and safety measures that are currently in place for the Bowerman Power Plant and the landfill flare stations. As discussed in Section 3.4.9 – Hazards and Hazardous Materials, the Project of the Original Draft IS/MND will have emergency systems in place that will comply with all applicable National Fire Protection Association and County requirements. The Project will be required to obtain approval from OCFA before a building permit can be issued. The RNG Plant will include the emergency systems with control systems that will cause, in the event of planned maintenance, process upset, or other event, the RNG Plant to be either manually or automatically shut down and LFG redirected to landfill flares as necessary.

In response to OCFA direction, the Project has been designed to comply with OCFA's Fuel Modification and Maintenance Program.[11] Vegetation management has proven to be a major factor in protecting buildings from wildfires. In adherence to the Fuel Modification and Maintenance Program, the RNG Plant site will be located on an area, that will be devoid of vegetation or other fuel sources. An additional 0.8 acre will be cleared of vegetation, see the area shown in red and yellow on Figure 2-11 of the IS/MND. Another 0.05 acre will be cleared of vegetation and trenched for installation of a fire suppression water line. Post-construction, the areas shown in red, blue, and yellow on Figure 2-11 will be revegetated with low fuel vegetation approved by OCFA and OCWR.

The RNG Plant will include emergency systems including fire suppression systems. By implementing these consistency measures and design criteria, and adhering to the applicable requirements of CBC Chapter 7A and California Fire Code Chapter 47, the potential for the Project to expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires would be less than significant.

California law specifically encourages the production and use of RNG. SB 1440 directs the California Public Utilities Commission to evaluate establishing goals or targets for RNG purchases by California gas utilities. The California Air Resource Board's 2022 Scoping Plan for Achieving Carbon Neutrality emphasizes the importance of relying on RNG to reduce emissions for hard-to-electrify end uses.

Comment 35-4

To build a RNG plant inside a wildfire zone is unthinkable. There are thousands of homes in the immediate neighborhood and OCWR RNG plant might be a bomb waiting to explode. Did RNG think

[11] OCFA, Community Risk Reduction, Vegetation Management Guideline: Technical Design for New Construction Fuel Modification Plans and Maintenance Program, Guideline C-05, January 1, 2023.

about its future liability if unfortunate fire event reoccur again? Is OCWR ready to face litigation in the future? Have you completed the risk analysis from this angle?

Response 35-4

See Response 35-3. The proposed Project does not create LFG or store RNG.

3.4 Recirculated Focused Draft IS/MND Comments and Responses

This section excerpts those comments received that specifically pertain to the scope and content of the Recirculated Focused Draft IS/MND. Copies of the comment letters are included in Appendix A.

3.4.1 Comment Letter 1 – Marika A. Poynter, AICP, Chief of Planning and Policy, City of Irvine

Comment 1-1

The City reviewed the Recirculated Focused Draft IS/MND and did not document any revisions that had occurred to address our initial comments submitted to Orange County Waste & Recycling in a separate letter dated November 15, 2024. The City of Irvine continues to have comments related to the aesthetics, air quality, noise, and construction of the project, outlined specifically in the attached enclosure (City of Irvine November 15, 2024 Comment Letter).

Response 1-1

Responses to the City's comments on the Original Draft IS/MND are found above; see Section 3.3.2.

Comment 1-2

The document states a conditional use permit is required from the City of Irvine (page 2-18, Section 2.5). Please clarify why OCWR believes a conditional use permit is required as the project is located outside the City's jurisdictional boundary.

Response 1-2

As discussed Section 2.1.2, Project Site, the new SoCalGas pipeline will run from the POR within the RNG Plant boundary, down Bee Canyon Access Road to the existing SoCalGas pipeline on the corner of Portola Parkway and Jeffery Road. The new SoCalGas pipeline will be located within the FRB Landfill boundaries, except for the western end of the new SoCalGas pipeline connecting to the existing SoCalGas pipeline.

For the portion of new SoCalGas pipeline located in the City of Irvine, SoCalGas would obtain an Encroachment Permit from the City of Irvine. This clarification is added to the Final IS/MND; see Section 4.

Comment 1-3

On page 3-20, there is a revision noting the nearest receptor is approximately 50 meters (165 feet) away from the proposed RNG facility as opposed to the approximately 1,300 meters (4,200 feet) away

identified in the initial Draft IS/MND. Staff notes that the change in distance has not been updated anywhere else in the IS/MND, which results in inconsistencies throughout the document.

Response 1-3

Sensitive receptors are defined specific to the resource issue. The air quality and HRA analyses in the Original Draft IS/MND had used receptors outside the FRB Landfill boundary. Following guidance from the SCAQMD, the air quality and HRA analyses were updated in the Recirculated Focused Draft IS/MND to use the smaller RNG plant boundary, in order to include workers at the FRB Landfill site. For other resource issues, sensitive receptors do not include employees at an industrial use such as the FRB Landfill and therefore were not changed from the Original Draft IS/MND.

Comment 1-4

Confirm whether additional analysis, related to noise and air quality, was completed as a result of the change in distance related to the nearest receptor.

Response 1-4

See Response to Comment 1-3. See Section 3.4.3.b of the Recirculated Focused Draft IS/MND for the updated air quality analysis. There were no updates to the sensitive receptor locations for noise and therefore, no associated updates to analysis.

Comment 1-5

Table 3-6 “AQIA Modeling Results for Project Operations” was removed from the Recirculated Focused Draft IS/MND. Verify Table 3-6 is no longer necessary or provide an updated table in the Recirculated IS/MND.

Response 1-5

The information presented in Table 3-6 is a repeat of the information shown in Table 3-2, and therefore is no longer necessary.

3.4.2 Comment Letter 2 – Shyamala Rajagopal, Supervising Hazardous Materials Specialist, OC Health Care Agency

Comment 2-1

Based on the review of the Recirculated Focused IS/MND, the LEA has no significant comments at this time. Please keep the LEA appraised of comments received during the public hearing proposed for the project and/or approval by the decision-making body.

Response 2-1

Comment noted. OCWR will keep the LEA appraised of comments received during the public hearing proposed for the project and/or approval by the decision-making body.

3.4.3 Comment Letter 3 – Fiona Nye, Director of Water Resources, Irvine Ranch Water District

Comment 3-1

In Section 3.4.19 of the Recirculated Focused Draft IS/MND, the Project identifies nonpotable water as the water source for handwashing stations and toilet flushing in the bathroom facilities. However, the California State Water Resources Control Board, Division of Drinking Water requires that potable water be used for handwashing stations. The Project IS/MND should be revised to clarify the supply of potable water for handwashing stations.

Response 3-1

As discussed in Section 3.4.19 of the Revised Focused IS/MND, non-potable water will be pumped to a tank on top of the building housing the bathroom facilities and treated for potable use. This will include handwashing stations. This clarification is added to the Final IS/MND; see Section 4.

Comment 3-2

IRWD understands that OCWR anticipates minimal to no impact on IRWD-owned water infrastructure. Any future connections to IRWD-owned water systems should be coordinated through the IRWD review and approvals process.

Response 3-2

Comment noted. Any future connections to IRWD-owned water systems should be coordinated through the IRWD review and approvals process.

3.4.4 Comment Letter 4 – Helena Candaele, Environmental Scientist, CDFW

Comment 4-1

The California Department of Fish and Wildlife (CDFW) reviewed the recirculated draft Mitigated Negative Declaration from Orange County Waste & Recycling (OCWR) for the Bowerman Power Renewable Natural Gas Plant Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines. Thank you for the opportunity to provide additional comments and recommendations regarding Project activities that may affect California fish and wildlife. We appreciate your coordination on inclusion of the comments from October 2024. CDFW has no further comments on the updated draft.

Response 4-1

Comment noted.

4.0 CLARIFICATIONS AND MODIFICATIONS TO THE IS/MND

The following clarifications and modifications are intended to update the Draft IS/MND in response to the comments received during the public review period. These modifications clarify, amplify, or make insignificant changes to the IS/MND. These revisions to the IS/MND have not resulted in new significant impacts or mitigation measures or increased the severity of an impact. None of the criteria for recirculation set forth in the CEQA Guidelines section 15088(a) have been met, and recirculation of the IS/MND or preparation of an Environmental Impact Report is not required.

The changes to the Draft IS/MND are listed by section and page number. Text to be removed is shown in this chapter with a strikethrough line, while text to be added is shown with bold and italics.

Acronyms within quoted sections are not defined, as they were not defined at this location within the quoted text. All acronyms included within quoted sections can be found in this document's Acronyms and Abbreviations list.

Original Draft IS/MND

Section: **2.2.2 Operations**

Page: 2-8

Clarification/Revision: **Odorant Skid (or Odorizing System)**: The odorizing system injects odorant ***(mercaptan)*** into the RNG stream prior to injection into SoCalGas' existing natural gas infrastructure. Odorant is injected as a safety provision to make a gas leak readily detectable by sense of smell. The odorant skid contains a 250-gallon odorant storage tank, two expansion tanks, two injection pumps, two verometers, and four odorant filters.

Section: **2.5 Other Public Agencies Whose Approval is Required**

Page: 2-14

Clarification/Revision: City of Irvine – ***Encroachment Permit*** ~~Conditional Use Permit, Right of Way Permits, Construction Permits~~ (new SoCalGas pipeline - SoCalGas)

Section: **3.4.1 Aesthetics**

Page: **3-8**

Clarification/Revision: **Key Observation Point 3**

The Project RNG Plant would introduce white and gray colors, geometric shapes, and horizontal and vertical lines into the landscape setting. However, the Project RNG Plant would be barely visible from this location because of the screening of the Project RNG Plant site by terrain, vegetation, the Bowerman Power Plant, and the flare station and would not attract the attention of a casual observer (see Figure 3.***2-1A***). ***Even when the Project is highlighted (see Figure 3.2-1B), the Project is barely noticeable.*** The surrounding hilly terrain dominates the view, and what little can be seen of

the Project is visually consistent with the adjacent the existing Bowerman Power Plant and the flare station.

Page **3-9**

Clarification/Revision: **Key Observation Point 4**

The Project RNG Plant would introduce white and gray colors, geometric shapes, and horizontal and vertical lines into the landscape setting. However, the Project RNG Plant would be barely visible from this location because of the screening of the Project RNG Plant site by terrain, vegetation, and the Bowerman Power Plant and the flare station and would not attract the attention of a casual observer (see Figure 3.***2-2A***). ***Even when the Project is highlighted (see Figure 3.2-2B), the Project is barely noticeable.*** The adjacent residential development and the surrounding hilly terrain dominate the view, and what little can be seen of the Project is visually consistent with the adjacent the existing Bowerman Power Plant and the flare station.

Section **3.4.13 Noise**

Page: **3-62**

Clarification/Revision: As shown in Table 3-11, the aggregated average construction noise would be well below the 80 dBA FTA noise level threshold at nearby receptors. Although the estimated noise levels are below the threshold, the Project is proposing to install a noise monitoring instrument during the SoCalGas pipeline construction activities, as a BMP, to continuously monitor the construction noise levels to ensure that they remain below the 80 dBA threshold. Noise barriers and mufflers may also be installed as additional BMPs. ***Staging will take place away from sensitive receptors. All Project equipment and building materials staging for the RNG Plant and SoCalGas POR will occur on-site within the construction site work zones. The staging area for the new SoCalGas pipeline would be on a previously disturbed unpaved area adjacent to the westbound lane of Bee Canyon Access Road, approximately 600 feet northeast from the center of the Bee Canyon Access Road Bridge (No. 55-785) and approximately 0.75 miles north of the nearest sensitive receptor. Stationary construction equipment will be located away from sensitive receptors, as feasible. Construction vehicle queuing on roads and in areas near sensitive receptors prior to the start of construction will be limited, as feasible. Staging areas will be designed to accommodate all construction-related trucks and equipment for the duration of construction.***

Recirculated Focused Draft IS/MND

Section **3.4.19 Utilities and Service Systems**

Page **3-35**

Clarification/Revision Non-potable water demands will include handwashing stations and toilet flushing in the bathroom facilities. The bathroom facilities at Bowerman Power Plant utilize an on-site disinfection system. Non-potable water is pumped to a tank on top of the building housing the bathroom facilities and treated for potable use***, including handwashing stations.*** Non-potable water used at the RNG Plant will be treated the same way.

5.0 PROJECT IMPACTS AND MITIGATION MEASURES

5.1 Project Impacts

The IS has been prepared to assess the proposed Project's potential impacts on the environment and the significance of those impacts and is incorporated in the MND. Based on this IS, it has been determined that the proposed Project would not have any significant impacts on the environment once all proposed mitigation measures have been implemented. This conclusion is supported by the following findings:

- There was no potential for adverse impacts on agricultural and forest resources, mineral resources, population and housing, or recreation associated with the proposed Project.
- Potential adverse impacts resulting from the proposed Project were found to be less than significant in the following areas: aesthetics, energy, GHG emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, transportation, utilities and service systems, and wildfire.
- Full implementation of the proposed mitigation measures included in this MND would reduce potential Project-related adverse impact on air quality, biological resources, cultural resources, geology and soils (paleontological resources), and tribal cultural resources to a less than significant level.

5.2 Mitigation Measures

The following mitigation measures have been incorporated into the scope of work for the proposed Project and will be fully implemented by the Project to avoid or minimize adverse environmental impacts identified in this IS/MND. These mitigation measures will be included in the Mitigation Monitoring and Reporting Plan prepared for this Project (included as Appendix B).

Mitigation Measures:

AQ-1 Construction equipment greater than 350 HP for the trenching and pipeline construction phase must be equipped with Tier 4 Final engines.

BIO-1 To address potential Project impacts to intermediate mariposa lily (*Calochortus weedii* var. *intermedius*), an in-lieu fee shall be paid via minor amendment to the NCCP/HCP, as approved by USFWS and CDFW. The in-lieu fee will contribute to a management and monitoring program for rare plants in the Nature Reserve of Orange County.

Silt fencing or flagging shall be installed under the guidance of a biological monitor along the limits of coastal sage scrub areas that are immediately outside of the grading/impact limits. The silt fencing/flagging shall be used to minimize impacts to sensitive natural resources including special-status plant species and native plant communities outside and immediately adjacent to the grading limits. Construction activities and personnel will be restricted within these adjacent coastal sage scrub areas and a biological monitor will be present during the silt fence/flagging installation and removal.

BIO-2 Impacts to coastal sage scrub habitat shall occur outside the breeding and nesting season of the coastal California gnatcatcher (February 15 through July 15) to the extent practicable.

A pre-construction survey shall be conducted within the Project site to determine the presence/absence of coastal California gnatcatcher and coastal cactus wren prior to clearing or grading activities. The survey shall include a 100-foot buffer around the grading limits. Any coastal California gnatcatcher or coastal cactus wren observations shall be recorded and marked on the construction/grading plans.

All coastal sage scrub habitat outside of the Project impact area shall be fenced or marked with flagging materials prior to the commencement of grading. No construction access, parking, or storage of equipment or materials will be allowed within these areas.

A qualified biologist shall conduct and document a pre-construction meeting to educate construction staff (including supervisors, equipment operators, and other site employees) on all mitigation measures required for the Project.

A qualified biologist shall monitor the clearing of coastal sage scrub and oak woodland. USFWS/CDFW shall be notified at least 7 calendar days (preferably 14 calendar days) prior to clearing habitat occupied by Target/Identified Species, if observed. The qualified biologist will ensure that clearing activities and earth-moving equipment do not harm coastal California gnatcatchers or coastal cactus wren. The biologist will also ensure that these activities do not harm other species that may occur, including western spadefoot, orange-throated whiptail, red-diamond rattlesnake, and coast patch-nosed snake.

The access road(s) shall be sprayed with water on occasion to reduce dust accumulation on the leaves of coastal sage scrub species, as overseen by the biological monitor.

BIO-3 Avoid ground-disturbing and vegetation removal activities during the nesting bird season (February 15 to September 15). If these activities must occur during the nesting season, a pre-construction nesting bird survey shall be conducted by a qualified biologist on and within 300 feet of the Project construction area. The survey shall be conducted no more than 10 days prior to initiation of ground-disturbance, vegetation clearing, or construction activities and repeated between delays of greater than 10 days during the nesting season.

If an active nest is found, an appropriate no-disturbance buffer for the species shall be visibly established in the field by a qualified biologist (e.g., flagging, staking, caution tape). No ground-disturbing or vegetation removal activities shall occur within the buffer until the nesting season has ended or the nest is vacated and juveniles have fledged, as determined by the qualified biologist. At the discretion of a qualified biologist, limited encroachment into the buffer may occur for non-listed bird species

but no disturbance of active nests or nesting activities is allowed per the Migratory Bird Treaty Act.

BIO-4 For work occurring during the Crotch's bumble bee nesting season between March 15 through September 15 where potential nesting habitat occurs, a pre-construction nesting survey shall occur prior to ground-disturbing or vegetation-trimming activities within the Project's work area and a 50-foot buffer. A qualified Crotch's bumble bee biologist, whose resume has been submitted and approved by CDFW, will conduct a nest clearance survey within 2 weeks of ground-disturbing construction activities. Surveys shall be conducted during daylight hours when ambient temperatures are between 60 degrees Fahrenheit (°F) and 90 °F. In the event that a bumble bee nest is suspected (i.e bumble bee was observed to have entered a burrow or tree cavity, or disappeared under a shrub or into thatch), the suspected nest location will be passively observed for at least 20 minutes to confirm the presence/absence of a nest. A minimum 50-foot no disturbance buffer will be established and visibly flagged for avoidance if a nest location is discovered and the discovery shall be reported to CDFW by the qualified Crotch's bumble bee biologist within 24 hours of discovery. If Crotch's bumble bee and/or Crotch's bumble bee nests are detected, surveys should record the location of the nest, nest substrate, slope, aspect, and distance to nearest active foraging areas (if known), number of Crotch's bumble bee observed, and vegetation used by individuals. During active construction, the Crotch's bumble bee biologist will monitor the nest on a weekly basis and will update the buffer size as necessary and in coordination with CDFW to ensure protection. Construction activities will not occur within the buffer until the nest is no longer active as determined by the qualified Crotch's bumble bee biologist[12] and CDFW will be notified prior to deactivation of the avoidance buffer and commencement of construction activities in this area. The Crotch's bumble bee qualified biologist shall submit results of preconstruction surveys to CDFW prior to start of vegetation removal activities and shall provide a weekly status update should a Crotch's bumble bee nest no disturbance buffer be established and until the nest is determined to be no longer active.

BIO-5 Herbicide and insecticide use shall be limited to spot spraying individual plants that are not in bloom and avoiding all rodent burrows to the greatest extent possible within suitable Crotch's bumble bee nesting areas. The qualified Crotch's bumble bee biologist will review the proposed spray areas with OCWR and contractor to ensure burrows and nectar sources are avoided to the greatest extent possible.

[12] Monitoring periods of 1 hour for 3 consecutive days shall be conducted by the qualified Crotch's bumble bee biologist and shall be determined "no longer active" if no activity has been observed and supported by lack of observation of gynes and/or males foraging.

BIO-6 Temporary impacts to nectar sources shall be restored in place through either broadcasting of appropriate Crotch's bumble bee seed mix[13] or by incorporating the seed mix into a hydro-mulch application. Minor vegetation trimming to preferred nectar sources, that are expected to recover naturally within one year, do not require restoration.

BIO-7 A qualified Crotch's bumble bee biologist shall attend the pre-construction meeting (see BIO-2) to educate construction staff (including supervisors, equipment operators, other site employees, and biological monitors) on all Crotch's bumble bee specific mitigation measures required by this Crotch's Bumble Bee Avoidance Plan. Training Materials (tri-fold colored pamphlet) shall be provided at the training and shall include detailed photos[14] that can be utilized as a reference for qualified biological monitors to identify Crotch's bumble bee and implement the avoidance measures appropriately. Training Materials will assist in training contractor staff in recognizing bumble bees and inform them of potential penalties (e.g., monetary fines, project delays, jail time) for take of Crotch's bumble bee or other California Endangered Species Act (CESA) violations.

BIO-8 CDFW shall be notified at least 14 calendar days prior to initial vegetation removal and ground-disturbing activities in areas identified as potential Crotch's bumble bee nesting, foraging, or overwintering habitat, regardless of time of year. All Crotch's bumble bee detections shall be reported to CDFW via email within 24 hours of detection. A qualified biological monitor who has received the Crotch's bumble bee training and is in possession of the Training Materials shall monitor the staking of limits, clearing and grubbing, and removal of stockpiled vegetation from the site until the site no longer provides potential Crotch's bumble bee habitat. The biological monitor shall be responsible for monitoring Crotch's bumble bee when they are detected and shall ensure active foraging patches are not removed until the Crotch's bumble bee(s) leave the area on their own volition. The biological monitor, shall monitor the slow and methodical removal of vegetation in patches and by hand where necessary should Crotch's bumble bee nesting or overwintering behavior be observed (scanning the ground instead of targeting flowering resources, seen entering a burrow or disappearing into thick vegetation and not re-emerging, sitting on the open ground), until it is confirmed that a Crotch's bumble bee nest or overwintering site is not present. Should the Project result in unpermitted take of a Crotch's bumble bee

[13] Outside of fuel modification areas, the appropriate seed mix shall include at least one annual and perennial species of preferred nectar sources, that are region-specific herbs/shrubs from the following plant list: sages (*Salvia* spp.), buckwheat (*Eriogonum* spp.), lupines (*Lupinus* spp.), legumes (Fabaceae family), owl's clover (*Orthocarpus* spp.), and milkweed (*Asclepias* spp.). Within fuel modification areas, the seed mix will contain suitable nectar sources that are consistent with the Orange County Fire Authority (OCFA) Fuel Modification Zone Plant List (see Appendix C4, Crotch's Bumble Bee Habitat Avoidance Plan, Appendix B). The plant palette should be developed in conjunction with the Crotch's bumble bee qualified biologist and the OCWR biologist and approved by CDFW to develop a seed mix that satisfies all restoration/stabilization requirements.

[14] Appendix C4, Crotch's Bumble Bee Habitat Avoidance Plan, Appendix C.

individual or nest, work shall immediately halt and CDFW shall be immediately notified by the Crotch's bumble bee biologist.

CUL-1 **Environmental Training** – Prior to construction of the Project, a Secretary of Interior-qualified archaeologist shall be retained by Bowerman Power to serve as the Project Archaeologist. Cultural resource awareness training shall be provided by the Project Archaeologist that includes all applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, and instruction that Project workers shall halt construction if a cultural resource is inadvertently discovered during construction, and Project personnel contact information in the event of an inadvertent discovery.

CUL-2 **Archaeological Monitoring** – A qualified Archaeological monitor acceptable to the OCWR shall be retained by Bowerman Power prior to Project-related ground disturbance. The selection of the qualified professional(s) shall be subject to OCWR acceptance based on generally accepted professional qualifications and certifications, as applicable. A qualified Archaeological Monitor shall have at least a BS or BA degree in anthropology, archaeology, historic archaeology, or a related field and previous monitoring experience. The monitors shall conduct on-site daily archaeological monitoring of construction ground disturbance. The Archaeological monitor will provide daily documentation of construction activity and any findings. The Archaeological monitor shall prepare a daily monitoring log and submit it daily to the Project Archaeologist via email, briefly describing the field conditions, construction progress and activities, non-compliance activities, and record any finds of archaeological material. A final report summarizing the monitoring activities shall be prepared by the Project Archaeologist.

CUL-3 **Monitoring and Inadvertent Discovery Plan** – Prior to the start of construction, a Secretary of Interior-qualified Project Archaeologist (retained by Bowerman Power) shall prepare a Monitoring and Inadvertent Discovery Plan (Plan) for the Project. The Plan shall be submitted to OCWR for review and approval prior to the start of construction. The Plan shall include at a minimum:

- Overview of mitigation measures and responsibility for compliance;
- Project description of construction activities and maps;
- Description of relevant laws and regulations;
- Brief cultural context information and types and description of cultural resources that could be inadvertently discovered;
- Description of how monitoring shall occur;

- The roles and responsibility of the Archaeological Monitor (e.g., authority to halt construction for an inadvertent discovery, daily monitoring, daily reporting, etc.) and Project Archaeologist (e.g., oversee monitors, response to inadvertent discovery, final reporting, etc.);
- Description of protocols in the event of an inadvertent discovery (i.e., halt work) and notification procedures and contact list; and
- Description of final monitoring report.

Stop work protocols shall be implemented in the event of an inadvertent discovery of cultural resources. If a cultural resource is encountered within the new SoCalGas pipeline route, halt work protocols shall include notifying the SoCalGas Project Archaeologist Ryan Glenn or SoCalGas Archaeologist Tricia Dodds and OCWR Environmental Engineering Specialist, Weena Dalby. See contact information below. Cultural resources shall not be relocated without consultation with a SoCalGas Archaeologist.

GEO-1 **Worker Education Program.** The project proponent shall retain a qualified paleontologist, defined as a paleontologist meeting the Society for Vertebrate Paleontology's Professional Standards (SVP 2010), to carry out all mitigation measures related to paleontological resources. The qualified paleontologist shall conduct the following:

a. Prior to the start of any ground disturbing activities, the qualified paleontologist shall conduct a Paleontological Resources Awareness Training program for all construction personnel working on the project site. A Paleontological Resources Awareness Training Guide approved by the qualified paleontologist shall be provided to all personnel. A copy of the Paleontological Resources Awareness Training Guide shall be submitted to the OCWR. The training guide may be presented in video form.

b. Paleontological Resources Awareness Training may be conducted in conjunction with other awareness training requirements.

c. The training shall include an overview of potential paleontological resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the qualified paleontologist for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of paleontological resources.

d. The project operator shall ensure all new employees who have not participated in earlier Paleontological Resources Sensitivity Trainings shall meet the provisions specified above.

e. The Paleontological Resources Awareness Training Guides shall be kept available for all personnel to review and be familiar with as necessary.

GEO-2 **Project Monitoring.** A qualified paleontologist or designated monitor shall be onsite initially to spot-check excavations below a depth of one foot below the ground surface in areas of undetermined paleontological potential. If it is determined that sediments consist of older alluvium, then full-time paleontological monitoring shall ensue within that area. If sediments are determined to consist of Holocene Quaternary alluvium, paleontological monitoring shall not be required unless an excavation depth of 15 feet below the ground surface is reached in the area. The use of post-driving or rotary drilling shall not require monitoring.

a. The duration and timing of monitoring shall be determined by the qualified paleontologist in consultation with OCWR and shall be based on a review of geologic maps and grading plans.

b. During the course of monitoring, if the paleontologist can demonstrate based on observations of subsurface conditions that the level of monitoring should be reduced, the paleontologist, in consultation with OCWR, may adjust the level of monitoring to circumstances, as warranted.

c. Paleontological monitoring shall include inspection of exposed rock units during active excavations within sensitive geologic sediments. The qualified paleontologist shall have authority to temporarily divert excavation operations away from exposed fossils to collect associated data and recover the fossil specimens if deemed necessary.

d. Following the completion of construction, the paleontologist shall prepare a report documenting the absence or discovery of fossil resources onsite. If fossils are found, the report shall summarize the results of the inspection program, identify those fossils encountered, recovery and curation efforts, and the methods used in these efforts, as well as describe the fossils collected and their significance. A copy of the report shall be provided to OCWR and to an appropriate repository such as the Natural History Museum of Los Angeles County.

GEO-3 Inadvertent Discoveries of Paleontological Resources — If construction staff or others observe previously unidentified paleontological resources during ground disturbing activities, they will halt work within a 200-foot radius of the find(s), delineate the area of the find with flagging tape or rope (may also include dirt spoils from the find area), and immediately notify a qualified paleontologist. Construction will halt within the flagged or roped-off area. The paleontologist shall assess the resource as soon as possible and determine appropriate next steps in coordination with OCWR. Such finds shall be formally recorded and evaluated. The resource shall be protected from further disturbance or looting pending evaluation.

TCR-1 Should evidence of human remains be discovered during project construction, the Orange County Coroner (OCC) shall be immediately notified of the discovery. Evidence of human remains requires mandatory compliance with the provisions of State Health and Safety Code Section 7050.5, which restricts further disturbance in the vicinity of

the discovery, defined herein as a 50-foot radius, until the OCC has made a determination within two business days of the origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the OCC shall notify the Native American Heritage Commission (NAHC) within 24 hours that remains have been discovered. The NAHC shall determine the identity of the Most Likely Descendant (MLD). The MLD shall complete the inspection of the remains within 48 hours of notification by the NAHC. In addition, per CR-02, SoCalGas Project Archaeologist Ryan Glenn (425) 213-2349 (cell) and RGlenn1@scgcontractor.com or SoCalGas Archaeologist Tricia Dodds (213) 290-7449 (cell) and TDodds@socalgas.com will be notified of the discovery.

TCR-2 If unanticipated tribal cultural resources or deposits are discovered during earth-moving activities, the following measures shall be implemented:

- All work shall halt within a 200-foot radius of the discovery. a qualified professional archaeologist shall assess the significance of the find (if a tribal cultural monitor is not present). If the resources are Native American in origin, the OCWR shall coordinate with the Tribe regarding evaluation, treatment, curation and preservation of these resources. The archaeologist shall have the authority to modify the no-work radius as appropriate, using professional judgment in consultation with OCWR. Work shall not continue within the no-work radius until the archaeologist conducts sufficient research, evidence and data collection to establish that the resource is either: (1) not cultural in origin; or (2) not potentially eligible for listing on the California Register of Historical Resources.

TCR-3 Tribal Cultural Resource Monitor: Prior to the issuance of any grading permit in which soil would be disturbed, Montauk shall provide evidence in the form of an executed Agreement to OCWR that they have retained a qualified Native American tribal monitor to provide third-party monitoring during excavation and grading activities and to recover and catalogue tribal resources as necessary. The tribal monitor shall be from or approved by the Kizh Nation. The agreement shall include (i) professional qualifications for the tribal cultural resource monitor(s); (ii) detailed scope of services to be provided including but not limited to pre-construction education, observation, evaluation, protection, salvage, notification, and/or curation requirements, as applicable, with final documentation/monitoring report to OCWR, as applicable; (iii) contact information; (iv) communication protocols between Contractor and Tribal Cultural Resource Monitor; (v) acknowledgment that if the Kizh Nation monitor is not available, Montauk or their contractor as designee may contract with another qualified tribal monitor acceptable to the OCWR. The selection of the qualified professional(s) shall be subject to OCWR acceptance based on generally accepted professional qualifications and certifications, as applicable. The cover sheet of the grading plans shall include a note to identify that third party tribal monitoring is required during excavation and grading activities in accordance the with the OCWR Agreement.

6.0 REFERENCES

California Building Code (CBC). 2022. 2022 California Building Code, Title 24, Part 2 with July 2024 Supplement update, Chapter 7A Materials and Construction Methods for Exterior Wildlife Exposure. Available online at: https://codes.iccsafe.org/content/CABC2022P4/chapter-7a-sfm-materials-and-construction-methods-for-exterior-wildfire-exposure

California Fire Code (CFC). 2022. 2022 California Building Code, Title 24, Part 9 with July 2024 Supplement. Available online at: https://codes.iccsafe.org/content/CAFC2022P3/chapter-3-general-requirements

CGS (California Department of Conservation, California Geological Survey). 2002. California Geomorphic Provinces. Note 36.

City of Irvine. 2022. City of Irvine General Plan, 2021-2029 Housing Element, May 6, 2022. Available online at: https://legacy.cityofirvine.org/civica/filebank/blobdload.asp?BlobID=34118 (Accessed August 2023).

City of Irvine. 2023. City of Irvine, Traffic Study Guidelines. March 21, 2023. Available online at: https://legacy.cityofirvine.org/civica/filebank/blobdload.asp?BlobID=32554 (Accessed May 2025).

County of Orange. 2012. Orange County General Plan. Amended 2012. https://ocds.ocpublicworks.com/service-areas/oc-development-services/planning-development/codes-and-regulations/general-plan#:~:text=The%20County%20of%20Orange%20General%20Plan%20consists%20of,Resources%2C%20Recreation%2C%20Noise%2C%20Safety%2C%20Housing%2C%20and%20Growth%20Management.

OSFM (Office of the State Fire Marshal). 2023. Orange County State Responsibility Area Fire Hazard Severity Zones. Office of the State Fire Marshal website. Available online at: https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/ (Accessed June 15, 2023).

P&D Consultants. 2006. Final Environmental Impact Report No. 804 for the RELOOC Strategic Plan – Frank T. Bowerman Landfill Implementation. August 2006.

SVP (Society of Vertebrate Paleontology). 2010. Standard Procedures for the assessment and Mitigation of adverse impacts to paleontological resources. Available online at: https://vertpaleo.org/wp- content/uploads/2021/01/SVP_Impact_Mitigation_Guidelines.pdf

FIGURES

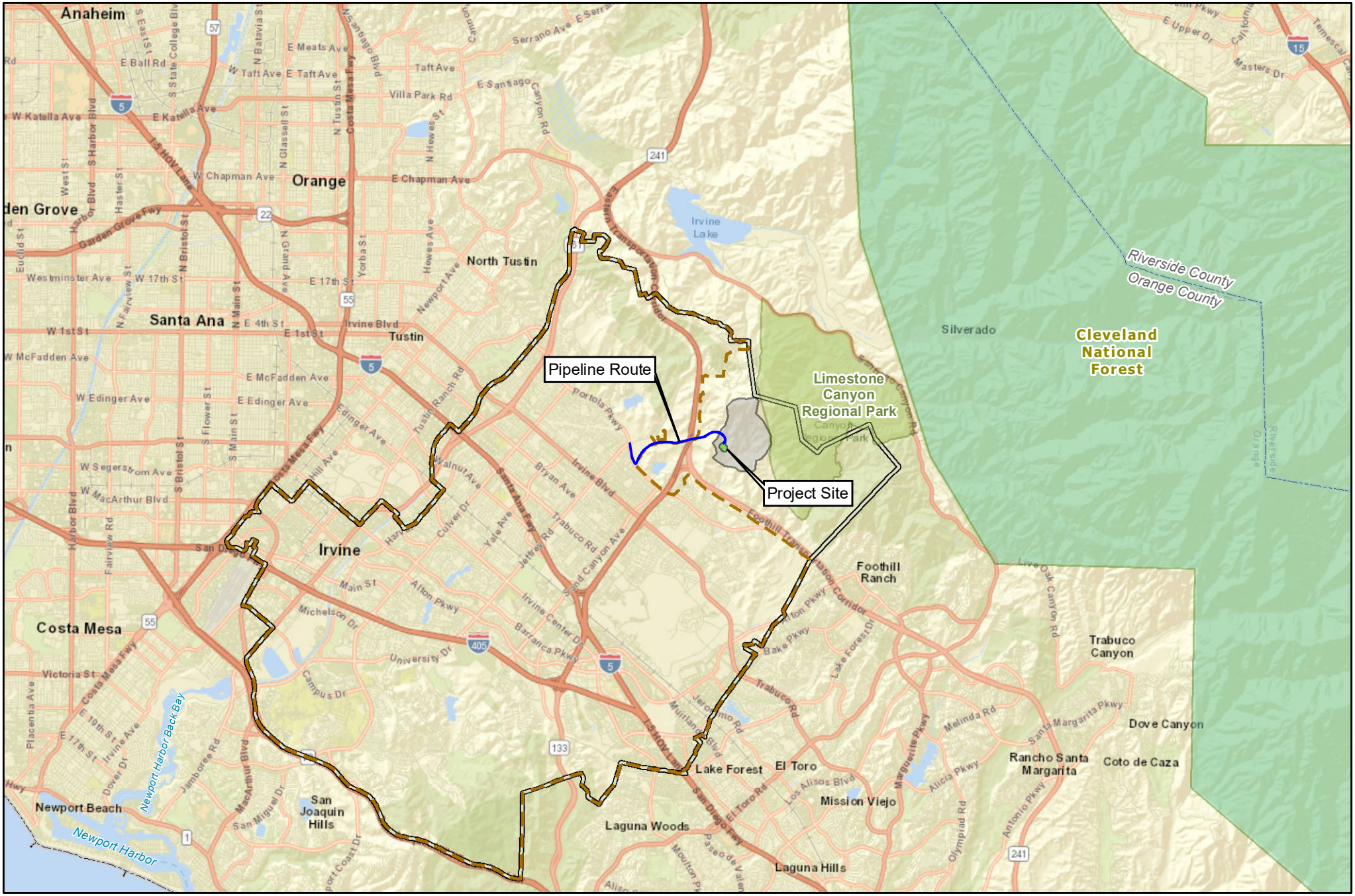
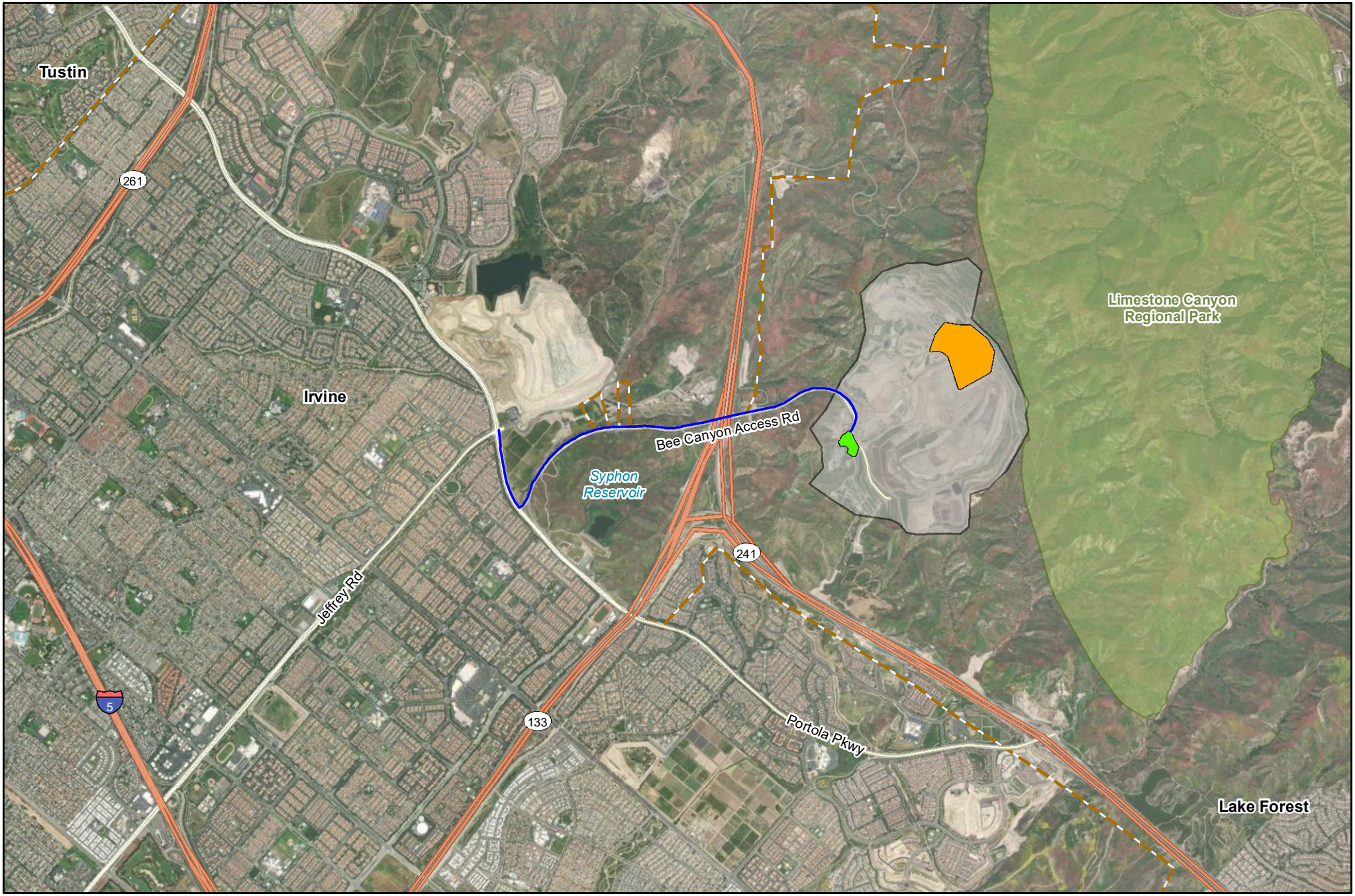


Figure 2-1
Project Vicinity

Bowerman Power RNG Plant Project
Orange County, CA



NOT FOR CONSTRUCTION

Figure 2-2
Project Location

Bowerman Power RNG Plant Project
Orange County, CA

Project Lease Boundary
Project Site
Pipeline Route
Bowerman Landfill
Bowerman Landfill Soil Stockpile Area
Disturbed Area for Grading Replanted for Fire Fuel Modification
Fuel Modification Area
Temporary Disturbed Area for Trenching
Fire Water Line

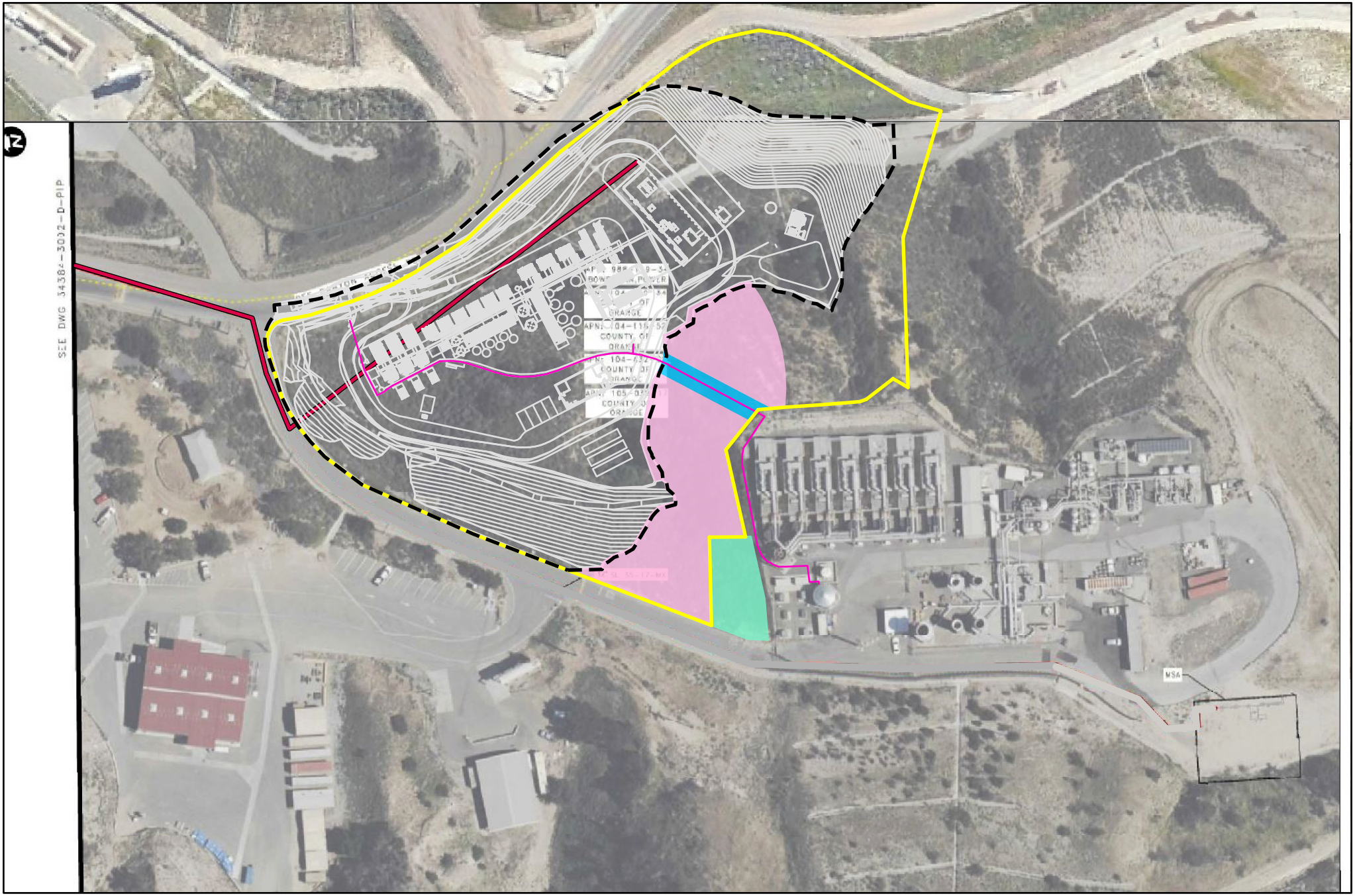
N

0 250 500 1,000 Feet

NOT FOR CONSTRUCTION

Figure 2-3
Project RNG Plant Site and Borrow Area Locations

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

Project Lease Boundary

Project Site

NOT FOR CONSTRUCTION

Fire Water Line (underground)

Disturbed Area for Grading Replanted for Fire Fuel Modification

Fuel Modification Area

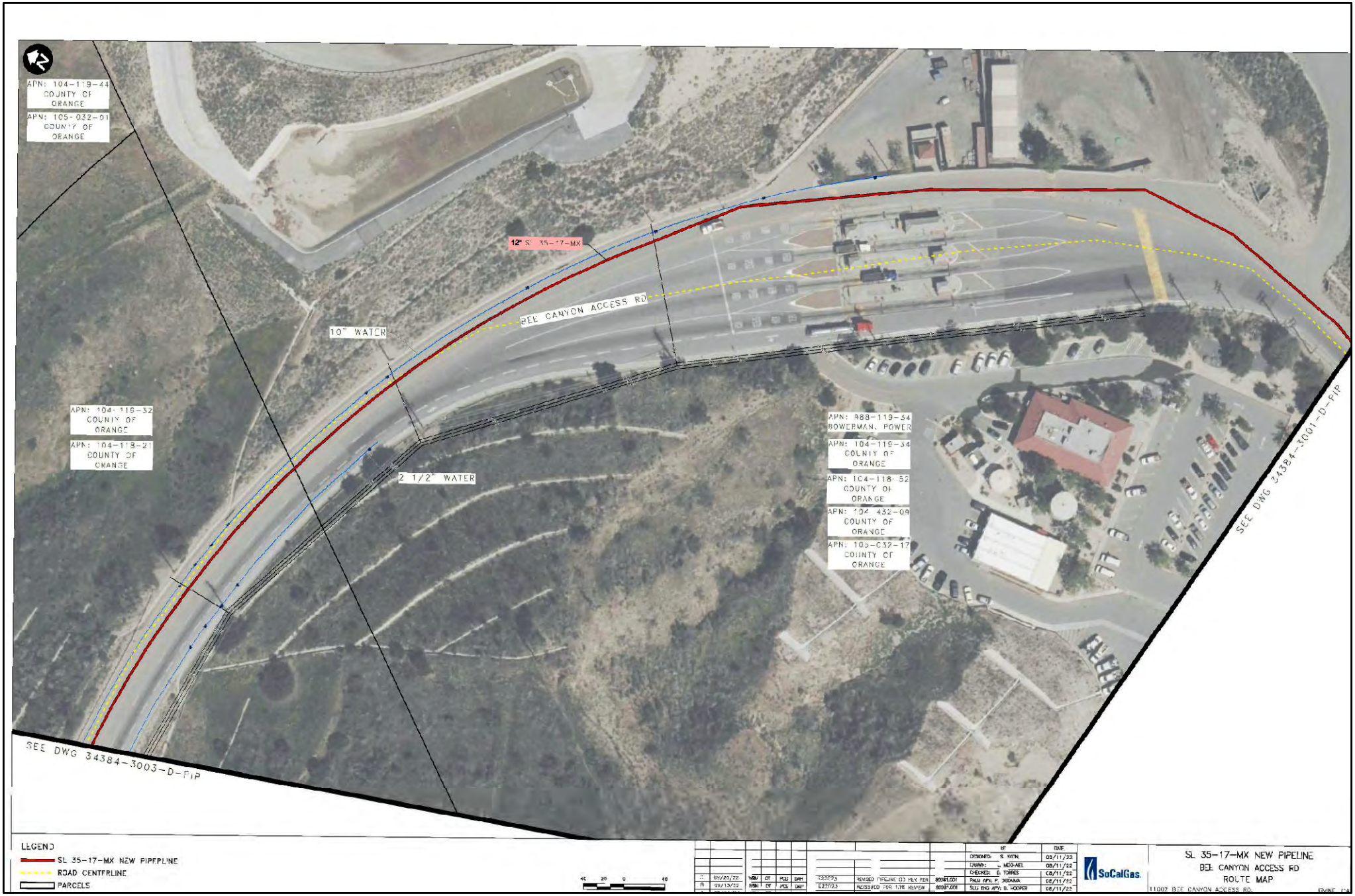
Temporary Disturbed Area for Trenching

N

0 25 50 100 Feet

Figure 2-4.1
Pipeline Route
Sheet 1 of 12

Bowerman Power RNG Plant Project
Orange County, CA



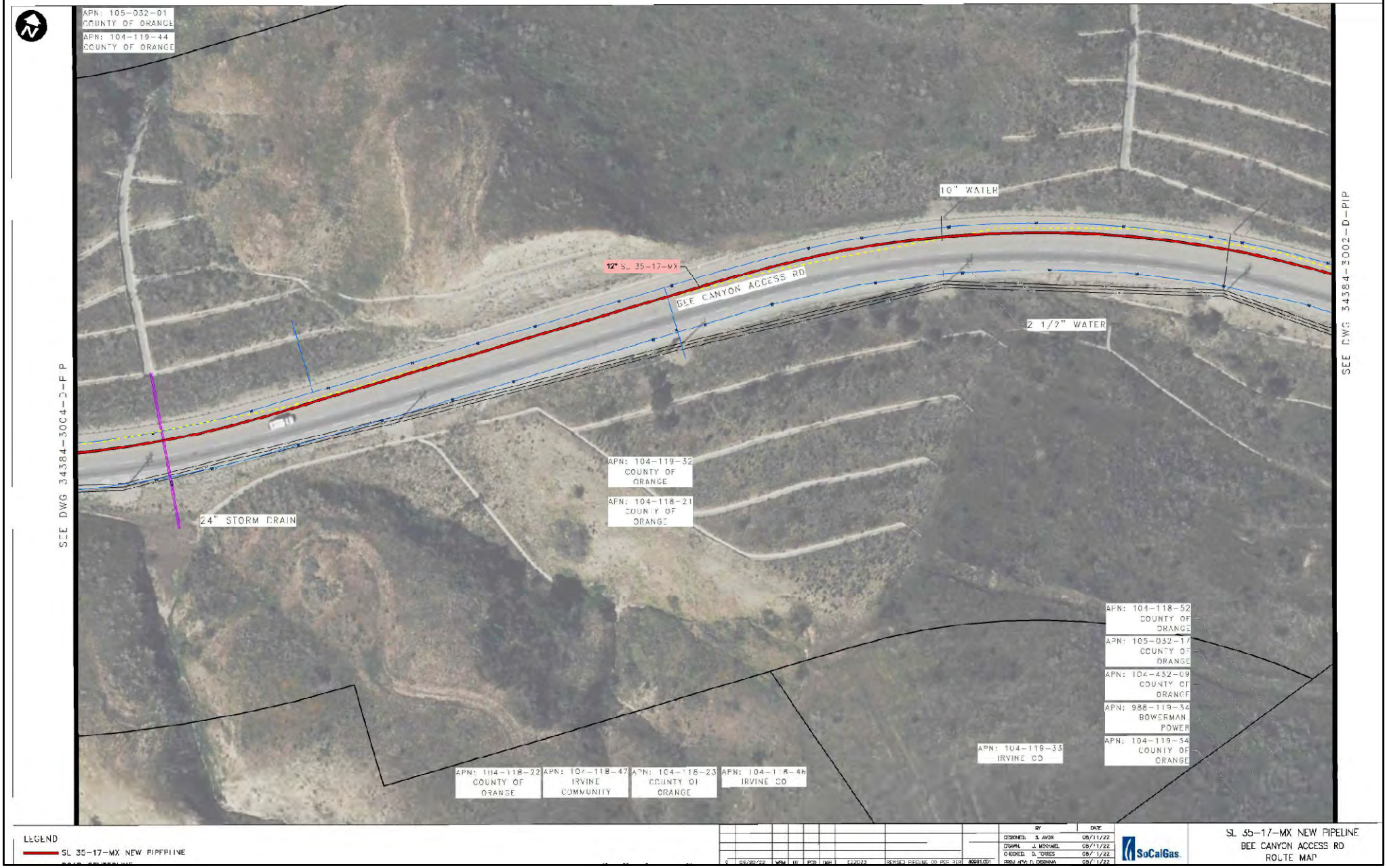
Pipeline Route (underground)

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.2
Pipeline Route
Sheet 2 of 12

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

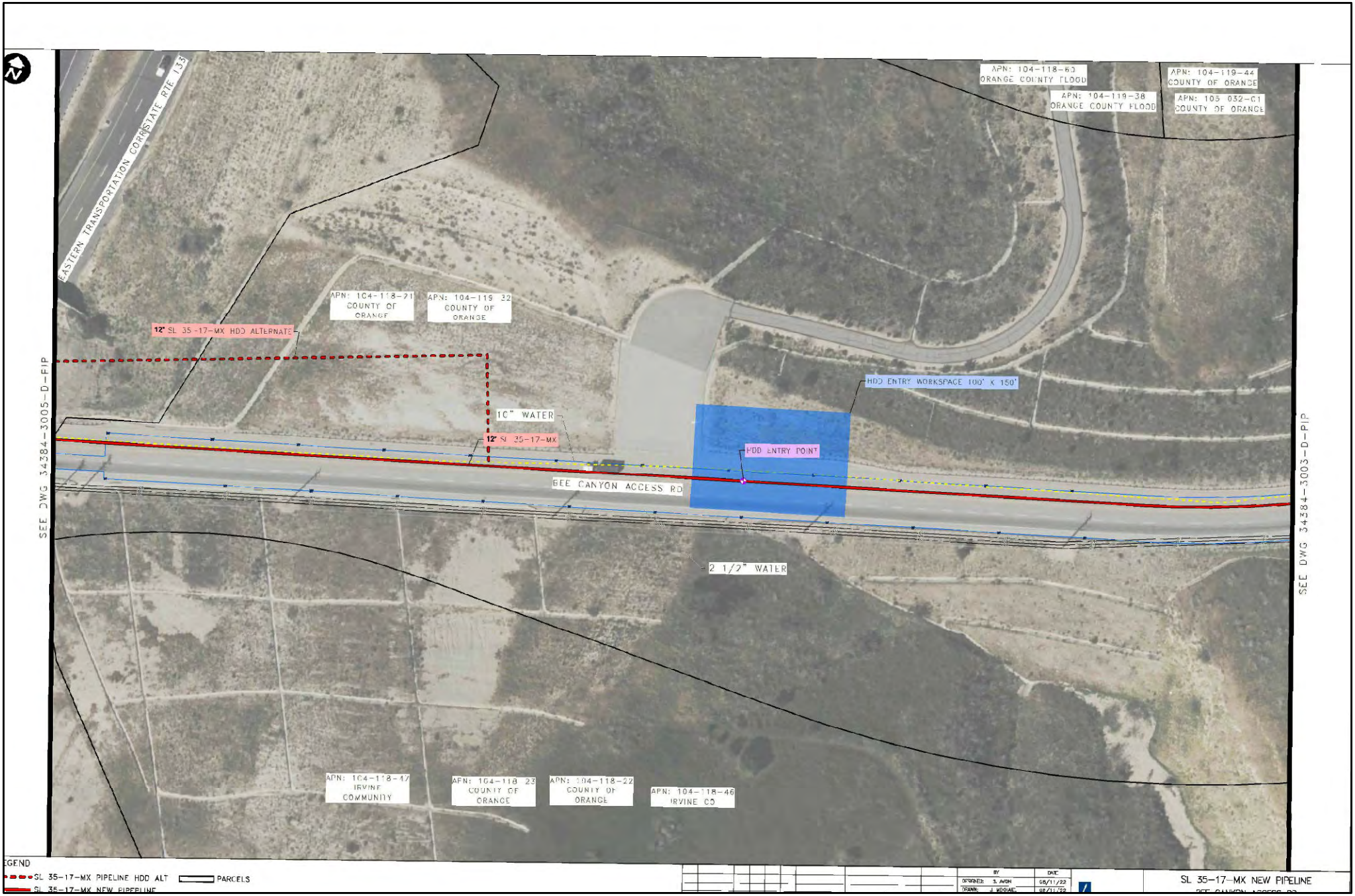
N

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.3
Pipeline Route
Sheet 3 of 12

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

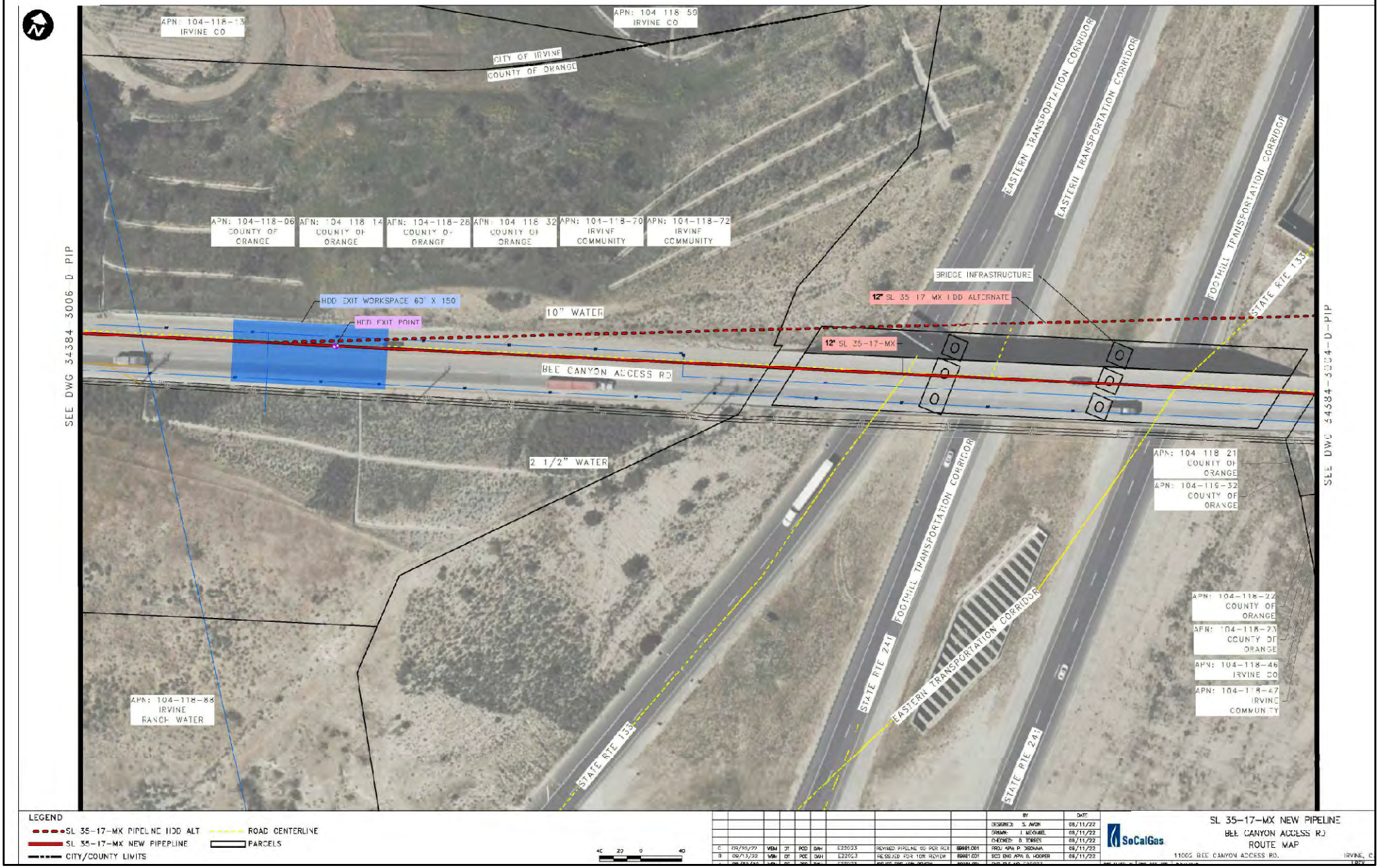
N

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.4
Pipeline Route
Sheet 4 of 12

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

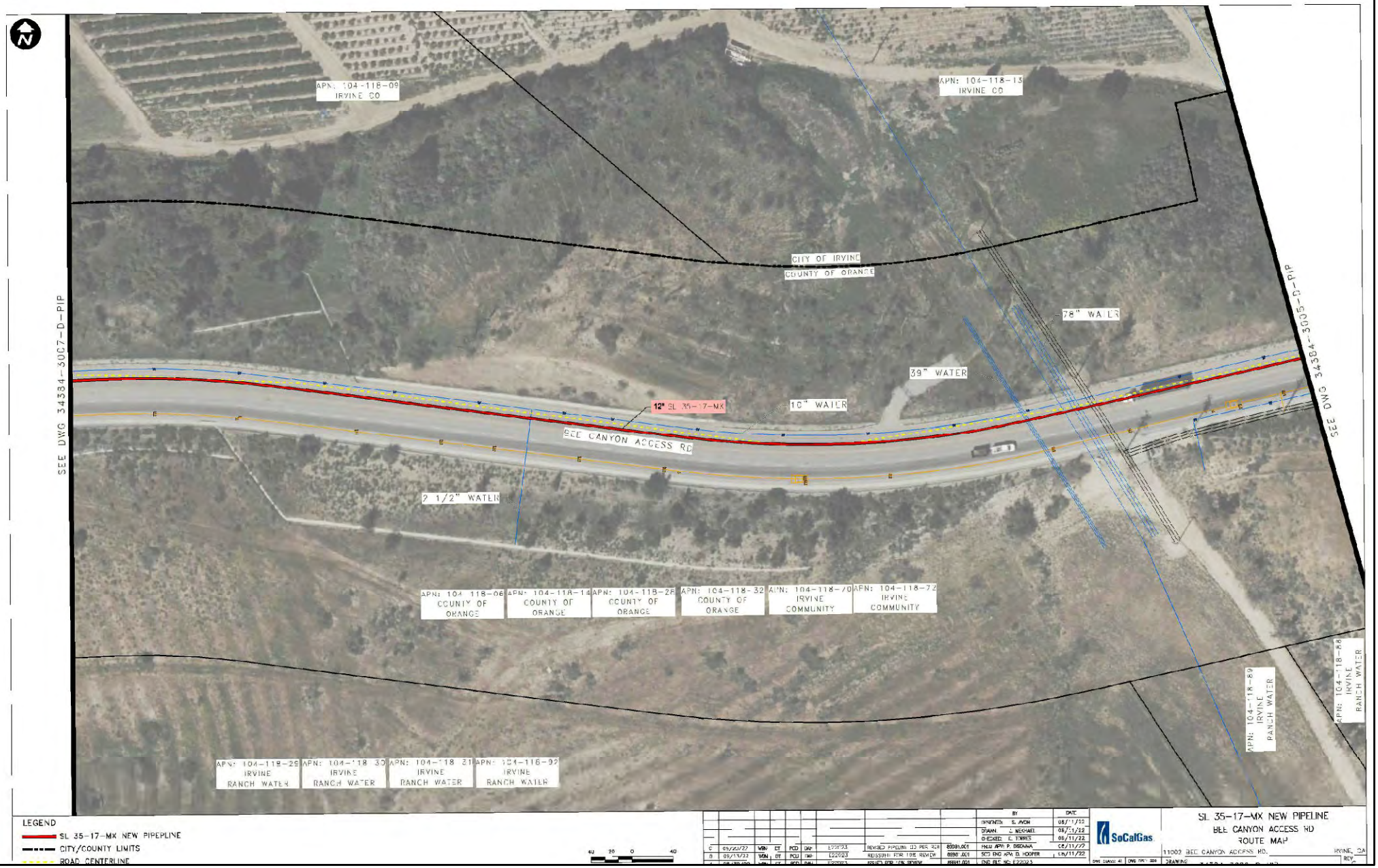
NOT FOR CONSTRUCTION

N

0 25 50 100 Feet

Figure 2-4.5
Pipeline Route
Sheet 5 of 12

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

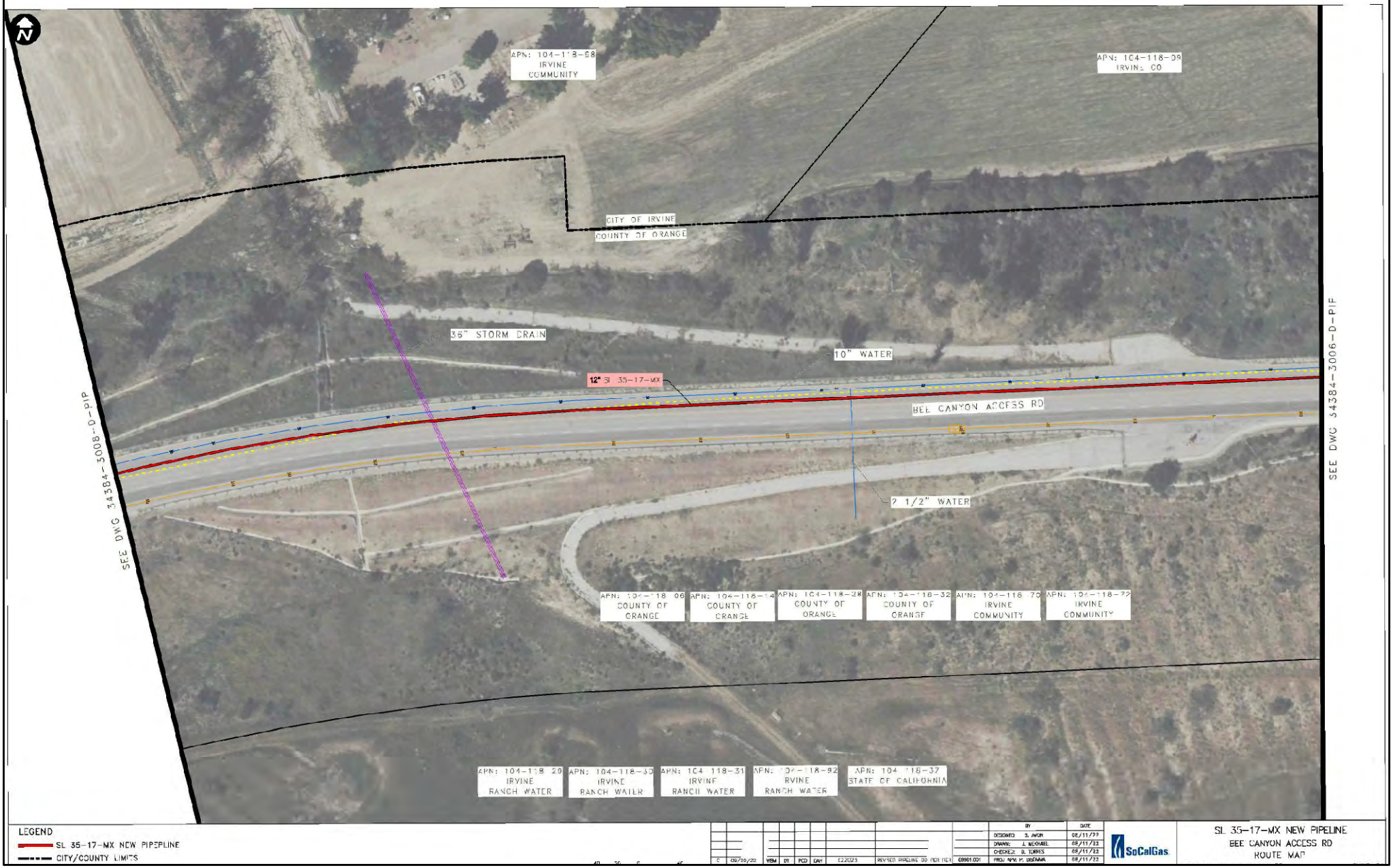
N

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.6
Pipeline Route
Sheet 6 of 12

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

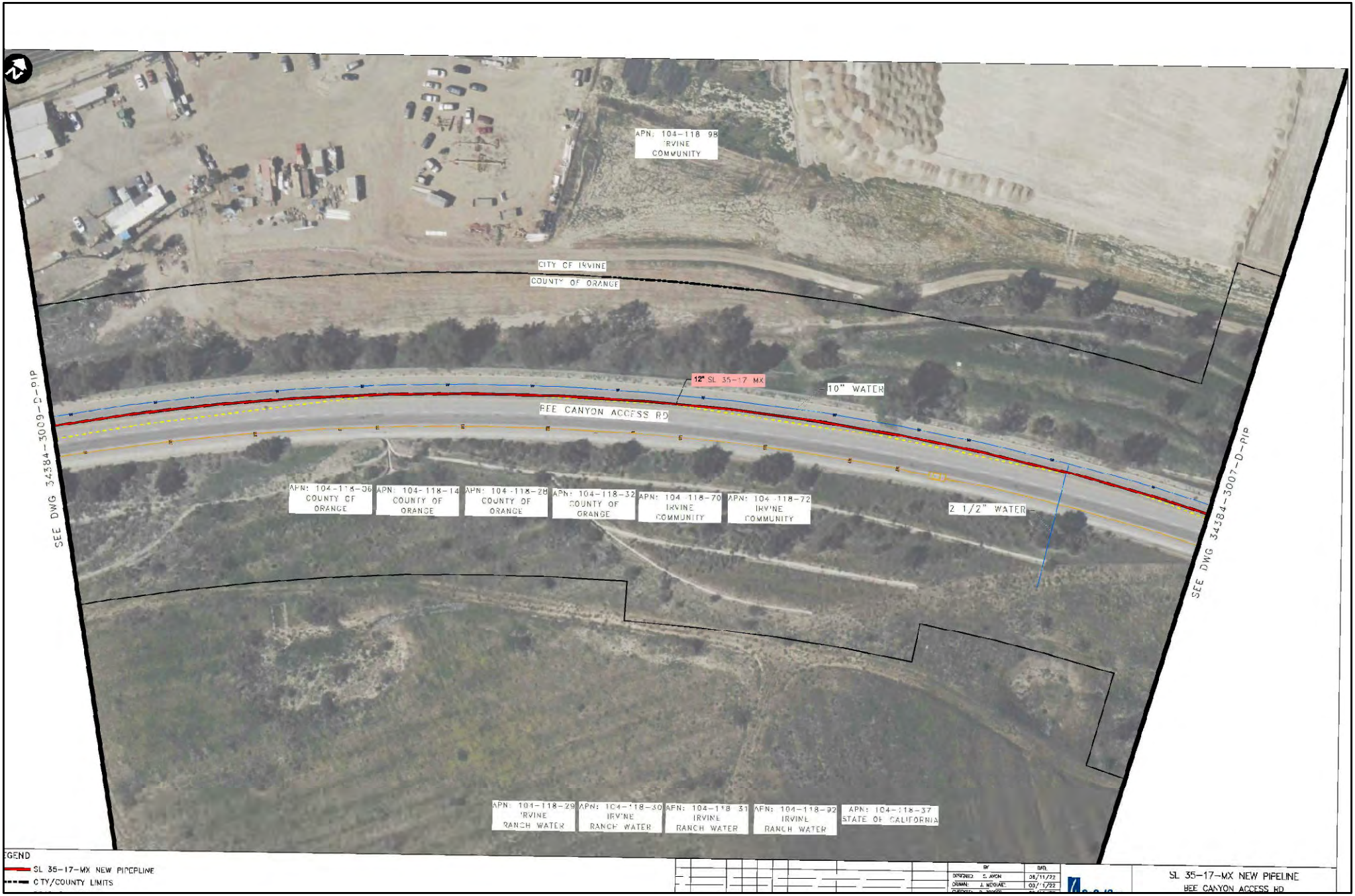
N

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.7
Pipeline Route
Sheet 7 of 12

Bowerman Power RNG Plant Project
Orange County, CA



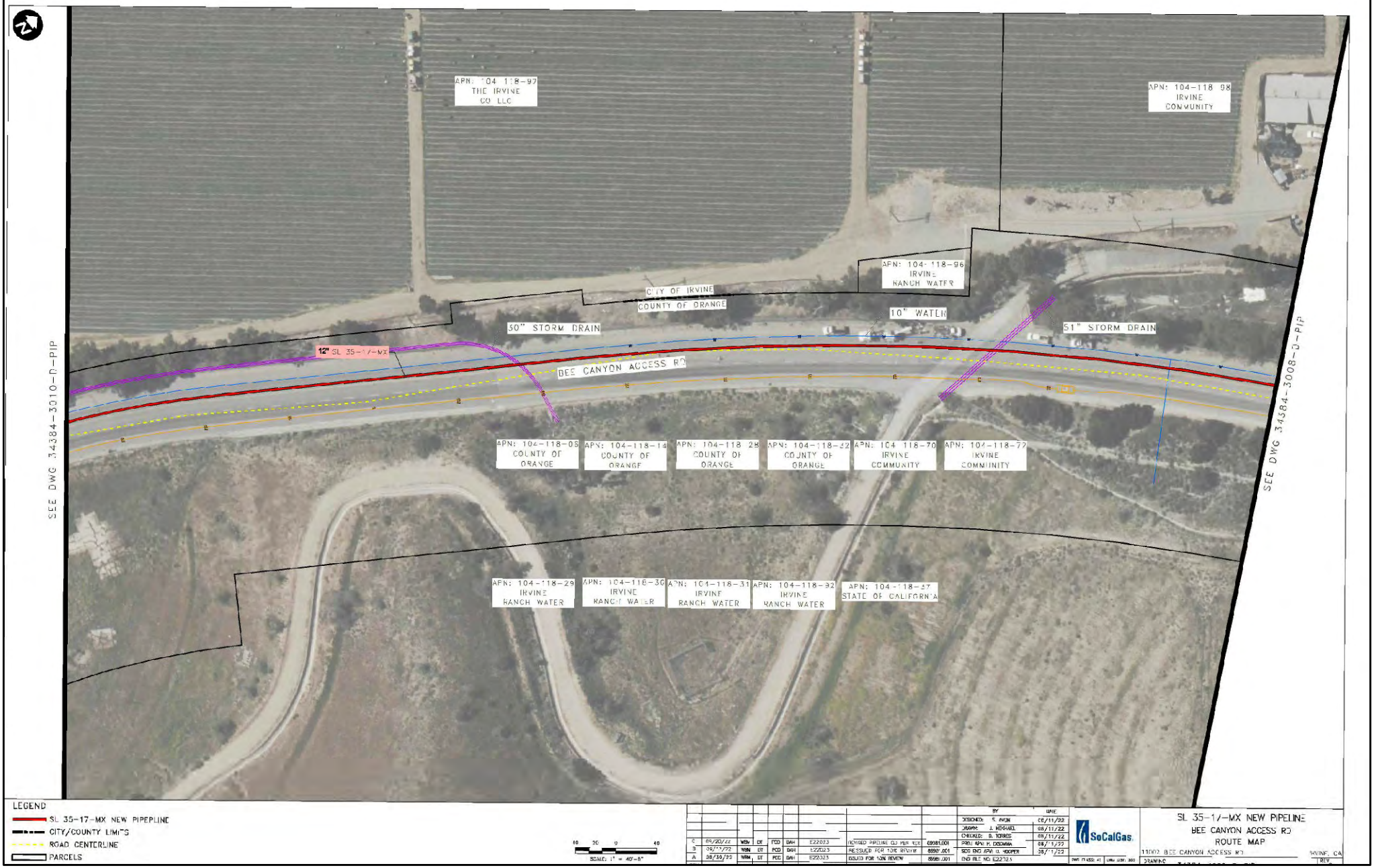
Pipeline Route (underground)

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.8
Pipeline Route
Sheet 8 of 12

Bowerman Power RNG Plant Project
Orange County, CA



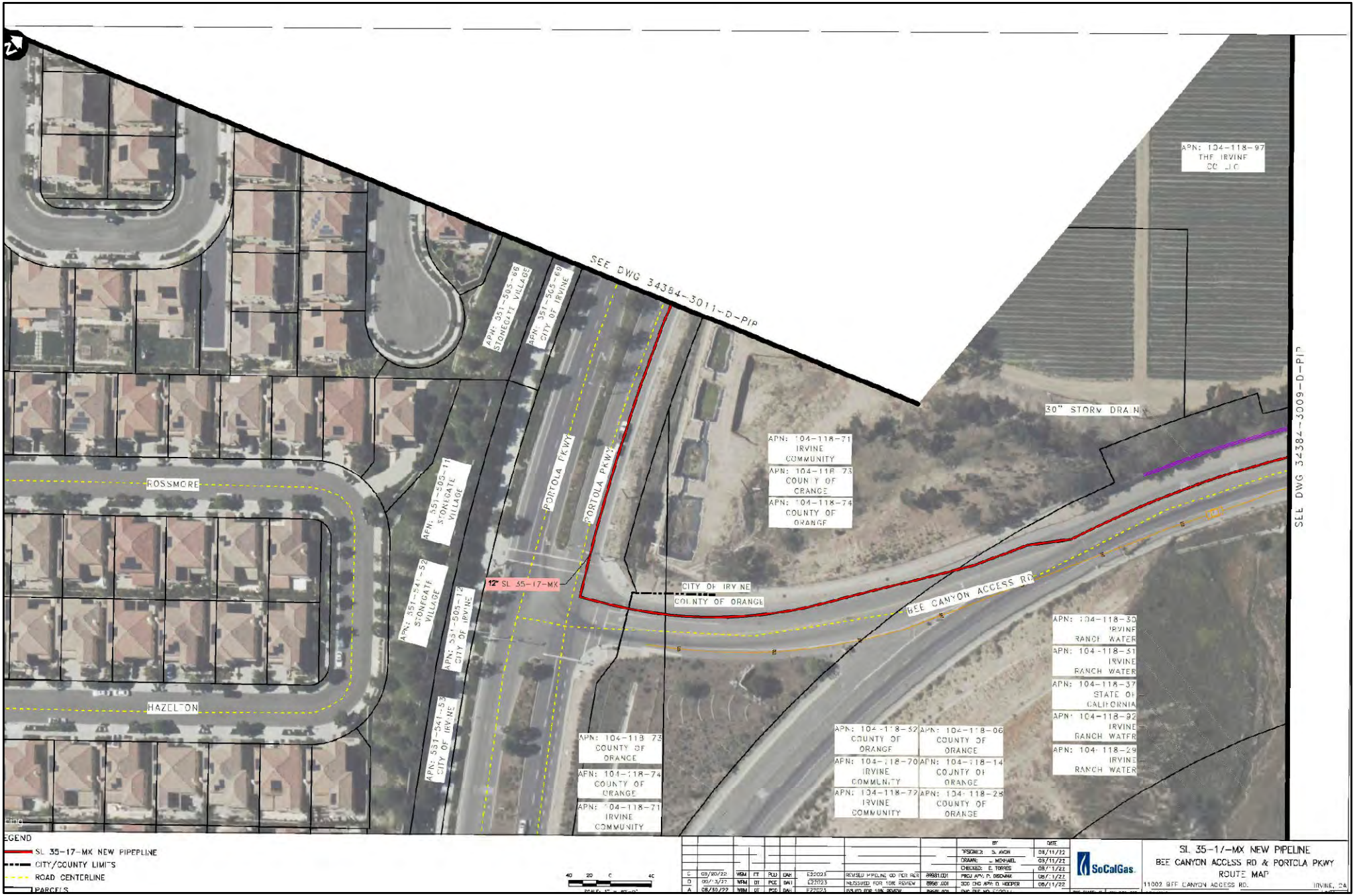
Pipeline Route (underground)

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.9
Pipeline Route
Sheet 9 of 12

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.10
Pipeline Route
Sheet 10 of 12

Bowerman Power RNG Plant Project
Orange County, CA

Pipeline Route (underground)

N

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.11
Pipeline Route
Sheet 11 of 12

Bowerman Power RNG Plant Project
Orange County, CA

Pipeline Route (underground)

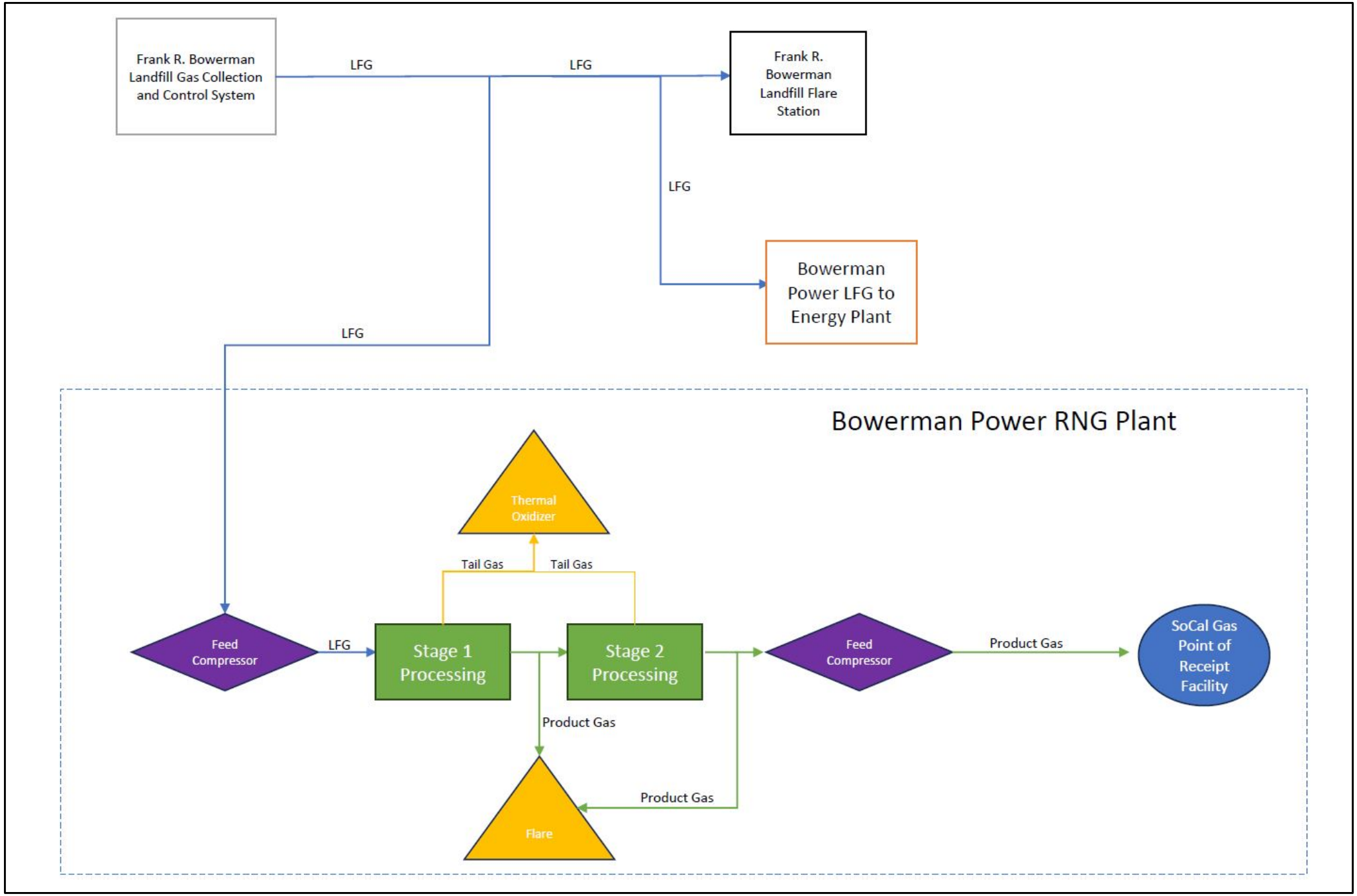
N

0 25 50 100 Feet

NOT FOR CONSTRUCTION

Figure 2-4.12
Pipeline Route
Sheet 12 of 12

Bowerman Power RNG Plant Project
Orange County, CA



NOT FOR CONSTRUCTION

Figure 2-5
RNG Process Design Flow

Bowerman Power RNG Plant Project
Orange County, CA

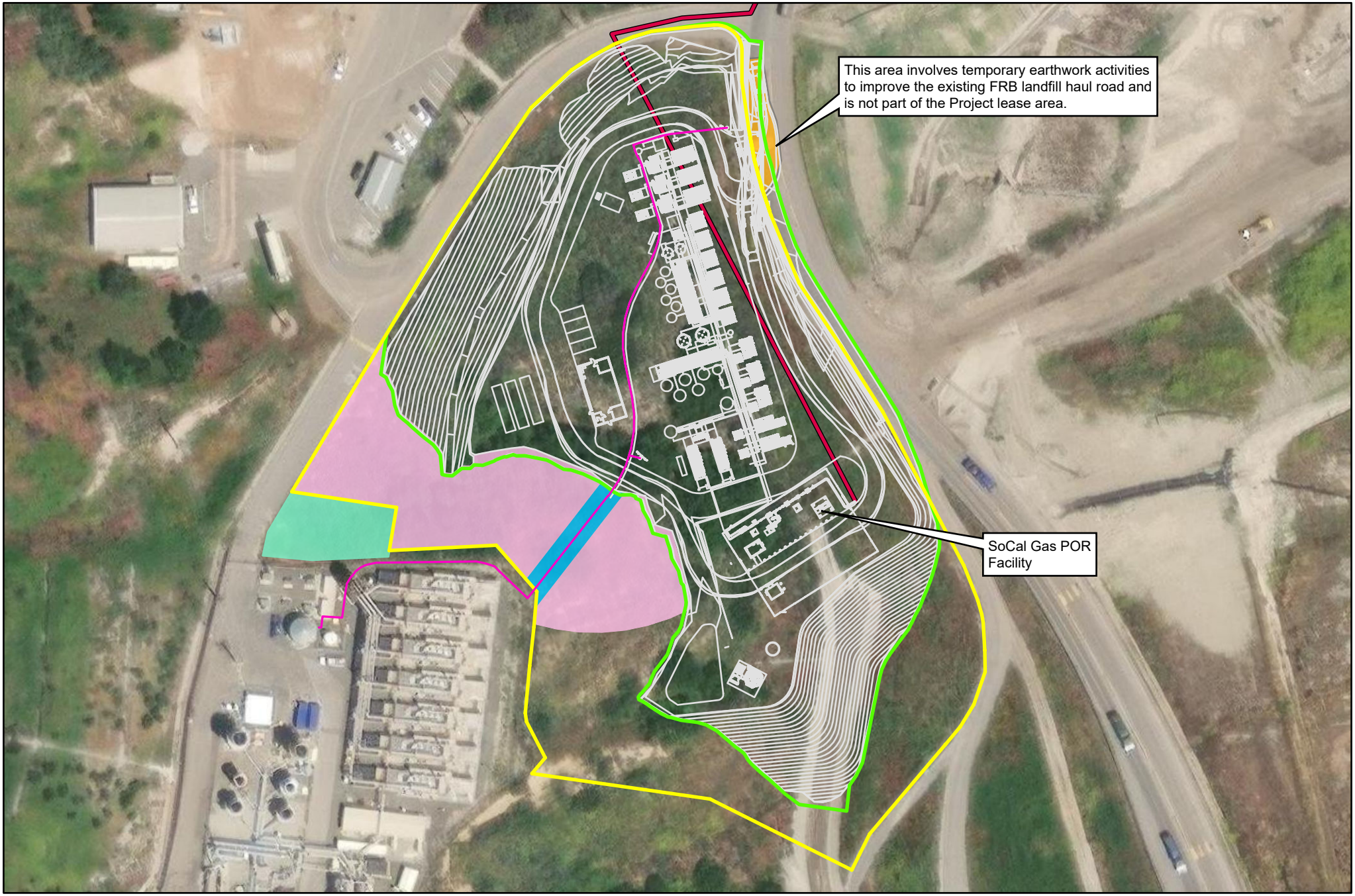
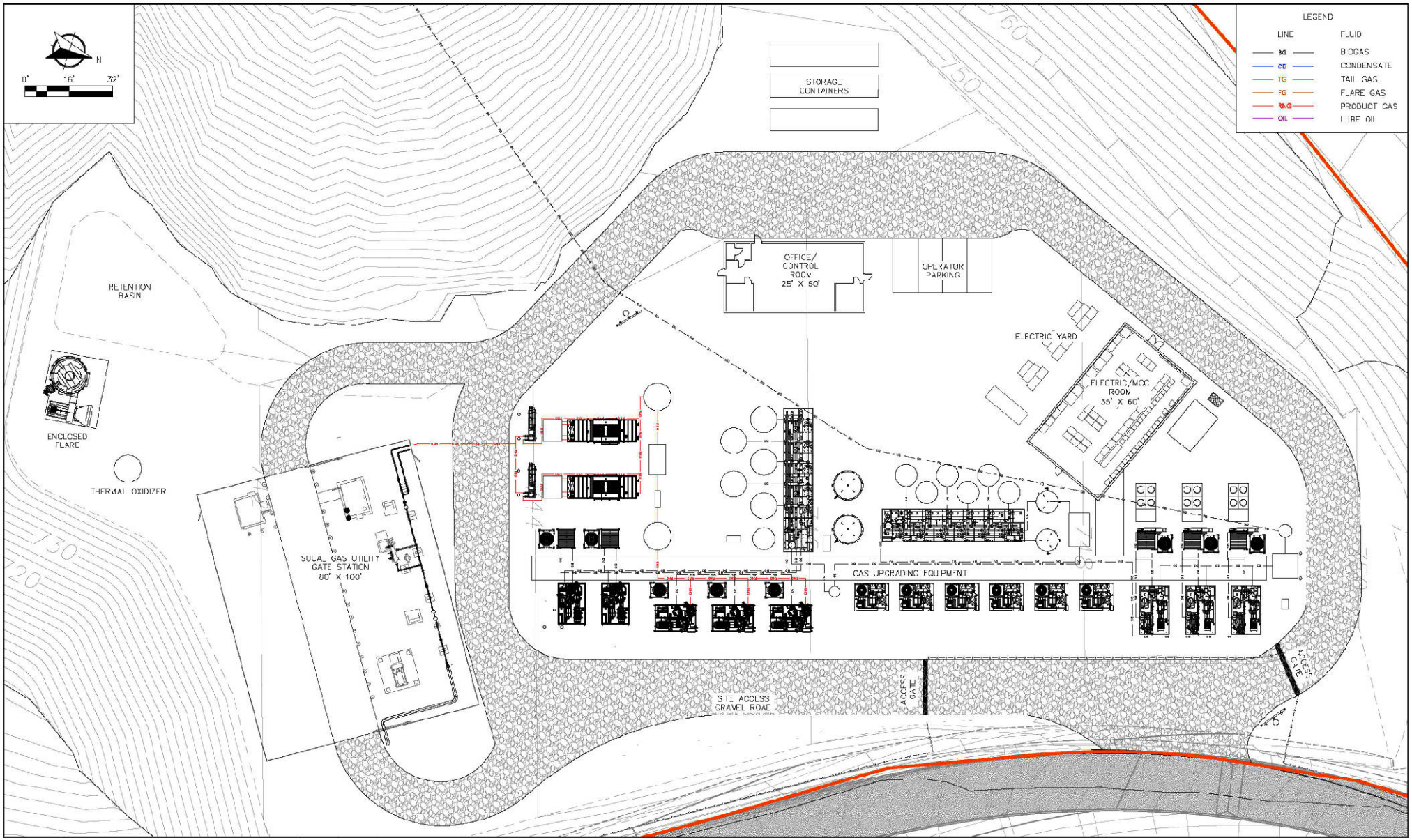


Figure 2-6
Project Site Plan

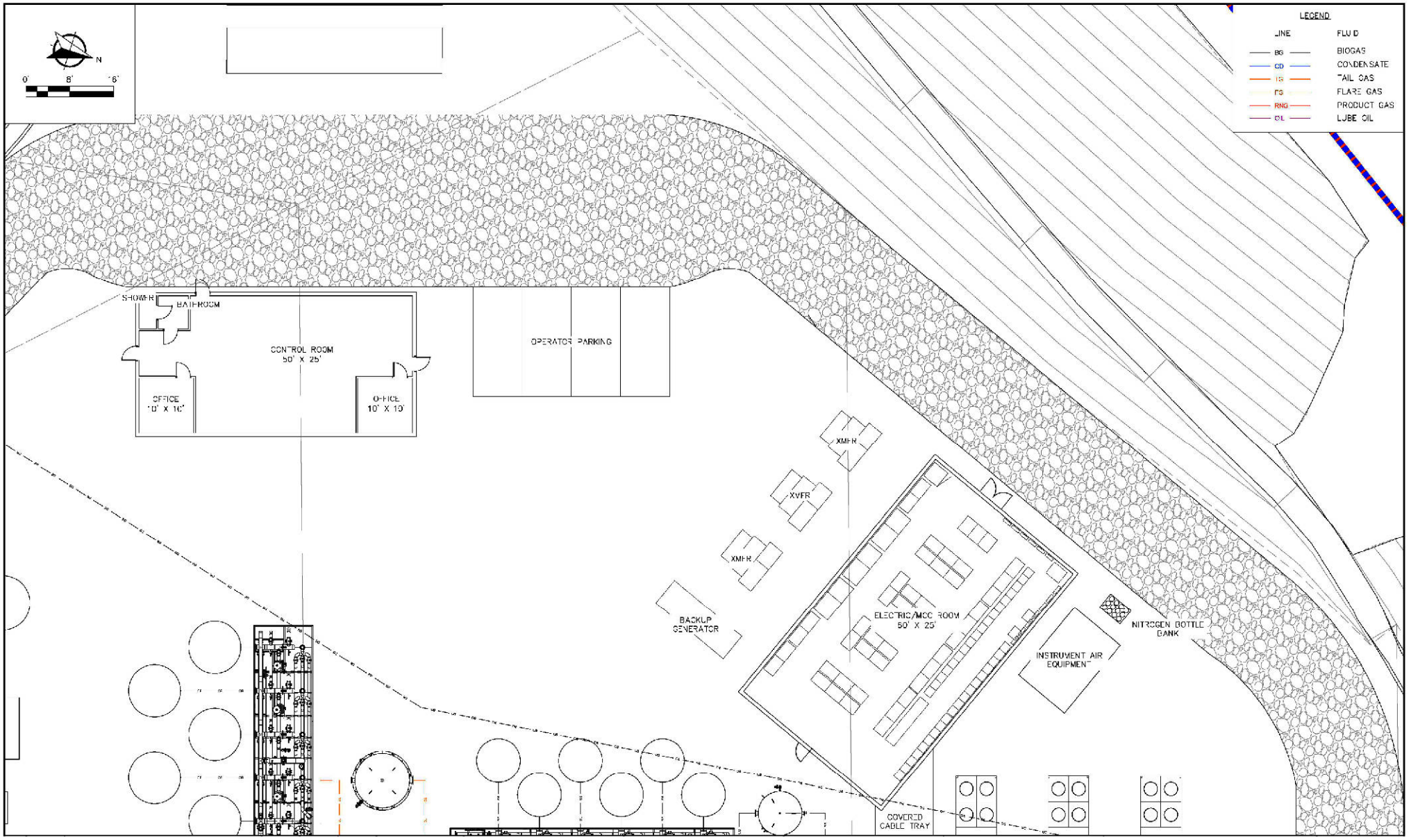
Bowerman Power RNG Plant Project
Orange County, CA



NOT FOR CONSTRUCTION

Figure 2-7
Process Equipment Layout

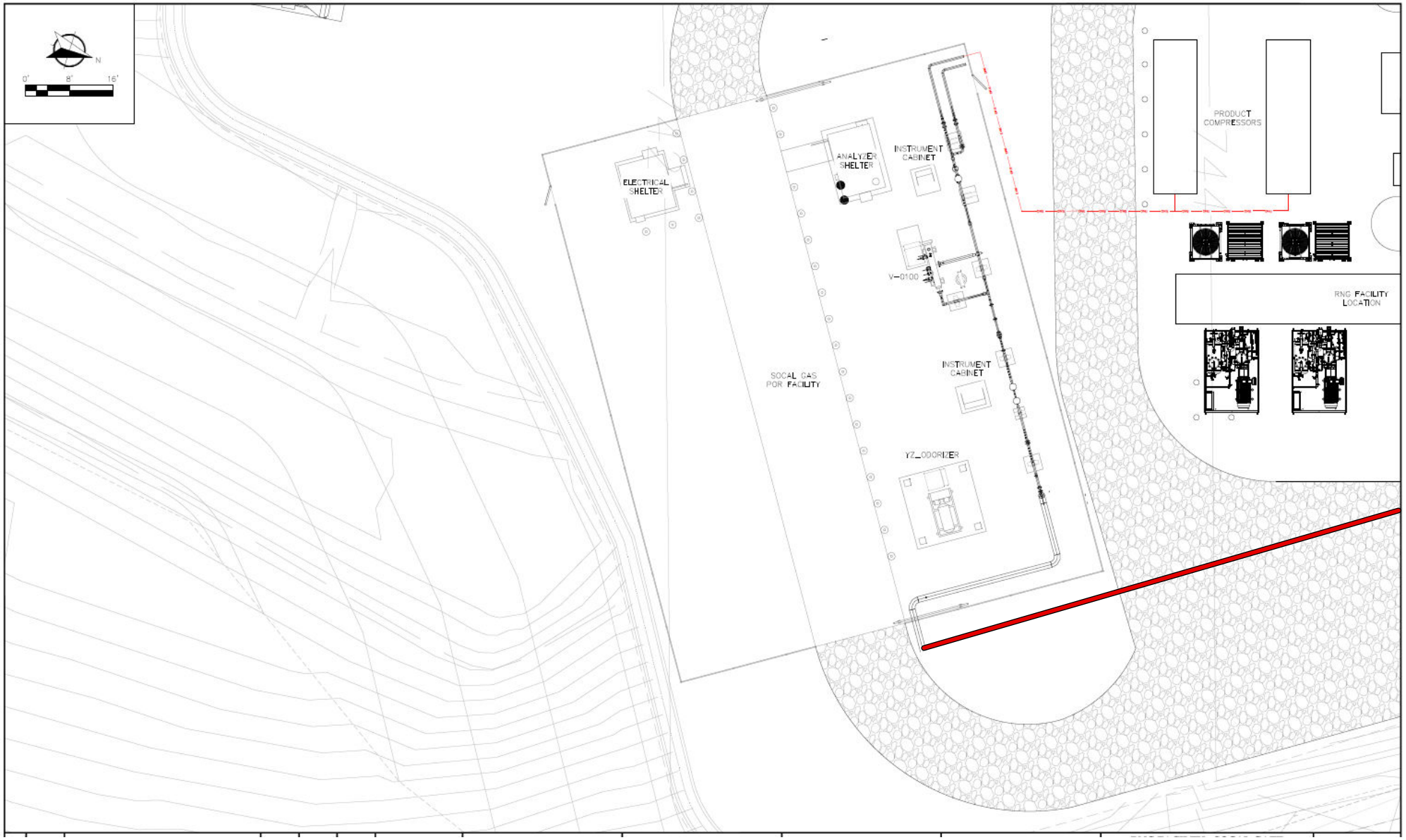
Bowerman Power RNG Plant Project
Orange County, CA



NOT FOR CONSTRUCTION

Figure 2-8
RNG Control / Electric Buildings Layout

Bowerman Power RNG Plant Project
Orange County, CA



Pipeline Route (underground)

NOT FOR CONSTRUCTION

Figure 2-9
Point of Receipt Facility

Bowerman Power RNG Plant Project
Orange County, CA

RNG Plant Construction

Equipment Type	Quantity
Dump Truck	10-15
Trackhoe	2
Bulldozer	2
Street Sweeper	1
Water Truck	1
Mixer	1
40 Ton Crane	1
100 Ton Crane	1
Extended Boom Forklift	1
Man Lift	1
Skid Steer Loader	1
Grader	1

Pipeline Construction

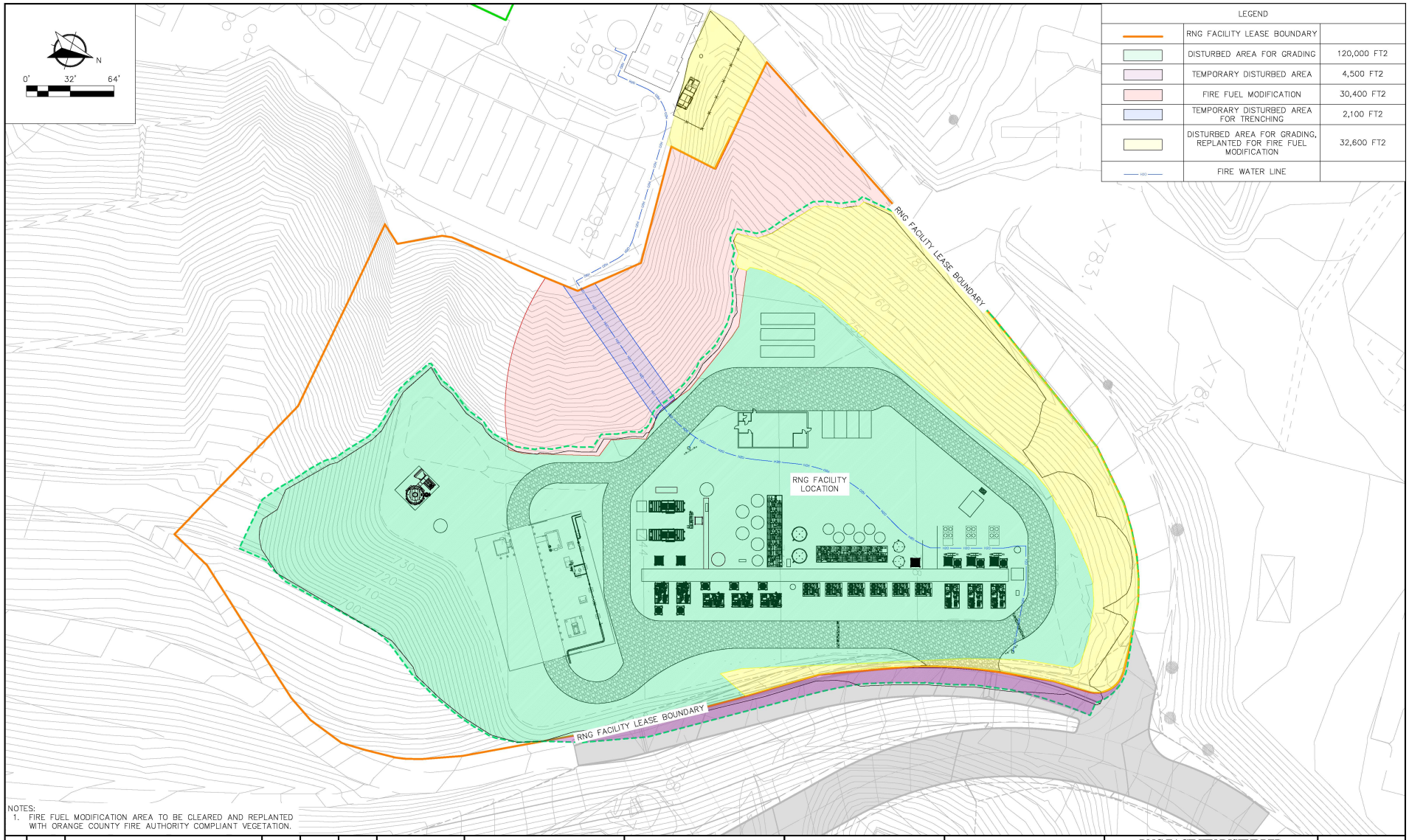
Equipment Type	Quantity
Boring Machine	1
Trackhoe	1
Bulldozer	1
Backhoe	1
Crane	1
Motor Grader	1
Pneumatic Hammer	1
Air Compressor	1
Side Boom Tractor	1
Tractor Tailer	1
Paver	1
Paving Equipment	1
Roller	1
Cement Mixer	1

RNG Plant Operation

Equipment Type	Quantity	Inside Enclosure (Yes/No)
Feed Compressors	3	No
Feed Compressors Aftercoolers	3	No
Feed Compressors Oil Coolers	3	No
Glycol Circulation Pumps	3	No
CO_2 Removal Vacuum Compressors	6	No
RNG Product Gas Cooler	1	No
N_2 Removal Vacuum Compressors	3	No
N_2 Removal Vacuum Compressors Oil Coolers	3	No
N_2 Removal Recycle Compressors	2	No
N_2 Removal Recycle Compressors Aftercoolers	2	No
N_2 Removal Recycle Compressors Oil Coolers	2	No
Product Gas Cooler from EQ PSA	1	No
Product Compressors	2	No
Product Compressors Aftercoolers	2	No
Thermal Oxidizer	1	No
Thermal Oxidizer Blower	1	No
Thermal Oxidizer Combustion Air Blower	1	No
Off-spec gas Flare	1	No
Off-spec gas Flare Combustion Blower	1	No
Instrument Air Compressors	2	No
Ventilation Fans	6	No
Back Up Generator	1	No
PSA Vessels	1	No
CO_2 Removal Vacuum Oil Coolers	3	No
H2S Removal Vessel	1	No

Figure 2-10
Equipment List

Bowerman Power RNG Plant Project
Orange County, CA



NOTES:
1. FIRE FUEL MODIFICATION AREA TO BE CLEARED AND REPLANTED WITH ORANGE COUNTY FIRE AUTHORITY COMPLIANT VEGETATION.

REV	DATE	DESCRIPTION	DRN BY	DSN BY	CHK BY
0	05/03/24	ISSUED FOR CEQA	MV	-	JF

MONTAUK RENEWABLES
5313 Campbells Run Road,
Pittsburgh, PA 15205

TENT ENGINEERING
452 NE Greenwood Ave.
Bend, OR 97701
www.tentengr.com

RNG FACILITY DISTURBED AREA

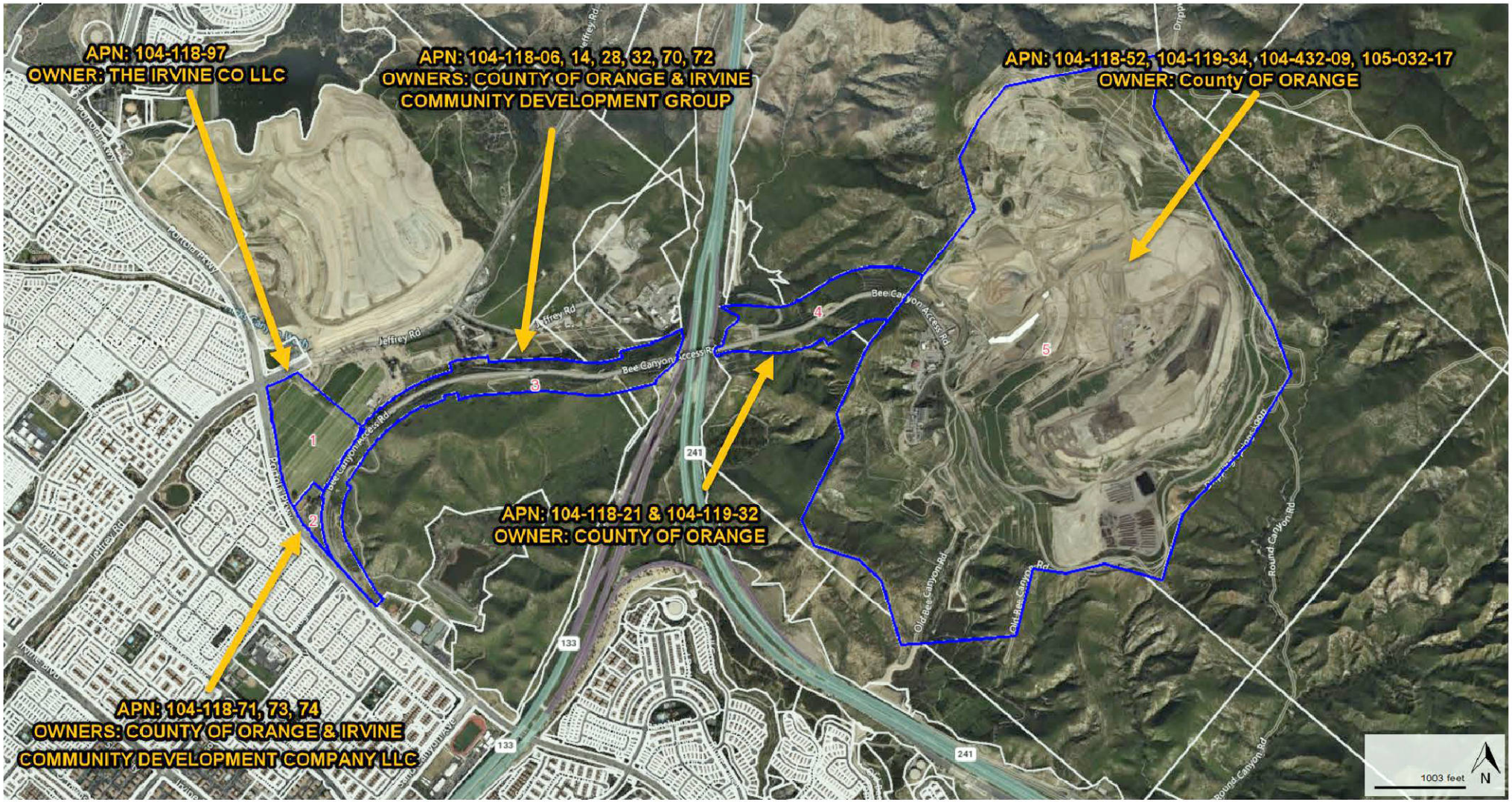
Bowerman RNG Facility
Bowerman Power LFG, LLC
11006 Bee Canyon Access Road,
Irvine, CA 92602

DRAWING NO.
G1.12
PROJECT NO.
164.02

NOT FOR CONSTRUCTION

Figure 2-11
Disturbed Area

Bowerman Power RNG Plant Project
Orange County, CA



NOT FOR CONSTRUCTION

Figure 2-12
Project Site Parcels

Bowerman Power RNG Plant Project
Orange County, CA

BOWERMAN POWER RNG PLANT PROJECT

Figure 3.2-1A
KOP 3: Portola Overlook Trail

PHOTO SIMULATIONS

VICINITY MAP

LEGEND

- PROPOSED PROJECT LOCATION
- KOP WITH SIMULATION
- BOWERMAN LANDFILL BOUNDARY

PHOTOGRAPH INFORMATION

TIME:	12:27 PM
DATE:	8/11/2023
WEATHER CONDITION:	PARTLY CLOUDY
VIEWING DIRECTION:	NORTH
LATITIUDE:	33.692200°
LONGITUDE:	-117.711400°
DISTANCE FROM PROJECT:	1.64 MILES

DISCLAIMER: PRELIMINARY VISUALIZATIONS ARE FOR REFERENCE ONLY; PROJECT LAYOUT IS IN DEVELOPMENT AND SUBJECT TO CHANGE.

BOWERMAN POWER RNG PLANT PROJECT

Figure 3.2-1B
KOP 3: Portola Overlook Trail

PHOTO SIMULATIONS

VICINITY MAP

LEGEND

- PROPOSED PROJECT LOCATION
- KOP WITH SIMULATION
- BOWERMAN LANDFILL BOUNDARY

PHOTOGRAPH INFORMATION

TIME:	12:27 PM
DATE:	8/11/2023
WEATHER CONDITION:	PARTLY CLOUDY
VIEWING DIRECTION:	NORTH
LATITIUDE:	33.692200°
LONGITUDE:	-117.711400°
DISTANCE FROM PROJECT:	1.64 MILES

DISCLAIMER: PRELIMINARY VISUALIZATIONS ARE FOR REFERENCE ONLY; PROJECT LAYOUT IS IN DEVELOPMENT AND SUBJECT TO CHANGE.

BOWERMAN POWER RNG PLANT PROJECT

Figure 3.2-2A
KOP 4: Tomato Springs

PHOTO SIMULATIONS

VICINITY MAP

LEGEND

- PROPOSED PROJECT LOCATION
- KOP WITH SIMULATION
- BOWERMAN LANDFILL BOUNDARY

PHOTOGRAPH INFORMATION

TIME:	11:53 AM
DATE:	8/11/2023
WEATHER CONDITION:	PARTLY CLOUDY
VIEWING DIRECTION:	NORTH
LATITIUDE:	33.698850°
LONGITUDE:	-117.708133°
DISTANCE FROM PROJECT:	1.17 MILES

DISCLAIMER: PRELIMINARY VISUALIZATIONS ARE FOR REFERENCE ONLY; PROJECT LAYOUT IS IN DEVELOPMENT AND SUBJECT TO CHANGE.

BOWERMAN POWER RNG PLANT PROJECT

Figure 3.2-2B
KOP 4: Tomato Springs

PHOTO SIMULATIONS

VICINITY MAP

LEGEND

- PROPOSED PROJECT LOCATION
- KOP WITH SIMULATION
- BOWERMAN LANDFILL BOUNDARY

PHOTOGRAPH INFORMATION

TIME:	11:53 AM
DATE:	8/11/2023
WEATHER CONDITION:	PARTLY CLOUDY
VIEWING DIRECTION:	NORTH
LATITIUDE:	33.698850°
LONGITUDE:	-117.708133°
DISTANCE FROM PROJECT:	1.17 MILES

DISCLAIMER: PRELIMINARY VISUALIZATIONS ARE FOR REFERENCE ONLY; PROJECT LAYOUT IS IN DEVELOPMENT AND SUBJECT TO CHANGE.

APPENDIX A: COMMENT EMAIL/LETTERS

Original Draft IS/MND Comments and Responses

Comment Letter 1 – USFWS

From: Miller, William B. <william_b_miller@fws.gov>
Sent: Tuesday, October 15, 2024 5:29 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: MND for Bowerman Power Renewable Natural Gas Project

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

To Francine Bangert or whom it may concern- Can you please transmit a copy of the above referenced Mitigated Negative Declaration for our review? We were unable to find a copy at the location suggested in your Notice of Intent to Adopt. Thanks- Will Miller

William B. Miller, Biomonitor
U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
(760) 431-9440 Ext. 206
William_B_Miller@fws.gov

Pronouns: *He, Him, His*

Comment Letter 2 – City of Irvine

cityofirvine.org

City of Irvine, 1 Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 949-724-6000

November 15, 2024

Ms. Francine Bangert
Public Information Officer, OCWR
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701

Sent via email:
ocwr-ceqareview@ocwr.ocgov.com

Title: City of Irvine Comments on Initial Study/Mitigated Negative Declaration for Bowerman Power Renewable Gas Plant Project located at the Frank R. Bowerman (FRB) Landfill at 11006 Bee Canyon Access Road in Unincorporated Orange County

Dear Ms. Bangert:

Thank you for the opportunity to review the Initial Study/Mitigated Negative Declaration (IS/MND) for the Bowerman Power Renewable Gas Plant Project located at the Frank R. Bowerman (FRB) Landfill at 11006 Bee Canyon Access Road in unincorporated Orange County.

Per the IS/MND, the proposed project will develop a renewable natural gas (RNG) plant to process excess landfill gas and deliver it through a Southern California Gas Company (SoCalGas) pipeline. To accomplish this, SoCalGas will develop an on-site Point of Receipt (POR) facility, which includes a 250-gallon odorant tank, to compress and insert the renewable gas into a new 12-inch-diameter pipeline. The new pipeline will then connect to an existing SoCal pipeline at the corner of Portola Parkway and Jeffrey Road.

Community Development Department staff has reviewed the IS/MND and has enclosed comments related to the aesthetics, air quality, noise, and construction of the project. If you have any questions, please contact me at jequina@cityofirvine.org or 949-724-6364.

Sincerely,

Justin Equina
Senior Planner

Enclosure: City of Irvine Comments

ec: Stephanie Frady, Director of Community Development
Marika Poynter, Manager of Planning Services
Alyssa Matheus, Principal Planner

Initial Study/Mitigated Negative Declaration (IS/MND) for Bowerman Power Renewable Gas Plant Project

City of Irvine Comments

General Comments

1. Prior to the start of construction, provide a Construction Management Plan and coordinate closely with City of Irvine staff on the implementation of the Plan. Any proposed non-standard working hours impacting traffic control staging and/or closures of City streets shall require prior review and approval by the Department of Public Works & Sustainability.

2. Provide a sidewalk on the north side of Portola Parkway from Bee Canyon Access Road to Crean Way.

3. Provide the distance of the point of receipt from the nearest residences, schools, and parks/open space.

4. Provide the square footage of the renewable natural gas facility.

5. Provide building elevations of the renewable natural gas facility.

Page 3-76

6. This section references the Orange County Local California Environmental Quality Act (CEQA) Procedures Manual in determining transportation impacts. However, the City of Irvine has an adopted CEQA guideline for determining Vehicle Miles Travelled (VMT) impacts – see Appendix I - VMT Impact Analysis Guidelines of the City's CEQA Manual. This section should be updated to reflect Irvine's standard.

Aesthetics

7. Landscaping should be installed to screen the facility from the nearest residential neighborhoods within City limits – key observation points (KOP) 3 and 4. While the IS/MND states the facility would be barely visible, the photo simulations clearly show it is visible from those observation points.

Air Quality

8. Show the location of the point of receipt facility.

9. Show the location of the 250-gallon odor tank.
10. There is no mention of the possibility of odors from the proposed odorant skid injection tank at the SoCalGas Company point of receipt facility in the air quality section of the IS/MND. Will the renewable natural gas be injected with mercaptan? If not, please identify the odorant in the IS/MND.

11. How will the renewable natural gas facility identify a leak prior to the odorant injection at the point of receipt?

12. The IS/MND states that the renewable natural gas plant will be automated and will have on-site maintenance personnel during daylight hours, as needed. Explain the protocol of an emergency, such as gas leak, that would occur during the evening hours.

13. Explain the emergency protocol of leak when conveying the renewable natural gas from the proposed two-mile SoCalGas pipeline (along Bee Canyon Access Road) to the existing SoCalGas pipeline (along Portola Parkway and Jeffrey Road).

14. Verify the findings in Table 3-7, Operational Emissions Summary and Significance Evaluation. The table appears to indicate the project emissions are greater than the South Coast Air Quality Management District CEQA significance thresholds.

    If [G] represents the difference between the proposed project and baseline emissions, and the incremental change in emissions when compared to [H] the SCAQMD CEQA significance thresholds, should the table show "[G] < [H]" rather than "[G] > [H]?" Please confirm.

15. Figure 4-1: Air Dispersion Modeling Receptor Set Up – Why does the figure not include more of the residential neighborhood south of Portola Parkway? This figure should be updated to show all potentially impacted areas of the City.

<u>Noise</u>

16. The project should implement noise reduction strategies during construction as noise levels will range anywhere from 85 decibels (dBA) during site preparation to 90 dBA during trenching and pipeline construction. Such strategies include, but are not limited, to:

    a. Construction equipment, fixed or mobile, equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
    b. Construction staging areas located away from off-site sensitive uses.

c. Locating stationary construction equipment away from sensitive receptors nearest the project site, whenever feasible.
d. Limiting construction vehicle queuing on roads and in areas near residences prior to the start of construction.

Comment Letter 3 – Caltrans

California Department of Transportation

DISTRICT 12
1750 East 4th Street, Suite 100 | SANTA ANA, CA 92705
(657) 328-6000 | FAX (657) 328-6522 TTY 711
https://dot.ca.gov/caltrans-near-me/district12

November 14, 2024

Ms. Francine Bangert
Public Information Officer
Orange County Waste & Recycling
1 Civic Center Place
Irvine, CA 92606

File: LDR/CEQA
SCH: 2024100760
12-ORA-2024-02668
SR 241, PM 27.494

Dear Ms. Bangert,

Thank you for including the California Department of Transportation (Caltrans) in the review of the Mitigated Negative Declaration for the Bowerman Power Renewable Natural Gas Plant Project for Orange County Waste & Recycling (OCWR). The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment.

The project proposes constructing a renewable natural gas processing plant and a new SoCalGas pipeline connecting the processing plant to an existing SoCalGas pipeline at the corner of Portola Parkway and Jeffrey Road. Regional access to the site is provided by State Route 241 (SR 241), State Route 133 (SR 133), State Route 261 (SR 261), and Interstate 5 (I-5). Caltrans is a commenting agency on this project and has the following comments:

1. Operations involving truck staging will need adequate truck parking onsite for pick-ups/drop offs.

2. Internal site circulation may impact adjacent road operations. Encourage different areas for different activities, if space allows.

3. Large operations should include emergency traffic management plans that prevents the local network from being overwhelmed, if feasible.

   Creation of emergency plans that include emergency routes and paths, can alleviate congestion in the event of an emergency and allow EMS to easily access the site.

4. Site entrance and exit points must accommodate the expected truck turning radius and length and be free of obstructions that block sight distance.

5. Please ensure the project site provide posted speed signs throughout the project site for truckers to follow.

6. Please ensure that the project site provides enough truck height clearances throughout the site for trucks to maneuver without any issues while loading and unloading cargo.

7. Providing electric charging for personal vehicle use encourages the adoption of electric or hybrid vehicles.

8. Please consider leveraging strategic investments to maintain and modernize a multimodal freight transportation system with innovative approaches, including advanced technology to optimize integrated network efficiency, improve travel time reliability, and achieve sustainable congestion reduction.

Please continue to coordinate with Caltrans for any future developments that could potentially impact State transportation facilities. If you have any questions, please do not hesitate to contact Joseph Jamoralin at Joseph.Jamoralin@dot.ca.gov.

Sincerely,

Scott Shelley
Branch Chief, Local Development Review-Climate Change
Caltrans, District 12

Comment Letter 4 – USFWS

From: Miller, William B. <william_b_miller@fws.gov>
Sent: Friday, November 15, 2024 4:39 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Cc: Roberts, Carol <carol_a_roberts@fws.gov>; Burlaza, Melanie@Wildlife <melanie.burlaza@wildlife.ca.gov>; Gray, Emily@Wildlife <emily.gray@wildlife.ca.gov>
Subject: MND for Bowerman Power Renewable Natural Gas Plant Project at the Frank R. Bowerman (FRB) Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

In Reply refer to: 2025-0020536-HCP-TA-OR

Dear Francine Bangert, OC Waste and Recycling Public Information Officer-

This email is provided in response to the Mitigated Negative Declaration (MND) prepared to address the environmental impacts of the Bowerman Power Renewable Natural Gas (RNG) Plant Project at the Frank R. Bowerman (FRB) Landfill. The purpose of the new RNG plant is to recover excess landfill gas that is not capable of being processed on-site at the existing Bowerman Power Plant and deliver it to SoCalGas for energy production. The FRB Landfill is located within the Orange County Central and Coastal Subregions Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) where the County of Orange is a Participating Landowner and development and operation of the landfill is addressed as a Planned Activity.

Analysis provided in the MND indicates that the area of impact for the proposed project is located entirely within Phase X of the FRB Development where the NCCP/HCP anticipated there would be a loss of coastal sage scrub (CSS} vegetation, and the proposed loss of 2.9 acres of CSS can be accommodated by OC Waste and Recycling's (OCWR} "take" credits. However, a June 2023 biological field survey documented the occurrence of 17 individuals of Intermediate Mariposa Lily *(Ca/ochortus weedii intermedius,* "IML"} within the center of the proposed RNG plant, and 2 individuals of this species near the existing landfill gas to energy plant and flare station.

The NCCP/HCP conservation strategy includes special conditions for certain species including the IML. These conditions require preparation of a mitigation plan for Planned Activities that affect populations of greater than 20 individuals of this species. Because prior efforts to translocate IML have had poor success, OCWR has coordinated in advance with the U.S. Fish and Wildlife Service and California Department of Fish and Wildlife (jointly "Wildlife Agencies"} to determine an appropriate mitigation strategy for this species. The Wildlife Agencies have agreed in concept with payment of an in-lieu fee that would help to fund monitoring and adaptive management of IML in the NCCP/HCP Habitat Reserve. Additionally, because IML is a perennial geophyte that emerges from belowground root structures (corms} on an annual basis when conditions are favorable, and the number of plants that are apparent above ground each year can be difficult to quantify without continual monitoring (e.g. due to staggered plant emergence and lack of flowering of some individiuals} we have recommended that OCWR assume that at least 20 individuals will be impacted by the proposed project.

Because the MND suggests that the project will be implemented during the first quarter of 2025, which would not allow for appropriate monitoring of the size of the IML population that will be impacted, we are amenable and concur with adoption of Mitigation Measure Bio-1 in the MND, which assumes 20 IML will be impacted by the project and payment of the in-lieu fee will be made to the Natural Communities Coalition. We note that because the proposal to mitigate for impacts to IML complies with the special conditions for this species, the minor amendment to the NCCP/HCP that the MND suggests will be processed in association with this mitigation measure is not required.

Thank you for the advance coordination on this project and incorporation of a measure to mitigate impacts to IML. Should you have questions or wish to discuss any of the above, please do not hesitate to contact me.

Sincerely,

Wrllla,m;'B. lvfiUe,r-

William B. Miller, Biomonitor
U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008
(760) 431-9440 Ext. 206
William_B_Miller@fws.gov

Pronouns: *He, Him, His*

Comment Letter 5 – CDFW

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

November 15, 2024

Francine Bangert
Orange County Waste & Recycling
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701
Ocwr-ceqareview@ocwr.ocgov.com

Initial Study and Mitigated Negative Declaration for the Bowerman Power Renewable Natural Gas Plant Project, SCH No. 2024100760, Orange County, CA

Dear Francine Bangert:

The California Department of Fish and Wildlife (CDFW) reviewed the Initial Study and Mitigated Negative Declaration (IS/MND) from Orange County Waste & Recycling (OCWR) for the Bowerman Power Renewable Natural Gas Plant Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines[1].

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of 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 is charged by law to provide, 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.

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

[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.

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

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[2] of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. The County of Orange participates in the NCCP as a Signatory to the Implementation Agreement (IA) under the County of Orange Central and Coastal Subregion Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP). OCWR operates and maintains the Frank R. Bowerman (FRB) Landfill which is located within the NCCP/HCP Reserve.

PROJECT DESCRIPTION SUMMARY

Proponent: Orange County Waste & Recycling (OCWR) and Bowerman Power

Objective: The Project Proponent is proposing to develop a Renewable Natural Gas (RNG) plant at the FRB Landfill on land at FRB Landfill leased to Bowerman Power by OCWR. The RNG Plant will be designed to process the excess landfill gas (LFG) that would otherwise require incineration at the existing adjacent flare station, and then deliver the processed RNG to Southern California Gas Company (SoCalGas). The Project will consist of three areas where disturbances will occur: the new Project RNG Plant, the new SoCalGas pipeline, and the existing soil stockpile area. The RNG Plant site involves 3.52 acres of part of the undeveloped land leased by Bowerman Power, 19.6-megawatt landfill gas to energy facility and the FRB Landfill flare station. Approximately 70,000 cubic yards of fill material will be extracted from an existing soil stockpile area within the FRB Landfill boundaries and will be used to provide fill materials for the RNG Plant pad including a point of receipt (POR) facility to be developed and operated by SoCalGas. There will also be a Fuel Modification Area that will be located adjacent to the Project site and will be cleared of vegetation and revegetated post construction with approved low fuel vegetation.

Location: The proposed RNG Plant is located at the Frank R. Bowerman (FRB) Landfill at 11006 Bee Canyon Access Road in unincorporated Orange County, California, north and within the sphere of influence of the City of Irvine. The Project involves constructing an RNG processing plant and a new SoCalGas pipeline connecting the processing plant to an existing SoCalGas pipeline at the corner of Portola Parkway and Jeffrey Road. The surrounding land uses consist of Open Space Reserve. State Routes 241 and 133

[2] "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

are located to the west, approximately 0.5 miles and 0.6 miles. Interstate 5 is located 3.8 miles to the west, and Interstate 405 is located 5.4 miles to the southwest.

Timeframe: Construction is anticipated to begin in 2025 and is expected to occur over a span of 2 years.

Biological Setting: The Project site is surrounded by NCCP/HCP Reserve open space. The topography of the site consists of hilly terrain throughout. A concrete channel is located at its southern end and conveys water from the ephemeral drainages. Surrounding land uses include the larger Bowerman Landfill, agricultural land, open space, highways, and roads.

Biological surveys, including a rare plant survey, were conducted on June 19, 2023. The Biological Survey Area (BSA) included the Project site, the Fuel Modification Area, and the proposed pipeline. Per the Biological Survey Report (BSR; Tetra Tech 2024), the site contains multiple vegetation communities: sagebrush scrub (13.3 acres), disturbed sagebrush scrub (0.2 acre), coast live oak (1.8 acres), eucalyptus (1.2 acres), ornamental trees (1.0 acre), disturbed (2.4 acres) and developed (18.9 acres). During the biological surveys, only one rare plant was found, intermediate mariposa lily (*Calochortus weedii* var. *intermedius*) and no special-status wildlife species were identified. Although the survey results did not include any sensitive wildlife species, the areas surrounding the Project site support several special-status species including, but not limited to, coastal California gnatcatcher (gnatcatcher; *Polioptila californica californica*; CDFW Species of Special Concern (SSC), federal Endangered Species Act (ESA) listed-threatened) and), least Bell's vireo (*Vireo bellii pusillus*; CESA listed-endangered, ESA listed-endangered) Crotch's bumble bee (*Bombus crotchii*); CESA candidate species)), western spadefoot (*Spea hammondii*); California SSC and ESA Candidate species)), and orange-throated whiptail (*Aspidoscelis hyperythrus*).

Project History: CDFW and the United States Fish and Wildlife Service (USFWS) (jointly the Wildlife Agencies) had several discussions in 2023-2024 through virtual meetings and emails with Weena Dalby, the Environmental Engineering Specialist for OCWR, regarding impacts to intermediate mariposa lilies (IML) onsite. IML is a Covered Species under the NCCP/HCP, and any impacts to the species require coordination with the Wildlife Agencies. On July 8th (USFWS) and July 11th (CDFW) 2024, the Wildlife Agencies approved the proposal from OCWR to mitigate for the cumulative and direct impacts to a population of approximately 20 individuals of IML by using the in-lieu fee option under the NCCP/HCP. The total in-lieu fee would be $58,041 and it would be given to the NCCP/HCP Implementation Entity the Natural Communities Coalition (NCC).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of Orange and OCWR in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological)

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

resources, and to ensure regional conservation objectives in the County of Orange Central and Coastal Subregion Natural Community Conservation Plan/Habitat Conservation Plan would not be eliminated by implementation of the Project.

COMMENT # 1: Impacts on Crotch's Bumble Bee

Issue: Project activities may result in incidental take of Crotch's bumble bee and indirect and cumulative impacts to Crotch's bumble bee, a candidate species for CESA listing. The IS/MND does not provide avoidance, minimization, and/or mitigation measures to reduce the impact to Crotch's bumble bee to less than significant. Crotch's bumble bee is not a Covered Species under the NCCP/HCP, therefore the County of Orange does not have take coverage.

Specific impact: The Project may result in temporary or permanent loss of suitable nesting and foraging habitat of Crotch's bumble bee. Project ground-disturbing activities may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

Why impact would occur: According to California's Natural Diversity Database (CNDDB), observations of Crotch's bumble bee have been recorded throughout Orange County (CDFW 2024a) and near the BSA. Additionally, iNaturalist has recent expert-verified observations of Crotch's bumble bee within Orange County (iNaturalist 2024). As with any flying species, Crotch's bumble bee may fly throughout the County and utilize areas that have suitable nesting habitat and floral resources. The vegetation identified within the Project site has the potential to provide suitable nesting and foraging habitat for this species. As for nesting habitat, Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Ground disturbance and vegetation removal associated with Project implementation during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project site. The IS/MND does not discuss the Project's impact on Crotch's bumble bee. Furthermore, the IS/MND does not provide specific avoidance and minimization measures directly related to Crotch's bumble bee. Without sufficient species-specific avoidance, minimization, or mitigation measures, impacts to Crotch's bumble bee may occur.

Evidence impact would be significant: Impacts to CESA-listed species and their habitat meet the definition of endangered, rare, or threatened under CEQA (CEQA Guidelines § 15380). Impacts to CESA listed species and their habitats may result in a mandatory finding of significance because the Project has the potential to substantially

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines § 15065).

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: Crotch's Bumble Bee Surveys - Within one year prior to vegetation removal and/or grading, a qualified entomologist/biologist with appropriate handling permits and is familiar with the species behavior and life history, shall conduct focused surveys to determine the presence/absence of Crotch's bumble bee. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023) and shall be developed in consultation with CDFW. Focused surveys shall also be conducted throughout the entire Project site when the species is most likely to be active and detected above ground, between March 1 to September 1. Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report shall provide the following:

1) a description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee;
2) field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched;
3) map(s) showing the location of nests/colonies; and,
4) a description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).

Mitigation Measure #2: Avoidance Plan - If Crotch's bumble bee is detected, the Project applicant in consultation with a qualified entomologist/biologist and CDFW shall develop a plan to fully avoid impacts to Crotch's bumble bee. The plan shall include effective, specific, enforceable, and feasible measures. An avoidance plan shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities and/or vegetation removal where there may be impacts to Crotch's bumble bee.

Mitigation Measure #3: Incidental Take Permit - If Crotch's bumble bee is detected and if impacts to Crotch's bumble bee cannot be feasibly avoided**,** the Project applicant shall consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & G. Code, § 2080 et seq.). The Project applicant shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

applicant shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

ADDITIONAL COMMENTS

1. **Mitigation for Impacts to Intermediate Mariposa Lily.** While surveys identified 19 IML individuals within the Project footprint, the actual population is likely higher due to the species' perennial nature and reliance on favorable conditions for emergence. Therefore, it is likely there are more IML corms within the Project impact area than would be detected from surveys for vegetation.

   Additionally, the IS/MND indicates construction is proposed to begin the first quarter of 2025, which would not be late enough to perform adequate plant surveys to during the IML growing season. To ensure accurate population counts and appropriate mitigation, CDFW, in consultation with USFWS, recommends the CEQA document include Mitigation Measure #4 below:

Mitigation Measure #4: **Additional Surveys -** OCWR shall delay Project construction to facilitate completion of IML-focused surveys during the IML growing season. A qualified botanist shall complete multiple IML focused surveys throughout the blooming period, typically May through July, to properly document the number of vegetative and flowering plants. OCWR shall mitigate through the in-lieu fee system as agreed upon by the Wildlife Agencies.

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).

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

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

Database (CNDDB). The CNDDB website[3] provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the Combined Rapid Assessment and Relevé Form[4].

OCWR should ensure data collected for the preparation of the IS/MND is properly submitted.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing 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

CDFW appreciates the opportunity to comment on the IS/MND to assist OCWR in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the OCWR has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

Questions regarding this letter or further coordination should be directed to Emily Gray[5], Environmental Scientist.

Sincerely,

Signed by:
Glen Lubcke
AD7D070BCB66466...

Glen M. Lubcke
Environmental Program Manager
South Coast Region

[3] https://wildlife.ca.gov/Data/CNDDB
[4] https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit
[5] Email: Emily.gray@wildlife.ca.gov

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Glen M. Lubcke, Environmental Program Manager (NCCP, Mitigation Banking)
Jennifer Turner, Senior Environmental Scientist (Supervisory; CEQA)
Steve Gibson, Senior Environmental Scientist (Supervisory; CESA)
Frederick (Fritz) Rieman, Senior Environmental Scientist (Supervisory; LSA)
Melanie Burlaza, Senior Environmental Scientist (Supervisory; NCCP)

United States Fish and Wildlife Service
William Miller
Carol Roberts

Office of Planning and Research
State.Clearinghouse@opr.ca.gov

REFERENCES

California Department of Fish and Wildlife. (2023). *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species*. Available at: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline

Goulson, D. 2010. Bumblebees: behavior, ecology, and conservation. Oxford University Press, New York. 317pp.

Hatfield, R., Jepsen, S., Foltz Jordan, S., Blackburn, M., Code, Aimee. 2018. A Petition to the State of California Fish and Game Commission to List Four Species of Bumblebees as Endangered Species.

iNaturalist. 2024. Crotch's Bumble Bee Observations. Available at: https://www.inaturalist.org/observations

Natural Community Conservation Plan and Habitat Conservation Plan. County of Orange Central and Coastal Subregion NCCP/HCP. 1996.

Tetra Tech. Biological Survey Report for Bowerman Power Renewable Natural Gas Plant Project. October 2024.

Williams, P. H., R. W. Thorp, L. L. Richardson, and S.R. Colla. 2014. Bumble bees of North America: An Identification guide. Princeton University Press, Princeton, New Jersey. 208pp.

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

ATTACHMENT A: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #1: Crotch's Bumble Bee Surveys Within one year prior to vegetation removal and/or grading, a qualified entomologist/biologist with appropriate handling permits and is familiar with the species behavior and life history, shall conduct focused surveys to determine the presence/absence of Crotch's bumble bee. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023b) and shall be developed in consultation with CDFW. Focused surveys shall also be conducted throughout the entire Project site when the species is most likely to be active and detected above ground, between March 1 to September 1. Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report shall provide the following: 1) a description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee; 2) field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched; 3) map(s) showing the location of nests/colonies; and, 4) a description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within	Prior to vegetation removal and ground-disturbing activities	Project Applicant/Qualified Entomologist

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

Mitigation Measure	Timing	Responsible Party
impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).		
Mitigation Measure #2: Avoidance Plan If Crotch's bumble bee is detected, the Project applicant in consultation with a qualified entomologist/biologist and CDFW shall develop a plan to fully avoid impacts to Crotch's bumble bee. The plan shall include effective, specific, enforceable, and feasible measures. An avoidance plan shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities and/or vegetation removal where there may be impacts to Crotch's bumble bee.	Prior to vegetation removal and ground-disturbing activities	Project Applicant
Mitigation Measure #3: Incidental Take Permit If Crotch's bumble bee is detected and if impacts to Crotch's bumble bee cannot be feasibly avoided**,** the Project applicant shall consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & G. Code, § 2080 et seq.). The Project applicant shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project applicant shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.	Prior to issuance of grading permit and ground-disturbing activities	Project Applicant
Mitigation Measure #4: Additional Intermediate Mariposa Lily Surveys - OCWR shall delay Project construction to facilitate completion of IML-focused surveys during the IML growing season. A qualified botanist shall complete multiple IML focused surveys throughout the blooming period, typically May through July, to properly document the number of vegetative and flowering plants.	Prior to issuance of grading permit and ground-	

Docusign Envelope ID: 823CA35F-A27F-4A45-BEB1-4AD07420F9CE

Mitigation Measure	**Timing**	**Responsible Party**
OCWR shall mitigate through the in-lieu fee system as agreed upon by the Wildlife Agencies.	disturbing activities	

Comment Letter 6 – AQMD

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL: November 15, 2024

ocwr-ceqareview@ocwr.ocgov.com
Francine Bangert, Public Information Officer
Orange County Waste & Recycling
601 N. Ross Street, 5th Floor
Santa Ana, California 92701

Draft Initial Study/Mitigated Negative Declaration (MND) for the Proposed Bowerman Power Renewable Natural Gas Plant Project (Proposed Project) (SCH No. 2024100760)

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The Orange County Waste and Recycling (OCWR) is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments.

Summary of Project Information in the MND

Based on information provided in the MND, the Proposed Project consists of construction and operation of: 1) a renewable natural gas (RNG) production plant on 4.24 acres of undeveloped land; and 2) approximately 2.4 miles of an underground pipeline installed by SoCalGas.[1,2,3,4]

- The RNG production plant for the Proposed Project will be located within the 725-acre Frank R. Bowerman (FRB) Landfill (South Coast AQMD Facility ID #69646).[5] It will be adjacent to both the Bowerman Power Plant, a 19.6-megawatt landfill gas-to-energy facility (South Coast AQMD Facility ID #157152), and the existing FRB landfill flare station (South Coast AQMD Facility ID #117922 under ECOGAS Pacific Rim Limited). Both the Bowerman Power Plant and the FRB Landfill flare station are also situated within the FRB Landfill boundaries. The FRB Landfill is located in unincorporated Orange County, California, 92602, southeast of the intersection of Bee Canyon Access Road and State Route 241.[6]

- SoCalGas will construct a new 12-inch-diameter underground pipeline to transport RNG from the Proposed Project's RNG production plant to the existing SoCalGas pipeline at the intersection of Portola Parkway and Jeffrey Road in the City of Irvine, Orange County, California.[7] Approximately 2.0 miles of this pipeline will be located along the Bee Canyon Access Road, including a segment within the FRB Landfill boundary.[8] The remaining 0.4

[1] Draft Mitigated Negative Declaration for the Bowerman Power Renewable Natural Gas Plant Project (MND). 2.0 Project Information. p. 2-2.
[2] MND. 2.0 Project Information. p. 2-3.
[3] MND. 3.0 Environmental Checklist. p. 3-54.
[4] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 41.
[5] MND. 2.0 Project Information. p. 2-3.
[6] MND. 2.0 Project Information. p. 2-1.
[7] MND. 2.0 Project Information. p. 2-4.
[8] MND. 2.0 Project Information. p. 2-3.

> miles will run along Portola Parkway.[9] Additionally, as stated in the MND, "SoCalGas will develop a POR [Point of Receipt] Facility which will receive RNG from the plant, odorize, compress, and insert the RNG into its pipeline."[10]

The Bowerman Power Plant processes raw landfill gas (LFG) generated by the FRB Landfill. Currently, any LFG not processed by the Bowerman Power Plant is incinerated at the FRB landfill flare station, which consists of six flares.[11] The Proposed Project aims to: 1) process the excess LFG that is currently incinerated at the FRB landfill flare station, converting it into RNG that meets SoCalGas's specifications; and 2) deliver the RNG to SoCalGas.[12,13] The MND also states that the RNG plant will be designed to process up to a maximum of 6,000 standard cubic feet per minute (scfm) of LFG at the inlet and will be automated to allow operations with minimal staffing.[14, 15] A review of aerial photographs by South Coast AQMD staff indicates that the nearest sensitive receptors, consisting of single-family homes, are located approximately 4,235 feet southwest of the Proposed Project site. Construction for the Proposed Project is anticipated to begin in the first quarter of 2025 and is expected to last approximately 18 months.[16]

South Coast AQMD Comments

Greenhouse Gas Emissions and CEQA Significance Evaluation

Based on Section 2.2, *Project Description* of the MND, the Lead Agency proposes to develop the RNG Plant to process a maximum of 6,000 scfm of raw LFG (46–53% methane (CH_4)). This RNG Plant is intended to process excess LFG from the Frank R. Bowerman Landfill Gas Collection and Control System, which would otherwise be incinerated at the adjacent flare station, and deliver the processed product gas, RNG to SoCalGas.

The Proposed Project's greenhouse gas (GHG) emission estimates are summarized in Table 3-8, *Greenhouse Gas Emissions Summary and Significance Evaluation* in Section 3.4.8. A portion of the GHG emission estimates in Table 3-8 appear to have been calculated using the California Emissions Estimator Model (CalEEMod) for direct on-site and off-site GHG emissions from construction and operation, as well as indirect off-site GHG emissions from electric power, water conveyance, and waste disposal. Meanwhile, the GHG emissions from stationary sources, including the RNG thermal oxidizer, RNG flare, and emergency generator, were calculated separately and added to Table 3-8. However, the GHG analysis in the MND neither appears to include the baseline GHG emissions from the LFG itself, nor the GHG emissions from the proposed flare and the product gas that will be sent to SoCalGas and other sources. The MND states that only anthropogenic GHGs (CH_4 and N_2O from the tail gas combustion), not biogenic GHGs from the LFG itself, were included in the analysis.

While this approach may be suitable for the purpose of complying with California's Greenhouse Gas Mandatory Reporting Rules, CEQA Guidelines Section 15064.4 requires a Lead Agency to make a

[9] MND. 2.0 Project Information. p. 2-3.
[10] MND. 2.0 Project Information. p. 2-4.
[11] MND. 2.0 Project Information. p. 2-3.
[12] MND. 2.0 Project Information. p. 2-4.
[13] MND. Figure 2-5 RNG Process Design Flow.
[14] MND. 2.0 Project Information. p. 2-4.
[15] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 2.
[16] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 8.

good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate, or estimate the *full scope* of all sources of GHG emissions.[17, 18] Therefore, as explained in further detail below, the MND should evaluate all GHG emissions, including CO_2 from the tail gas from the thermal oxidizer as well as carbon dioxide (CO_2), CH_4, and nitrous oxide (N_2O) from the proposed flare, and compare the total post-project GHG emissions in terms of carbon dioxide equivalents (CO_2eq) to the existing environmental setting/baseline conditions.

In addition, it is unclear in the MND how the CEQA baseline for the existing environmental setting and post-project GHG sources were defined for the Proposed Project. The GHG baseline should discuss existing conditions, including direct and indirect on-site and off-site sources such as the 6,000 scfm of raw LFG (46–53% methane) currently collected and sent to the existing flare. To calculate GHG emissions for both the baseline and the Proposed Project (e.g., post-project conditions), the Lead Agency is recommended to first convert the emissions of CO_2, CH_4, and N_2O into CO_2eq by applying the appropriate Global Warming Potentials (GWPs) and then subtract the baseline emissions from the post-project emissions to determine the incremental change.[19] The GHG analysis in the MND should also discuss post-project scenarios for GHG sources by addressing both construction and all operational GHG sources. GHGs from short-term construction activities are typically amortized over 30 years. To amortize GHGs from temporary construction activities over a 30-year period (estimated life of the project/equipment), the amount of CO_2eq emissions during construction are calculated and then divided by 30. Relative to operational activities, the GHG analysis should include all direct and indirect on-site and off-site sources, including but not limited to the RNG product gas sent to SoCalGas, RNG thermal oxidizer, RNG flare, and supplemental fuel (natural gas) for flare and thermal oxidizer, emergency generator, energy use, fugitive leak methane, and employee transportation. [20]

Once the baseline and post-project GHG sources are defined and their emissions are quantified, the net change of GHGs between the two should be compared to the South Coast AQMD's air quality significance threshold of 10,000 metric tons per year (MT/yr) of CO_2eq to determine the significance of the GHG impacts. As a result, the Lead Agency is recommended to revise the GHG analysis in the revised CEQA document or the Final MND.

Air Dispersion Modeling Parameters

Fenceline Boundary and Worker Receptor Locations in Health Risk Assessment (HRA): Upon reviewing the AERMOD modeling files for the operation phase, South Coast AQMD staff noted that discrete cartesian receptors were placed along the large fenceline boundary of the 725-acre FRB Landfill but not along the smaller fenceline boundary for the 4.24-acre portion of the RNG production plant, as defined in the Project Description in Section 2 of the MND.[21] This smaller

[17] 2018 Amendments to CARB Mandatory Reporting Regulation are available at https://ww2.arb.ca.gov/mrr-regulation.

[18] CEQA Guidelines Section 15064.4, available at https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-5-preliminary-review-of-projects-and-conduct-of-initial-study/section-150644-determining-the-significance-of-impacts-from-greenhouse-gas-emissions.

[19] The most recent Global Warming Potentials (GWPs) are available on U.S. EPA's website at: https://www.epa.gov/ghgemissions/understanding-global-warming-potentials

[20] Estimates of methane leakage from the RNG facility can be found in U.S. EPA's *Landfill Gas Energy Project Development Handbook*, available at: https://www.epa.gov/lmop/landfill-gas-energy-project-development-handbook

[21] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. Figure 4-1: Air Dispersion Modeling Receptor Setup. p. 19.

boundary for the RNG plant should have been used for the air quality analyses and HRA conducted in the MND.

Additionally, South Coast AQMD staff found that the AERMOD modeling files did not place any worker receptors within the FRB Landfill site.[22] This omission is concerning as the Proposed Project only occupies a 4.24-acre portion of the 725-acre FRB Landfill, which includes the operation of two other South Coast AQMD-permitted facilities, each with a distinct facility identification number as noted in the introductory summary of this letter. While workers at these other facilities are not considered on-site workers for the purpose of defining the Proposed Project, the HRA analysis should have evaluated these off-site workers as worker receptors.

Therefore, the Lead Agency is recommended to revise the air dispersion modeling to use the fenceline boundary specific to the RNG production plant portion of the Proposed Project. Considering its 4.24-acre area and in accordance with South Coast AQMD modeling guidance for AERMOD, South Coast AQMD staff also recommends placing discrete cartesian receptors no more than 30 meters apart along the fenceline boundary of the RNG plant.[23] The revised air dispersion modeling should also include worker receptors at the locations of other South Coast AQMD-permitted facilities within the FRB Landfill site, calculate the cancer risks for workers at these locations, and compare the maximum calculated cancer risks to South Coast AQMD's CEQA significance threshold of 10 in one million to determine the level of significance in a revised CEQA document or Final MND.

Sources Modeled in the HRA: During the operational phase, stationary sources of air emissions for the Proposed Project will include: 1) combustion of pilot fuel (natural gas) and landfill tail gas in one Thermal Oxidizer Unit (TOU); 2) combustion of pilot fuel (natural gas) and off-specification product and process gases in one flare; and 3) combustion of natural gas for an emergency generator powered by a 253-horsepower natural-gas fueled internal combustion engine (ICE).[24] The TOU and flare are assumed to operate continuously, while the ICE is expected to operate up to 4.2 hours per day or 50 hours per year for maintenance and testing.[25]

In modeling of toxic air emissions for the operational phase, the stationary sources of TOU, flare, and ICE were modeled as point sources in the HRA.[26] According to the MND, the ICE is anticipated to operate up to 4.2 hours per day or 50 hours per year for maintenance and testing. However, the potential to emit (PTE) for the ICE permit is expected to allow operation of up to 200 hours per year, which includes 50 hours per year for maintenance and testing. In the calculations of the annual toxic air emissions for the ICE, the HRA assumed 50 hours per year of operation.[27] However, since CEQA requires a conservative approach which is typically expressed through conducting calculations based on the maximum potential emissions occurring during one or more worst-case operational scenarios, the HRA should be revised to reflect 200 hours per year for the ICE operation to avoid underestimating emission impacts. Additionally, cancer risks associated with emissions from on-road diesel vehicles traveling to and from the site were not evaluated which may also lead to an

[22] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 3.
[23] South Coast AQMD Modeling Guidance for AERMOD, Receptor Grid. Accessed here: https://www.aqmd.gov/home/air-quality/meteorological-data/modeling-guidance
[24] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 3.
[25] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 35.
[26] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 21.
[27] MND. Appendix B: Air Quality, GHG, HRA, and LST Study. p. 35.

underestimation of the total impacts.[28] Therefore, South Coast AQMD staff recommends that the Lead Agency rerun the modeling analysis to account for these discrepancies and revise the HRA for inclusion in the revised CEQA document or Final MND.

Project Scope and Cumulative Impact

Section 2.2.1 *General Description* of the MND states, "SoCalGas will develop a POR facility which will receive RNG from the plant, odorize, compress, and insert the RNG into its pipeline. A 250-gallon odorant tank will be installed in the POR facility." Figure 2-5, *RNG Process Design Flow*, and Figure 2-6, *Project Site Plan*, both indicate that the SoCalGas POR facility is within the boundary of the Proposed Project but the SoCalGas POR facility and its associated equipment do not appear to be analyzed in the MND. To avoid concerns about piecemealing under CEQA, South Coast AQMD staff recommends that the MND be revised to also include an analysis of the impacts from the SoCalGas POR facility. If the Lead Agency determines that the SoCalGas POR facility is not part of the Proposed Project, its impacts should be evaluated and discussed as cumulative impacts under Section 3.4.21, *Mandatory Findings of Significance*, in accordance with CEQA Guidelines Appendix G – Environmental Checklist Form, Section XVIII - *Mandatory Findings of Significance (b).*

South Coast AQMD Air Permits and Role as a Responsible Agency

Since implementation of the Proposed Project would require South Coast AQMD air permits for new stationary and portable sources, including but not limited to the TOU, flare, and ICE previously mentioned in this letter, South Coast AQMD's role would change from a Commenting Agency to a Responsible Agency under CEQA.[29] In addition, when South Coast AQMD is identified as a Responsible Agency, the Lead Agency is required to consult with South Coast AQMD as set forth in CEQA Guidelines Sections15086. Furthermore, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final MND or other type of CEQA document should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final MND or other type of CEQA document should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: http://www.aqmd.gov/home/permits.

Conclusion

South Coast AQMD staff recommends the Lead Agency revise the CEQA analysis to address the aforementioned comments and provide the necessary evidence to sufficiently support the

[28] MND. Appendix B: Air Quality, GHG, HRA, and LST Study: Appendix A- CalEEMod Outputs. p. 86/98.
[29] MND. 2.0 Project Information. p. 2-14.

conclusions reached. If the requested information and analysis are not included in the Final MND or other type of CEQA document, the Lead Agency should provide the reasons for not doing so. Pursuant to Public Resources Code Section 21092.5(b) and CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process and notify each public agency when any public hearings are scheduled. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, please provide detailed reasons supported by substantial evidence in the record to explain why specific comments and suggestions are not accepted. In addition, if the Lead Agency proceeds with adopting the Final MND, please provide South Coast AQMD with a notice of any scheduled public hearing(s).

Thank you for the opportunity to review the MND and provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any questions that may arise from this comment letter. Please contact me at swang1@aqmd.gov or Evelyn Aguilar, Air Quality Specialist, at eaguilar@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

MK:ND:BR:SW:EA
ORC241016-15
Control Number

Comment Letter 7 – Irvine Ranch Water District

Irvine Ranch
WATER DISTRICT

November 15, 2024

Francine Bangert
Public Information Officer
OC Waste & Recycling
602 N/ Ross Street, 5th Floor
Santa Ana, CA 92701

Via email: ocwr-ceqareview@ocwr.ocgov.com

Re: Notice of Intent to Adopt a Mitigated Negative Declaration for the Bowerman Power Renewable Natural Gas Plant Project

Dear Ms. Bangert,

Irvine Ranch Water District (IRWD) has received OC Waste & Recycling's Notice of Intent to adopt an Initial Study / Mitigated Negative Declaration for a renewable natural gas (RNG) plant that will be designed to produce RNG from landfill gas that is produced by the FRB Landfill and deliver it to Southern California Gas Co. (SoCalGas). IRWD has reviewed the NOI/Draft MND and offers the following comments.

IRWD understands that currently, excess landfill gas (LFG) not processed at the existing Bowerman Power Plant requires incineration at the existing adjacent flare station. IRWD notes that the new RNG Plant will process this excess LFG and deliver the resulting RNG to SoCalGas. IRWD understands that this effort will promote the beneficial reuse of existing and future LFG collected by FRB Landfill, support long term sustainability goals in the region, and help reduce Orange County's reliance on fossil fuels. IRWD also acknowledges that the Project will contribute to California Public Utility Commission's Renewable Gas Program to procure RNG made by methane from organic waste from landfills and other sources, reduce the volume of LFG being flared, and help reduce greenhouse gas (GHG) emissions from the FRB Landfill. Lastly, IRWD notes that the RNG plant will have the capacity to process 6,000 standard cubic feet per minute of LFG which is equivalent to avoiding GHG emissions from 60,196 tons of landfilled waste each year.

- IRWD will require OC Waste & Recycling to complete studies analyzing the impact of the proposed project on IRWD-owned facilities (potable, recycled and sewer systems). These studies will verify if any additional off-site improvements to IRWD's existing systems are needed. For related questions and coordination, OC Waste & Recycling should contact Eric Akiyoshi, Engineering Manager - Planning at (949) 453-5552 or via email: akiyoshi@irwd.com.

IRWD appreciates the opportunity to review and comment on the Notice of Availability. If you have any questions or if you require additional information, please do not hesitate to contact me at (949) 453-5325 or Andy Uk, Environmental Compliance Analyst at (949) 453-5326.

Sincerely,

Fiona M. Sanchez
Director of Water Resources

cc: Eric Akiyoshi, IRWD
Belisario Rios, IRWD
Rich Mori, IRWD
Jacob Moeder, IRWD
Andy Uk, IRWD

Comment Letter 8 – A.A., Commenter

Sent: Monday, October 21, 2024 2:15 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Interview

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hi Francine,

I wanted to update you that we're in the thick of developing software to automate environmental impacts reporting.

For our ongoing research, I'd like to interview you about your insights involving CEQA and NEPA.

Comment Letter 9 – S.S., Resident

Sent: Wednesday, October 23, 2024 12:19 RM

To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>; sfrank@montaukrenewables.com <sfrank@montaukrenewables.com>

Subject: Portola Irvine Resident Request to not start the Natural Gas Plant Project

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Subject: Request to Halt Natural Gas Plant Project Due to Enviromnental and Safety Concerns.

I hope this message finds you well. I am wiiting as a concerned resident ofP01tola, hvine, regarding the proposed natural gas plant project in our area. While I understand the need for energy infrastmcmre, I believe this project poses significant 1isks to our community's health, safety, and enviromnent.

Recently, there have been incidents involving natural gas leaks, which highlight the potential dangers associated with gas infrastmcture. These leaks not only threaten public safety but also contribute to air pollution, which can exacerbate health conditions like asthma and other respirato1y illnesses. With the well-documented Iisks of methane emissions from natural gas, a known cont1ibutor to climate change, it is cmcial that we consider cleaner, more sustainable energy alternatives.

Our community has worked hard to create a clean, healthy living environment, and adding a natural gas plant contr·adicts these effo1ts. I urge the city to explore alternative renewable energy options and refrain from moving fo1ward with this project.

Thank you for your time and attention to this matter. I look forward to hearing from you and hope that our city can prioritize the well-being of its residents and the environment in this decision.

Thank you,

Comment Letter 10 -J.M., Resident

Sent: Wednesday, October 23, 2024 10:10 AM
To: Wagner, Donald <Donald.Wagner@ocgov.com>
Subject: Another Complaint About the Bowerman Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Supervisor Wagner,

I don't make it a habit of contacting my elected officials with complaints (I simply don't have the time in most cases), but this one is important.

I am a resident of Portola Springs with two high school aged students at Portola High School. My wife and I unfortunately use Sand Canyon from Portola Parkway to get to and from the 5 and 405 freeways for work. My two kids use Irvine Blvd to get to and from school.

With the expansion of Bowerman, the number and frequency of semi-trucks on both streets has become a tragedy waiting to happen. Sand Canyon is marred with back to back to back lines of semi-trucks making their way up to the dump and back to the freeways. Some are indeed sparing the rest of the city residents by turning onto Irvine Blvd to use the 133 toll road, but the intersection of Sand Canyon and Irvine Blvd is worse than areas in Commerce overrun by semi-trucks. I invite anyone on the board of directors to park themselves on Sand Canyon between Irvine Blvd and Portola Parkway anytime between 7:00am and 9:00am and see for themselves if that level of truck traffic is acceptable for homeowners whose properties now surround the landfill. Have them watch students walking from the parking lot to classes at Crean Lutheran High School that must play Frogger around these dump trucks. Have them watch the morning and evening commute traffic zig-zagging in and out of traffic that is supposed to flow at 50mph to avoid the laboring trucks heading up and down Sand Canyon. Have them watch the mess that is now the Woodbury shopping center as cars wait in endless lines to get into and out of the parking lots while trying to avoid pedestrians (mostly kids one-bikes), semi-trucks, and the rest of the incredibly skilled (??) Irvine drivers all on the same road at the same time. My work often takes me to the City of Commerce and on the 710 freeway, both areas absolutely destroyed by incessant semi-truck traffic and I can honestly say that this section of Irvine is quickly catching up. Unfortunately, while Commerce has almost no residential areas near truck routes, Portola Parkway and Sand Canyon are already surrounded by residential areas and development is on-going to build more homes just to make sure the problem can be exacerbated. In the seven years I've lived here, I've seen three semi-truck vs white Tesla or Lexus crashes on Sand Canyon, have had my windshield chipped three times due to debris flying off a dump truck, and have seen two near misses of semi-truck vs e-biker on Irvine Blvd. This is dangerous. This is an embarrassment for the many multi-million dollar home owners who call the area home. It needs to end.

Now, the Bowerman landfill is notifying (note requesting input, but simply notifying) residents that they will be expanding operations further and building a natural gas plat at the facility. As my representative on the board of supervisors, I urge you to please put a stop to this. Bowerman needs to be shut down, not expanded. It may have been the ideal place for the county dump when El Toro Marine base was the only thing in the area, but undeterred development has turned everything around Bowerman into high-cost residential communities that may an insane amount in annual property taxes to the county. Allowing Bowerman to continue operating as is and allowing it to expand are just plain stupid - economically for the county (this will have a negative impact on property values), environmentally for the thousands that call the area home, and force these residents to risk their lives and their children's lives each and every day as they go about their normal lives.

My suggestions:

1. Near-term: Build an onramp/offramp from the 241 toll road into Bowerman and force all trucks to use that to get rid of any semi-truck traffic on city streets.
2. Mid-term: Cap any and all expansion of Bowerman. No expanded recylcling, no natural gas harvesting, etc.
3. Long-term: Prepare plans to shut down Bowerman longer term and find a more remote location for a new county dump. Figure out who and how the toxic environment around

Bowerman will be managed and exposure for Irvine residents mitigated.

Comment Letter 11 – C.L., Resident

Sent: Wednesday, October 23, 2024 8:32 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Cc: C Le <cc03gravity@yahoo.com>
Subject: Please don't consider building the renewable gas plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,

This letter is in regards to a proposal of building a renewable gas plant on Jeffrey road and portola.

I asked that you please deny and not consider this proposal. Our community/neighborhood in this part of town had just battled the city over the asphalt plant that was also close to this proposed area.

Irvine company also had decided to build more
Homes along portola parkway. This is and will
Not be good for our neighborhood/community health and again ask that you deny this proposal for the health of our families.

Thank you,

Comment Letter 12 – D.A., Resident

Sent: Wednesday, October 23, 2024 6:58 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: No gas plants near my home

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Good morning Francine,

I'm writing to express my concern regarding a renewable gas plant near my home in Portola Springs.

This will have numerous negative impacts include increased health risks, air quality degradation, odor nuisance, noise pollutions and potential accidents and gas leaks. My property values will go down because of it.

Please take this into consideration.

Comment Letter 13 – R.A., Resident

Sent: Tuesday, October 22, 2024 6:38 PM
To: OCWR-CEQA Review OCWR-CEQAReview@ocwr.ocgov.com
Subject: Landfill/gas plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,
We were sent a notice about a virtual public meeting regarding a gas plant at the landfill. This meeting was to begin at 6 pm. It is currently 6:35 and no meeting started. I call the zoom number to confirm it has not started.

You can't claim to have a public meeting so residents can have input and then not have a public meeting.

Can you please send more information and an actual meeting time for me to disseminate?

Thank you very much. This seems like important information.

Comment Letter 14 – C.S., Resident

Sent: Thursday, October 24, 2024 8:46 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject:

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello Francine, I don't want the gas plant near my home.

Comment Letter 15 – J.S., Resident

Sent: Thursday, October 24, 2024 10:25 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>; farrahkhan@cityofirvine.com <farrahkhan@cityofirvine.com>; tammykim@cityofirvine.com <tammykim@cityofirvine.com>
Subject: No to the Proposed Renewable Gas Plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,

I am an Irvine resident, mother of two young children. I am extremely concerned about the proposal to bring the renewable gas plant to Irvine. I understand the need for renewable plants however, our Irvine community should not suffer the health consequences of this plant. Please consider another location for this plant. Our children deserve clean air.

Please share your plan to address these concerns and your plan for action in this matter.

Thank you,

Comment Letter 16 – R.A., Resident

Sent: Thursday, October 24, 2024 11:33 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Landfill/gas in Irvine

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,

I listened to the recorded OCWR meeting and looked at some of the documents. The maps are of particular public interest.

Here are my questions/concerns:

- It was mentioned that there will be byproducts that would be incinerated. How do those byproducts differ from what is being burned now?

- Will all of the gas be delivered via a pipeline? Will an increase in trucks involved?

- Will there need to be more pipelines dug?
    - If it is going use current pipelines, were those pipelines built to handle additional capacity?

- The gas that is sold goes to whom? It seems that this is a government funded project and any profit should go to the government for differed maintenance for the landfill/renewable gas.

- Won't this type of project create increased risks for the residents when (not if) there is a wildfire at the landfill or areas around it?

- What are the increased risks during a major earthquake both at the facility and for pipeline ruptures compared to current operations?

- How often are there a gas leaks from facilities or pipelines?

Thank you very much for your answers.

Comment Letter 17 – E.S., Resident

Sent: Thursday, October 24, 2024 11:43 AM
To: Bangert, Francine [OCWR] <francine.bangert@ocwr.ocgov.com>
Cc: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Gas plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

I am a homeowner in Portola Springs, and my family does not want renewable gas plant built near our residence. We strongly oppose this proposed idea and will spread the message to our neighbors.

Comment Letter 18 – C.M., Resident

Sent: Thursday, October 24, 2024 12:06 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Opposing renewable gas plant in Frank E bowerman landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,

I am writing to strongly oppose the new renewable gas plant proposal for the Frank E bowerman landfill near our house. I have kids and have been a resident of Portolasprings Irvine for over ten years and Portola springs and the rest of Irvine is heaviy populated with families with kids it is very harmful for our health and has many negative impact as it's in the close proximity if this gets approved.

Irvine is known for safety and natural inhabitants and it would greatly risk all the living lives in this region so please STOP this proposal for the future of Irvine residents and move the plant to somewhere remote where it's not so close to a residential properties and schools.

Sincerely,

Comment Letter 19 – K.M, Resident

Sent: Tuesday, October 29, 2024 8:31 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Concern for renewable natural gas site

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Despite the fossil fuel industry's greenwashing, this fuel still pollutes the climate and hurts our health.

We live in Eastwood Village and with the vicinity of homes, school and fire municipalities nearby we ask that you do not build the renewable natural gas site near this community.

We already have health issue the asphalt company and we do not want a greenwashed natural gas site near places where leaks in the environment is possible

Thank you

Comment Letter 20 – L.F., Resident

Sent: Tuesday, October 29, 2024 2:59 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Bowerman landfill site

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Good afternoon,

I am a resident in the Stonegate community of Irvine.

I received notice in the mail regarding the proposed gas plant at the Bowerman landfill site.

I strongly oppose this proposal- I do not condone any plans that endanger our neighborhood and specifically kids and this plan clearly poses hazard to anyone living within certain radius.

Thank you in advance for your immediate attention in stopping this project.

Respectfully,

Comment Letter 21 – S.H., Resident

Sent: Tuesday, October 29, 2024 1:51 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Bowerman Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Good afternoon,

I am a resident in the Portola Springs community of Irvine. I received notice from a neighbor regarding the proposed gas plant at the Bowerman landfill site.

I strongly oppose this proposal- I do not accept endangering our neighborhood and kids to the health hazards this would pose.

Thank you for your consideration in stopping this project.

Comment Letter 22 – J.H., Resident

Sent: Tuesday, October 29, 2024 1:43 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Bowerman Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Good afternoon,

I am a resident in the Portola Springs community of Irvine. I received notice from a neighbor regarding the proposed gas plant at the Bowerman landfill site.

I strongly oppose this proposal- I do not accept endangering our neighborhood and kids to the health hazards this would pose.

Thank you for your consideration in stopping this project.

Regards,

Comment Letter 23 – B.R., Resident

Sent: Sunday, October 27, 2024 5:24 PM
To: Bangert, Francine [OCWR] <francine.bangert@ocwr.ocgov.com>
Subject: Question on FRB Landfill to RNG plant plan

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Ms. Francine Bangert,

I am a resident of Irvine, residing at less than 2 miles from Frank R Bowerman landfill.

I knew the plan of building Renewal Natural Gas plant at Frank R Bowerman landfill from social media recently as I did not get any notice from OC Waste & Recycling about this plan. I was informed that the virtual public meeting on October 22, 2024 was attended only by 32 residents.

I foresee the impact on traffic and air pollution to nearby homes and schools during the construction of this RNG plant.

I am for converting landfill gas to energy. However, I question the decision to build a new gas infrastructure in 2025 knowing that the State is moving away from natural gas. New homes in Orange County are required to be all-electric, including no gas stoves.

The California Air Resources Board (CARB) has banned the sale of new gas furnaces and water heaters by 2030. On the other hand, all new cars and passenger trucks sold in California are required to be zero-emission by 2035 requiring increased demand for electricity. Though many existing homes still need natural gas service for many years to come, why not investing in the infrastructure that certainly will have more demand?

Thank you.

Comment Letter 24 – A. and R. P., Resident

Sent: Thursday, November 7, 2024 6:32 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Irvine gas plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Hello,

As a family residing in Irvine, we are strongly opposed to having this near our homes due to concerns for the health and safety of our community. Families choose to live in Irvine because of the strong community, excellent school districts, and safe surroundings. Many of us work hard and make sacrifices to provide a good life for our families here. We don't need something like this disrupting our neighborhood.

Sincerely,

Comment Letter 25 – S.F., Resident

Sent: Friday, November 8, 2024 1:49 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Renewable Gas Plant at Frank Bowerman Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Ms. Francine,

My family and I lived in Irvine for more than 17 years, But I did not receive any notice about OCWR's plan to build a RNG plant until a friend notified me a few days ago. This is a major project that should be informed to the residents beforehand and take our input in as well because it will have a significant impact on our quality of life.

I came across an on line article that highlighted several reasons why renewable gas may not be a viable solution for a better environment. Here are parts of the article to back up my argument:

"Fossil fuel companies want to sell us so-called "renewable" natural gas for the same things we use natural gas for now, like heating and cooking. Also known as "biomethane," this fuel is made from manure, industrial food waste, landfill gas, wood, and more. It's a highly processed gas that still contains at least 90% methane - a greenhouse gas that significantly damages the climate more than carbon dioxide.

So, the term "renewable" natural gas is just a cover for what this fuel really is: methane, just like regular natural gas. Which makes the industry's claims that it will solve our climate crisis both wrong and misleading.

Buying into the gas industry's greenwashing by boosting the production of "renewable" natural gas would hurt our climate *and* our health. When burned, "renewable" natural gas releases nitrous oxide, a pollutant that creates smog and lowers air quality. These toxins can cause respiratory illnesses, like asthma. And for those already living with respiratory issues, such pollution worsens those conditions."

Therefore, as a resident of Irvine who cares for the health of my family, I do not agree to have a RNG Plant in this city.

Thank you.

Concerned Irvine Residence,

Comment Letter 26 – K.L., Resident

Sent: Monday, November 11, 2024 10:52 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Objection to the proposed Bowerman Natural Gas Plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Sir/Madam:

We strongly oppose the proposed Bowerman Natural Gas Plant. Major risks of a nearby gas plant include: 1) air pollution, including nitrogen oxides, sulfur dioxide, particulate matter and volatile organic compounds; 2) negative health effects on the local population, including respiratory issues, cardiovascular disease and cancer; 3) potential leaks, explosions and fires from malfunctioning equipment or pipelines; and 4) negative environmental impacts from greenhouse gas emissions (methane leaks), imprudent land use (land disturbance related to the construction and use of a natural gas plant and its associated infrastructure), and water contamination.

Natural gas contributes greatly to the greenhouse effect, mainly through methane. Center for Climate and Energy Solutions states that methane's global warming potential is 21 times higher than carbon dioxide over a 100-year period. The California Air Resources Board voted to ban new gas furnaces and water heaters beginning in 2030. They are also considering the prohibition of gas stoves since natural

gas is a significant source of indoor pollution, including toxins and carcinogens. In fact, California and its cities are moving toward an all-electric appliance future.

The proximity of the proposed natural gas plant to thousands of homes, numerous parks and several schools puts thousands of Irvine families at risk from: 1) air pollution, including the release of toxins and carcinogens, and its resultant negative health effects, 2) potential catastrophic leaks and fires within Very High Fire Hazard Severity Zones caused by equipment and pipeline malfunctions, and 3) negative environmental impacts from ill-advised land use, water contamination, and greenhouse gas emissions, among other air pollutants.

Sincerely,

Comment Letter 27 – R.J., Resident

Sent: Tuesday, November 12, 2024 7:12 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: FRB Landfill - Comments for Proposed RNG Plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Ms. Francine Bangert,

I live in Portola Springs. It's concerning that my family did not receive any notice about the RNG public meeting and most of my neighbors were unaware about it either.

I live less than 2 miles from the proposed RNG Plant. According to First Street report that is commonly used by realtors, our home has a 4% chance of being in a wildfire in the next 30 years. My homeowner insurance premium has doubled compared to what I paid 2 years ago. After contacting several insurance agents, I discovered that many insurers are already pulling out of California, making it difficult to find alternative coverage. Now, insurance companies may view my home as high risk due to its proximity to the RNG plant, which raises genuine concerns about the availability of coverage. Additionally, we worry that the presence of the plant could negatively impact our property values.

The draft mitigation report mentioned that the plant is built in an SRA Very High Fire Hazard Severity Zone. While it has mitigation plans in place, the 2020 Silverado Fire, which led to the evacuation of 90,000 residents under mandatory orders by OCFA, raises concerns about the effectiveness of these measures. The Airport Fire, caused by human error, burned around 23,000 acres, highlighting the potential risks of human error as well.

SoCalGas was involved in a significant gas leak at its Aliso Canyon facility in 2015. The leak was discovered on October 23, 2015, but it wasn't sealed until February 12, 2016. Additionally, SoCalGas failed to detect 60 casing leaks before the SS-25 incident. Reports indicate that residents' health was impacted as well. Given this history, I am deeply concerned about the risks faced by the residents.

It's time for the government to prioritize the people. Residents of Portola Springs contribute through income tax, property tax, and Mello Roos tax. Given that Orange County has fully paid off its bankruptcy bonds since 2017, why are we still importing trash?

Given the history of incidents and the potential risks to residents, I do not support this project. The safety and well-being of the community should be the top priority, and the concerns raised about the proximity to the RNG plant, fire hazards, and past gas leaks are significant. It's crucial to consider the impact on residents' health, property values, and overall quality of life.

Thank you.

Comment Letter 28 – L.T., Resident

Sent: Tuesday, November 12, 2024 11:29 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Opposing Bowerman Power RNG - CEQA Review

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear Review Authorities,

I am writing to strongly oppose the construction of the projected Bowerman Renewable Natural Gas (RNG) plant in Irvine with the following reasons:

1. As noted in the Initial Study/ Mitigated Negative Declaration (IS/MND), "the Project site is located in a State Responsibility Area (SRA) Very High Fire Hazard Severity Zone (OSFM 2023)." Regardless of the number of precautionary or mitigation methods that are planned to be put in place, "the potential impacts of the Project due to accidental release of hazardous materials, explosion, or wildfire from foreseeable upset and/or accident conditions (such as pipeline rupture)" would only be reduced as stated in the IS/MND. In other words, the risk of loss, injury or death to the residents would actually be higher with a highly inflammable source.

2. With the proposed plant just approximately 4,200 feet (0.8 mile) from the nearest residences, plus a portion of the new SoCalGas pipeline only approximately 200 feet (0.04 miles) and 0.27 miles from the nearest residences adjacent to Portola Parkway and Stonegate Elementary School, it definitely raises concerns about the impact on local residents' quality of life and safety.

3. The air quality assessment provided by the South Coast Air Quality Management District (SCAQMD) in the IS/MND are solely based on modeling, with data obtained from two monitoring sites that are many miles away. In addition, there are pieces of land near the project site that have not been built out, and therefore, the data wouldn't be accurate enough to represent the actual scenario when all receptors are completed with a huge increase in the population density.

Thank you for your time and consideration.

Sincerely,

Comment Letter 29 – R.A., Resident

I write this with both urgency and profound concern for not only myself, you, our local schools, our kids and significant others, but for our entire community and environment.

When I was informed about the proposed natural gas plant and expansion at Bowerman Landfill , I felt compelled to fulfill my civic duty by speaking out, yet again. Given my unfortunate, yet unique life circumstances and area of expertise, I hope to present you with a new perspective. Each one of you fulfills a vital role in our community, the community I like to call "Humanity". I am a physician, a cancer survivor, and a mother who is trying to protect not only my kids, but also all of our kids, grandchildren, and the parents that they still need.

I am not naive to the role politics and money plays in situations such as these. But let me be clear, I have no concern with any of those factors. I reach out to you as a fellow human in hope of reminding you not only of the legacy you can still leave behind, but also of your conscience, responsibility to those you serve, to your family, to your spiritual guide/religion, but most importantly to your community of fellow humans.

My family and I moved to Irvine recently after being victims of the Socal Gas Blowout in Porter Ranch. We moved to Irvine because it was supposedly the "safest city". Then we came to find out about All American Asphalt when we almost purchased a home in North Park. We immediately halted considering anything within miles of the facility. Luckily, the residents were heard and the Asphalt company was shut down. Shortly after, come to find out about the Landfill and the expansion to include none other than Socal Gas. In Porter Ranch, reports of odors were prominent, yet we were told there was no gas leak. Only to find out (and only after infrared video created evidence that no longer could be denied) that there was massive blowout. There were reports of known faulty valve that went unaddressed and it took months for the blowout to be contained. Massive relocation occurred, and there were detrimental health, financial and environmental impacts.

I no longer practice medicine because my life and health has been turned upside down by the gas blowout. My husband got cancer, and shortly after, I did too. The teachers, first responders, and neighbors were all impacted, many with similar symptoms, cancers, and even more rare cancers. Hearing about the potential gas plant and Socal Gas involvement is like reliving the gas leak. Similar symptoms, similar odors and soon, similar cancer stories.

As a physician, I unequivocally feel that it is unsafe to send my kids on play dates to homes, parks, and schools even remotely close to Bowerman, let alone once a gas plant is put on premises. I would not put ANYTHING over my children's health and frankly, nobody should! In Porter Ranch, many of the teachers close

to the facility got cancer. For those reading this who value finances, this will eventually lead to financial loss. In fact, a major housing developer in Porter Ranch litigated with the gas company because the carcinogens affected their business and property value. As more and more victims develop cancer, the lawsuits will follow.

Shutting down the landfill is the way to go. It emits carcinogens. They are trying to mitigate it with these conversion plants. But a fire that shuts the plant down (even out of caution) then causes tons of uncaptured emissions. Irvine should not renew permit. County should shut it down and divert out of area.

And what about the effect on home insurance coverage on nearby residential homes? The landfill was damaged in 2020 Silverado Fire, people evacuated. Having a gas plant at the landfill will amplify the fire risk, and reason for insurance deniability. This does not even take into account that we live in earthquake prone Southern California. An earthquake could be disastrous when it involves natural gas.

When you put your head down at night, please ask yourself: How many kids have died and families destroyed from my inaction? What side of history will I be remembered for being on once litigation ensues? IF you attend church, synagogue, mosque, temple or just connect with spirituality, can you ultimately answer for your lack of action and poor decisions that essentially lead to loss of life BECAUSE it WAS ALL PREVENTABLE? Can you look into the eyes of the very people you took an oath to protect and know that you did your BEST? Will you feel guilt and wish you did more when you look into the eyes of your child, sibling, parent, spouse or grandchild who has recently been diagnosed with cancer?

As a physician, I cannot stay silent when there is an apparent and undeniable modifiable risk factor to preventing so many cancers. I ask you, would you or your family be willing to live, play and breathe in the neighborhoods surrounding this Landfill and facility? Let me assure you this, the carcinogens of Porter Ranch blowout reached the LA Basin and most of the valley. So none of us in Irvine, surrounding OC cities or county are safe from a Gas Plant. As a doctor, I never thought it would be me that would get cancer. We often focus on finding the cure for cancer when all we have to do is stop the obvious preventable causes for those very cancers! Yes, it really can be that simple in some cases. Lastly, Irvine residents don’t matter less than Brea residents. They closed down their landfill, only to expand ours. Lets join LA county and send our trash to less populated areas..ie desert etc. The cost affects will be well worth the health benefits. What good is money when you’re too sick to enjoy it?

The red tape must be cut, and we should all work together as humans to LIVE and BREATHE clean air. The city, higher government, and environmental oversight agencies have the power to not only NOT build a gas

plant or expand Bowerman, but also to shut the landfill down and mitigate….that is, if the financial gain is put aside. They failed in Porter Ranch, please do not let there be failure in Irvine/OC too. You may think that you are immune to what is being emitted. You may or may not live in Irvine, but your kid can be the next one with cancer. The lawsuits are inevitable. Once the cancer clusters become undeniable, the tainted reputation will stick, profits will be gone. Trust me, from personal experience; If cancer hits your household, you won't care about anything but health and wishing you could undo what WAS preventable. PLEASE join your fellow humans and do the humane thing NOW, not making it something you wished you had done when it is too late. Use emergency powers, halt activity at Bowerman yesterday, and then focus on redirecting trash/waste. You cannot buy your way back into health so plan for your future today.

Sincerely,

(please watch infared video and read articles below)

https://youtu.be/exfJ8VPQDTY?si=pgBPXyDqwzQdPw1t

https://www.npr.org/2021/09/27/1041037624/gas-leak-los-angeles-aliso-canyon-settlement

https://www.northbaybusinessjournal.com/article/industrynews/california-insurance-impact-real-estate/

Comment Letter 30 – D.L., Resident

Sent: Friday, November 15, 2024 4:55 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: comments - FRB RNG

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Please address the following:

1) The benefit of RNG mentioned in your presentation is to reduce greenhouse emission.

The presentation says this RNG plant will be "avoiding the greenhouse gas emissions from 60,196 tons of landfilled waste each year'.

Given FRB's permitted 11,500 tons per day capacity, the benefit is merely of 60196/11500*365 = 1.43%. We also understand the current agreement between city and county is to cap the daily deposit at 8000 tons. If we use that number instead, we are looking at 2.06% improvement in your best case scenario. News published by Montauk Renewables in 2023, the company estimated 85-95 Millions to build this out. It's very clear that benefit is not to the public or the earth, Montauk and OCWR stand to benefit from this. We request OCWR to accurately reflect the reasoning behind this RNG and show how OCWR is going to benefit from collecting royalty.

2) Considering the proposed landfill expansion which will bring additional 400 trucks, from approximately 600 trucks currently, 6 days a week, the RNG greenhouse reduction argument does not stand. Please show us how this expansion will impact our local communities where OCWR might be able to make it up with RNG. Give us clear and scientific comparison.

3) We understand the power plant was damaged by the last fire and certain equipment is not fully functioning after several years. Since the power plant is consuming most of the LFG, a logical approach is to somehow upgrade the power plant to process all LFG. This way OCWR can still make money if that's the main goal.

4) To build a RNG plant inside a wildfire zone is unthinkable. There are thousands of homes in the immediate neighborhood and OCWR RNG plant might be a bomb waiting to explode. Did RNG think about its future liability if unfortunate fire event reoccur again? Is OCWR ready to face litigation in the future? Have you completed the risk analysis from this angle?

Thanks and I look forward to your detailed response to my concerns.

Comment Letter 31 – C.P., Resident

Sent: Friday, November 15, 2024 2:53 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Do Not Build the RNG Plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Dear OC Board of Supervisors, OC Waste and Recycling Board and CEQA Review Members,

This email is to express my strong disagreement to build a renewable natural gas plant at Franklin Bowerman Landfill near to my community. I am a resident or Irvine.I am strongly against this proposal for the following reasons:

1. All types of the gasses this plant will be processing are highly flammable material and the facility itself is prone to fires due to its nature. The potential for fire or explosions is high, our communities are exposed to this great risk.
2. Insurance companies are pulling out of insuring homes in California due to the perceived risk of fires. This is another example of careless planning, putting homes near a highly flammable material. The current venting is not storing any or creating more pipelines in the highly flammable zones.

3. In the event a fire starts in the plant, it would expose the surrounding community with toxic carcinogenic gasses that escape into the air for miles, that we may not even be alerted to , nor can escape from, even within our homes.
4. There have been multiple wildfires in this location. In the high likelihood that this plant is in the path of a wildfire, it can become a highly toxic fire to the surrounding community as well as leak toxic carcinogen gasses into our air for miles.
5. This will likely cause insurance companies refusing to insure our homes against fires, due to a natural gas processing plant proximity.
6. OCWR will be making a revenue from this annually and has no loss at stake once they make a profit past their investment to build it. The community will always have their lives, and homes at stake, every day if its built.
7. This country has entire states working to ban the expansion of natural gas as a fuel. We need to switch to more environmentally friendly renewable fuels. Investing more in natural gas infrastructure is a step in the opposite direction of progress for California.
8. There is no long term research provided to the community that demonstrates what types of piping materials are safest for this new type of fusion of biogas and existing natural gas lines.
9. It has been proven that natural gas can be a cause of illnesses when within homes. The City of Irvine is banning natural gas in all new construction. Where are third party, long term, non-biased datasets, to show that acute long-term exposure of this fusion of gasses is not going to increase risks of diseases in our homes?
10. If there is a leak in any holding or processing tanks, or pipes, its can leak for months until inspections come around. The entire community can be exposed to toxic carcinogens for months, like the residents of Porter Ranch's 2015 blowout. Many Porter Ranch residents and first responders now have cancer from being exposed to gases leaking from tanks that were to be monitored by the same agencies that would monitor this plant.
11. Parts for such a specialized project to build are hard to come by, so it may take weeks to replace broken sensors, monitors and such, which some have only a 3 year warranty for. With the quality of construction and parts plaguing the world, I think the chances for malfunctions and equipment failures is higher now more than ever. That increases chances to be exposed to toxic gasses that can cause cancer in our families.

Irvine residents cannot withstand any of these risks to live near this type of facility. This is a city where people invest the lives of their most precious family. It is supposed to be the safest city. This plant robs residents of their safety for their lives and homes. Please consider building a facility that produces your methane gas, very far from communities ofresidents. For all these reasons, I will continue to fight against the approval to build a renewable natural gas plant.

Comment Letter 32 – M.O., Resident

Sent: Friday, November 15, 2024 2:42 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Opposition to Renewable Natural Gas Plant Propose at Bowerman Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

To the OC Board of Supervisors, OC Waste and Recycling Board and CEQA Review Members:

We strongly oppose any expansion of the Bowerman Landfill to include the addition of a natural gas production plant. This expansion would create an enormous hazard to the surrounding homes, schools and community that can not be managed by any "safety" precautions. To be candid, the projections of harm in the CEQA review materials are nai"ve and vastly understate the likely risks and future damage.

One need only remember the Aliso Canyon/Porter Ranch gas storage leak in 2015, arising from "normal" degradation in the gas line system which disrupted 8000 Qlus residents for 4 months, caused irreversible health issues,.

released 109,000 metric tons of methane and resulted in $1.8 billion in damages.

Is the Bowerman Power LFG, LLC equipped to provide any thing near this level of damages to residents for negligence on Bowerman's part (even by: insurance or indemnification)? HardlY-.

Is Orange County prepared to cover billions of dollars of damage? Hardly.

Is there insurance for Orange County: for this risk or level of damages - hardlY-!

Since the proposed is not a SoCal Gas facility, do not expect SoCal Gas to accept responsibility.

The potential, highly overstated benefits of this expansion are greatlx outweighed bx the certain harm that will result.

The Bowerman Landfill area, with its hills, brush and Santa Ana winds, has been directly involved in or closely adjacent to wildfires virtuallx everr. other xear. One recent was the Silverado fire of 2020, which burned acres in this very area and nearly consumed the All American Asphalt plant. And in 2024, there were other major adjacent wildfires - for example, the Airport Fire in Orange County, where 5000 acres were on fire within just hours of discove!'Y. and could not be nrevented bx fire officials.

The location of the present Bowerman landfill is smack in the middle of these annual Santa Ana winds -- !!! Wildfires will happen.

Nothing in the CEQA initial study/review document reasonably or realistically addresses the true risks guaranteed by the proposed expansion. The posted CEQA supporting consultants' report and the report's dismissal of realistic risks are even more disap nointing in their bland treatment of these highly likely hazards. How many of the writers of this report live nearby?

It is undeniable that the existing vegetation around Bowerman landfill is nothing more than acres of fuel for fast-moving wildfires or plant generated fires. Reporting of fires by the proposed plant's part-time staff would likely be

late in detection or significantly delayed. Nothing can change this vegetation landscape or its risk for fuel in any fire.

As importantly, the sole and narrow two-lane road- Bee Canyon Access Road - that might permit access to a few firefighters would likely be immediately imnassable in the event of any fire, whether from wildfire or plant generated. THERE IS NO OTHER ACCESS but this two lane road, hence any assertion that risk from fire damage is low or manageable is patently false.

The issue is not one of financial damage. The issue is one of serious harm to community health, loss of homes and potential deaths. Thousands of homes surround the Bowerman landfill. Families with young children live in these homes. The most recent beautiful development, Orchard Hills, is directly adjacent to this risk area. Several schools are likewise in the path of destruction. A few fire trucks at a distance or even helicopters WILL NOT contain the very likely and fast-arising damage to these homes.

Any revenue to be made from this ill-conceived proposal will be wholly outweighed by the highly likely (and repeated) damage that will result from nature's constant wildfires or from ordinary aging of the plant and pipelines. No precautions by Bowerman or Orange County can prevent these wildfires.

The following cautions should also be reviewed and considered in support of resident rejection of this expansion of the Bowerman landfill, which I also submit for your consideration:

www.edf.org/media/new-man-helns-show-significant-methane-nollution-municinal-landfills

Please take these concerns seriously. This is not about revenue, this is about our lives, our families, our children.

Regards

Comment Letter 33 – P.S., Resident

Sent: Friday, November 15, 2024 1:37 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Do Not Approve of RNG Plant

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Preya Shrivastava

7 Photinia, Irvine
Nov 15, 2024

Dear OC Board of Supervisors, OC Waste and Recycling Board and CEQA Review Members,

This email is to express my strong disagreement to build a renewable natural gas plant at Franklin Bowerman Landfill near to my community. I am a resident or Irvine.I am strongly against this proposal for the following reasons:

1. All types of the gasses this plant will be processing are highly flammable material and the facility itself is prone to fires due to its nature. The potential for fire or explosions is high, our communities are exposed to this great risk.
2. Insurance companies are pulling out of insuring homes in California due to the perceived risk of fires. This is another example of careless planning, putting homes

near a highly flammable material. The current venting is not storing any or creating more pipelines in the highly flammable zones.

3. In the event a fire starts in the plant, it would expose the surrounding community with toxic carcinogenic gasses that escape into the air for miles, that we may not even be alerted to , nor can escape from, even within our homes.
4. There have been multiple wildfires in this location. In the high likelihood that this plant is in the path of a wildfire, it can become a highly toxic fire to the surrounding community as well as leak toxic carcinogen gasses into our air for miles.
5. This will likely cause insurance companies refusing to insure our homes against fires, due to a natural gas processing plant proximity.
6. OCWR will be making a revenue from this annually and has no loss at stake once they make a profit past their investment to build it. The community will always have their lives, and homes at stake, every day if its built.
7. This country has entire states working to ban the expansion of natural gas as a fuel. We need to switch to more environmentally friendly renewable fuels. Investing more in natural gas infrastructure is a step in the opposite direction of progress for California.
8. There is no long term research provided to the community that demonstrates what types of piping materials are safest for this new type of fusion of biogas and existing natural gas lines.
9. It has been proven that natural gas can be a cause of illnesses when within homes. The City of Irvine is banning natural gas in all new construction. Where are third party, long term, non-biased datasets, to show that acute long-term exposure of this fusion of gasses is not going to increase risks of diseases in our homes?
10. If there is a leak in any holding or processing tanks, or pipes, its can leak for months until inspections come around. The entire community can be exposed to toxic carcinogens for months, like the residents of Porter Ranch's 2015 blowout. Many Porter Ranch residents and first responders now have cancer from being exposed to gases leaking from tanks that were to be monitored by the same agencies that would monitor this plant.
11. Parts for such a specialized project to build are hard to come by, so it may take weeks to replace broken sensors, monitors and such, which some have only a 3 year warranty for. With the quality of construction and parts plaguing the world, I think the chances for malfunctions and equipment failures is higher now more than ever. That increases chances to be exposed to toxic gasses that can cause cancer in our families.

Irvine residents cannot withstand any of these risks to live near this type of facility. This is a city where people invest the lives of their most precious family. It is supposed to be the safest city. This plant robs residents of their safety for their lives and homes. Please consider building a facility that produces your methane gas, very far from communities of residents. For all these reasons, I will continue to fight against the approval to build a renewable natural gas plant.

From,

Comment Letter 34 – M.J., Resident

Sent: Friday, November 15, 2024 1:24 PM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: Comments on proposed Renewable Natural Gas Plant at Bowerman Landfill

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

I wanted to express my concerns regarding the proposed construction of a new Renewable Natural Gas Plant at Bowerman Landfill. My concerns are as follows:

1. There should be a full EIR to assess the impact on this major construction. A new RNG Plant will have significant impact on the surrounding communities, including an approved to be built area called Gateway Village which will have approximately 900 new homes adjacent to the landfill. This plant will have a significant impact on the sales of these homes which are needed to repay the City of Irvine for their purchase of the All American Asphalt Plant.
2. The proposed plant will only process approximately 7 days of solid waste per year according the details provided by the CEQA call. The overwhelming majority of the methane gas which can be captured is utilitized by the existing power plant. What is the benefit of building a RNG Plant in such close proximity to new homes that can process only a small portion of the methane at Bowerman? It was not made clear who profits from the construction and usage of the new RNG plant? Does the city of Irvine or the County receive any revenues from this facility?
3. There is no apparent mitigation from Wildfires which impacted the area twice and most recently in 2020 when the electricity plant had to be shut down, Bowerman sustained significant damage from the fires which remain unaddressed. What is the plan in the event of another wildfire that reaches the plant

which is close to many residential homes?

4. What is the plan due to landslides that occur in the area and remain unremediated? What insulates this new RNG plant from earthquakes and the hazards that could inflict on the local community?

5. The closure of the Brea landfill in 2026 will bring about a significant increase in truck traffic to the Bowerman landfill. This plant will take 2 years to construct the pipeline and plant, cause significant disruption along Jeffrey to Portola along with construction traffic. What mitigation measures are being taken for this?

6. What are the actual benefits from utilitizing a RNG vs the current flare system? It does not appear based on the small amount of methane that will be processed at the RNG that this will provide any significant benefit to the community. There will still be methane pollution that affects local residents. If the plant is built, will the 6 flares operating on site be fully shut down and disassembled?

In summary, proceeding with a new RNG plant at the Bowerman site is not prudent given the lack of public benefit and the risk to the nearby communities. The project should be denied.

Comment Letter 35 – P.L., Resident

Sent: Saturday, November 16, 2024 12:35 AM
To: OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: FRB RNG

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

To whom this may concern:

1) The benefit of RNG mentioned in your presentation is to reduce greenhouse emission.

The presentation says this RNG plant will be "avoiding the greenhouse gas emissions from 60,196 tons of landfilled waste each year'.

Given FRB's permitted 11,500 tons per day capacity, the benefit is merely of 60196/11500*365 = 1.43%. We also understand the current agreement between city and county is to cap the daily deposit at 8000 tons. If we use that number instead, we are looking at 2.06% improvement in your best case scenario. News published by Montauk Renewables in 2023, the company estimated 85-95 Millions to build this out. It's very clear that benefit is not to the public or the earth, Montauk and OCWR stand to benefit from this. We request OCWR to accurately reflect the reasoning behind this RNG and show how OCWR is going to benefit from collecting royalty.

2) Considering the proposed landfill expansion which will bring additional 400 trucks, from approximately 600 trucks currently, 6 days a week, the RNG greenhouse reduction argument does not stand. Please show us how this expansion will impact our local communities where OCWR might be able to make it up with RNG. Give us clear and scientific comparison.

3) We understand the power plant was damaged by the last fire and certain equipment is not fully functioning after several years. Since the power plant is consuming most of the LFG, a logical approach is to somehow upgrade the power plant to process all LFG. This way OCWR can still make money if that's the main goal.

4) To build a RNG plant inside a wildfire zone is unthinkable. There are thousands of homes in the immediate neighborhood and OCWR RNG plant might be a bomb waiting to explode. Did RNG think about its future liability if unfortunate fire event reoccur again? Is OCWR ready to face litigation in the future? Have you completed the risk analysis from this angle?

Thanks and I look forward to your detailed response to my concerns.

Recirculated Focused Draft IS/MND Comments and Responses

Comment Letter 1 – City of Irvine

Community Development cityofirvine.org

City of Irvine, 1 Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 949-724-6000

September 18, 2025

Francine Bangert
Public Information Officer, OCWR
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701

Sent via email:
ocwr-ceqareview@ocwr.ocgov.com

Re: City of Irvine Comments on Recirculated Focused Draft Initial Study/Mitigated Negative Declaration (IS/MND) for Bowerman Power Renewable Gas Plant Project located at the Frank R. Bowerman Landfill at 11006 Bee Canyon Access Road in Unincorporated Orange County

Dear Ms. Bangert:

Thank you for the opportunity to review the Recirculated Focused Draft IS/MND for the Bowerman Power Renewable Gas Plant Project located at the Frank R. Bowerman (FRB) Landfill at 11006 Bee Canyon Access Road in unincorporated Orange County.

The proposed project will develop a renewable natural gas (RNG) plant to process excess landfill gas and deliver it through a Southern California Gas Company (SoCalGas) pipeline. To accomplish this, SoCalGas will develop an on-site Point of Receipt (POR) facility, which includes a 250-gallon odorant tank to odorize, to compress, and insert the renewable gas into a new 12-inch-diameter pipeline. The new pipeline will then connect to an existing SoCal pipeline at the corner of Portola Parkway and Jeffrey Road.

The City reviewed the Recirculated Focused Draft IS/MND and did not document any revisions that had occurred to address our initial comments submitted to Orange County Waste & Recycling in a separate letter dated November 15, 2024. The City of Irvine continues to have comments related to the aesthetics, air quality, noise, and construction of the project, outlined specifically in the attached enclosure (City of Irvine November 15, 2024 Comment Letter).

In addition, the City has the following additional comments associated with the revisions:

- The document states a conditional use permit is required from the City of Irvine (page 2-18, Section 2.5). Please clarify why OCWR believes a conditional use permit is required as the project is located outside the City's jurisdictional boundary.
- On page 3-20, there is a revision noting the nearest receptor is approximately 50 meters (165 feet) away from the proposed RNG facility as opposed to the

approximately 1,300 meters (4,200 feet) away identified in the initial Draft IS/MND. Staff notes that the change in distance has not been updated anywhere else in the IS/MND, which results in inconsistencies throughout the document.

- Confirm whether additional analysis, related to noise and air quality, was completed as a result of the change in distance related to the nearest receptor.
- Table 3-6 “AQIA Modeling Results for Project Operations” was removed from the Recirculated Focused Draft IS/MND. Verify Table 3-6 is no longer necessary or provide an updated table in the Recirculated IS/MND.

If you have any questions, please contact me at mpoynter@cityofirvine.org or 949-724-6456.

Sincerely,

Marika A Poynter, AICP
Chief of Planning and Policy

Enclosure: City of Irvine November 15, 2024 Comment Letter

ec: Stephanie Frady, Director of Community Development
Luis Estevez, Director of Great Park
Alex Salazar, Acting Director of Public Works
Alyssa Matheus, Planning Manager

cityofirvine.org

City of Irvine, 1 Civic Center Plaza, P.O. Box 19575, Irvine, California 92623-9575 949-724-6000

November 15, 2024

Ms. Francine Bangert
Public Information Officer, OCWR
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701

Sent via email:
ocwr-ceqareview@ocwr.ocgov.com

Title: City of Irvine Comments on Initial Study/Mitigated Negative Declaration for Bowerman Power Renewable Gas Plant Project located at the Frank R. Bowerman (FRB) Landfill at 11006 Bee Canyon Access Road in Unincorporated Orange County

Dear Ms. Bangert:

Thank you for the opportunity to review the Initial Study/Mitigated Negative Declaration (IS/MND) for the Bowerman Power Renewable Gas Plant Project located at the Frank R. Bowerman (FRB) Landfill at 11006 Bee Canyon Access Road in unincorporated Orange County.

Per the IS/MND, the proposed project will develop a renewable natural gas (RNG) plant to process excess landfill gas and deliver it through a Southern California Gas Company (SoCalGas) pipeline. To accomplish this, SoCalGas will develop an on-site Point of Receipt (POR) facility, which includes a 250-gallon odorant tank, to compress and insert the renewable gas into a new 12-inch-diameter pipeline. The new pipeline will then connect to an existing SoCal pipeline at the corner of Portola Parkway and Jeffrey Road.

Community Development Department staff has reviewed the IS/MND and has enclosed comments related to the aesthetics, air quality, noise, and construction of the project. If you have any questions, please contact me at jequina@cityofirvine.org or 949-724-6364.

Sincerely,

Justin Equina
Senior Planner

Enclosure: City of Irvine Comments

ec: Stephanie Frady, Director of Community Development
Marika Poynter, Manager of Planning Services
Alyssa Matheus, Principal Planner

ENCLOSURE

Initial Study/Mitigated Negative Declaration (IS/MND) for Bowerman Power Renewable Gas Plant Project

City of Irvine Comments

General Comments

1. Prior to the start of construction, provide a Construction Management Plan and coordinate closely with City of Irvine staff on the implementation of the Plan. Any proposed non-standard working hours impacting traffic control staging and/or closures of City streets shall require prior review and approval by the Department of Public Works & Sustainability.

2. Provide a sidewalk on the north side of Portola Parkway from Bee Canyon Access Road to Crean Way.

3. Provide the distance of the point of receipt from the nearest residences, schools, and parks/open space.

4. Provide the square footage of the renewable natural gas facility.

5. Provide building elevations of the renewable natural gas facility.

Page 3-76

6. This section references the Orange County Local California Environmental Quality Act (CEQA) Procedures Manual in determining transportation impacts. However, the City of Irvine has an adopted CEQA guideline for determining Vehicle Miles Travelled (VMT) impacts – see Appendix I - VMT Impact Analysis Guidelines of the City's CEQA Manual. This section should be updated to reflect Irvine's standard.

Aesthetics

7. Landscaping should be installed to screen the facility from the nearest residential neighborhoods within City limits – key observation points (KOP) 3 and 4. While the IS/MND states the facility would be barely visible, the photo simulations clearly show it is visible from those observation points.

Air Quality

8. Show the location of the point of receipt facility.

9. Show the location of the 250-gallon odor tank.
10. There is no mention of the possibility of odors from the proposed odorant skid injection tank at the SoCalGas Company point of receipt facility in the air quality section of the IS/MND. Will the renewable natural gas be injected with mercaptan? If not, please identify the odorant in the IS/MND.

11. How will the renewable natural gas facility identify a leak prior to the odorant injection at the point of receipt?

12. The IS/MND states that the renewable natural gas plant will be automated and will have on-site maintenance personnel during daylight hours, as needed. Explain the protocol of an emergency, such as gas leak, that would occur during the evening hours.

13. Explain the emergency protocol of leak when conveying the renewable natural gas from the proposed two-mile SoCalGas pipeline (along Bee Canyon Access Road) to the existing SoCalGas pipeline (along Portola Parkway and Jeffrey Road).

14. Verify the findings in Table 3-7, Operational Emissions Summary and Significance Evaluation. The table appears to indicate the project emissions are greater than the South Coast Air Quality Management District CEQA significance thresholds.

    If [G] represents the difference between the proposed project and baseline emissions, and the incremental change in emissions when compared to [H] the SCAQMD CEQA significance thresholds, should the table show "[G] < [H]" rather than "[G] > [H]?" Please confirm.

15. Figure 4-1: Air Dispersion Modeling Receptor Set Up – Why does the figure not include more of the residential neighborhood south of Portola Parkway? This figure should be updated to show all potentially impacted areas of the City.

Noise

16. The project should implement noise reduction strategies during construction as noise levels will range anywhere from 85 decibels (dBA) during site preparation to 90 dBA during trenching and pipeline construction. Such strategies include, but are not limited, to:

    a. Construction equipment, fixed or mobile, equipped with properly operating and maintained noise mufflers consistent with manufacturer's standards.
    b. Construction staging areas located away from off-site sensitive uses.

c. Locating stationary construction equipment away from sensitive receptors nearest the project site, whenever feasible.
d. Limiting construction vehicle queuing on roads and in areas near residences prior to the start of construction.

Comment Letter 2 – OC Health Care Agency

VERONICA KELLEY, DSW, LCSW
AGENCY DIRECTOR

JENNA SARIN, MSN, RN, PHN
DIRECTOR OF PUBLIC HEALTH AND NURSING

DARWIN CHENG, JD, REHS
DIRECTOR OF ENVIRONMENTAL HEALTH

MAIL: PO BOX 25400
SANTA ANA, CA 92799
OFFICE: 1241 E. DYER RD, STE 120
SANTA ANA, CA 92705
TELEPHONE: (714) 433-6000
E-MAIL: ehealth@ochca.com

PUBLIC HEALTH SERVICES
ENVIRONMENTAL HEALTH DIVISION

September 25, 2025

Leila Barker
CEQA & Habitat Program Manager
OC Waste & Recycling
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701

Subject: LEA Response to Notice of Intent to Adopt Mitigated Negative Declaration – Recirculated Focused Initial Study/Mitigated Negative Declaration, Bowerman Power Renewable Natural Gas Plant Project (SCH # 2024100760), Frank R. Bowerman Landfill, Orange County, CA (SWIS No. 30-AB-0360)

Dear Ms. Barker:

The Orange County Waste & Recycling (OCWR), acting as the Lead Agency, is proposing to adopt a Recirculated Focused Initial Study/Mitigated Negative Declaration (IS/MND) for the Bowerman Power Renewable Natural Gas Plant Project (SCH # 2024100760) located at the Frank R. Bowerman (FRB) Landfill in Irvine, Orange County, CA. In compliance with the California Environmental Quality Act (CEQA) Section 21091 and State CEQA Guidelines Section 15073, the original Draft IS/MND for the project was circulated for a 30-day public review and comment period from October 17, 2024, to November 15, 2024. Notification was provided to adjacent property owners, responsible agencies, trustee agencies, interest groups and the public. Based on the response to comments received on the project, a Recirculated Focused IS/MND is being presented for public review.

The Orange County Environmental Health Division, Solid Waste Local Enforcement Agency (LEA) is responsible for providing regulatory oversight of solid waste handling and disposal activities including inspections and permitting of the FRB Landfill. In response to the comments received on the original Draft IS/MND, the following specific information/analysis portions of the document were revised and recirculated by OCWR for public review:

- California Department of Fish and Wildlife (CDFW) (Biological Resources Special-Status Species Section) - Potential impacts to the Crotch's bumble bee (Bombus crotchii) were addressed.
- South Coast Air Quality Management District (SCAQMD) (Air Quality and GHG Sections) – Revisions to the Air Quality, Greenhouse Gas (GHG), and Health Risk Assessments were addressed.
- Irvine Ranch Water District (IRWD)-owned facilities (potable water, recycled water, and sewer systems) – Analyses of project impacts were provided.

Based on the review of the Recirculated Focused IS/MND, the LEA has no significant comments at this time. Please keep the LEA appraised of comments received during the public hearing proposed for the project and/or approval by the decision-making body.

If you have any questions, please contact me by email at srajagopal@ochca.com or at (714) 433-6270 and/or Andrew Schmitt by email at aschmitt@ochca.com or at (714) 433-6274.

Sincerely,

R. Shyamala

Shyamala Rajagopal
Supervising Hazardous Materials Specialist
Sold Waste Local Enforcement Agency
Environmental Health Division

cc: Lauren Robinson, Orange County LEA
Soheil Afshari, Orange County LEA
Jeff Arbour, OCWR
CalRecycle/LEA SWIS Portal

Comment Letter 3 – Irvine Ranch Water District

Irvine Ranch
Water District

September 25, 2025

Leila Barker
CEQA & Habitat Program Manager
OC Waste & Recycling
602 N. Ross Street, 5th Floor
Santa Ana, CA 92701

Via email: ocwr-ceqareview@ocwr.ocgov.com

Re: Notice of Intent to Adopt a Mitigated Negative Declaration for the Bowerman Power Renewable Natural Gas Plant Project

Dear Ms. Barker,

Irvine Ranch Water District (IRWD) has received OC Waste & Recycling's (OCWR) Notice of Intent (NOI) to adopt a Recirculated Focused Draft Initial Study / Mitigated Negative Declaration (IS/MND) for the Bowerman Power Renewable Natural Gas Plant Project (Project). The Project proposes that a renewable natural gas (RNG) plant will be designed to produce RNG from landfill gas that is produced by the Frank R. Bowerman (FRB) Landfill and deliver it to Southern California Gas Co. (SoCalGas). IRWD has reviewed the Recirculated Focused Draft IS/MND and offers the following comments.

In Section 3.4.19 of the Recirculated Focused Draft IS/MND, the Project identifies non-potable water as the water source for handwashing stations and toilet flushing in the bathroom facilities. However, the California State Water Resources Control Board, Division of Drinking Water requires that potable water be used for handwashing stations. The Project IS/MND should be revised to clarify the supply of potable water for handwashing stations.

IRWD understands that OCWR anticipates minimal to no impact on IRWD-owned water infrastructure. Any future connections to IRWD-owned water systems should be coordinated through the IRWD review and approvals process. For related questions and coordination, OCWR should contact Eric Akiyoshi, Engineering Manager – Planning, at (949) 453-5552 or via email: akiyoshi@irwd.com.

IRWD appreciates the opportunity to review and comment on the Recirculated Focused Draft IS/MND. If you have any questions or require additional information, please contact me at (949) 453-5325 or Emily Le, Environmental Compliance Specialist, at (949) 453-5384.

Sincerely,

Fiona Nye
Director of Water Resources

cc: Lori Rigby, IRWD
Eric Akiyoshi, IRWD
Belisario Rios, IRWD
Emily Le, IRWD

Comment Letter 4 – CDFW

From: Candaele, Helena@Wildlife <Helena.Candaele@Wildlife.ca.gov>
Sent: Friday, September 26, 2025 10:06 AM
To: Barker, Leila [OCWR] <leila.barker@ocwr.ocgov.com>
Cc: Turner, Jennifer@Wildlife <Jennifer.Turner@wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; OCWR-CEQA Review <OCWR-CEQAReview@ocwr.ocgov.com>
Subject: SCH 2024100760: Bowerman Power Renewable Natural Gas Plant Project

Attention: This email originated from outside the County of Orange. Use caution when opening attachments or links.

Good Morning Leila,

The California Department of Fish and Wildlife (CDFW) reviewed the recirculated draft Mitigated Negative Declaration from Orange County Waste & Recycling (OCWR) for the Bowerman Power Renewable Natural Gas Plant Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines. Thank you for the opportunity to provide additional comments and recommendations regarding Project activities that may affect California fish and wildlife. We appreciate your coordination on inclusion of the comments from October 2024. CDFW has no further comments on the updated draft.

Best,
Helena

Helena Candaele
Environmental Scientist

Regional Conservation and Mitigation Banking Coordinator
California Department of Fish and Wildlife
South Coast Region
C: (858) 527-8482

APPENDIX B: MITIGATION MONITORING AND REPORTING PLAN

OC Waste & Recycling
Bowerman Renewable Natural Gas Plant Project

MITIGATION MONITORING AND REPORTING PROGRAM

Prepared For:

OC Waste & Recycling
601 N. Ross Street, 5th Floor
Santa Ana, CA 92701

MITIGATION MONITORING AND REPORTING PROGRAM

Public Resources Code, Section 21081.6 (Assembly Bill 3180) requires that mitigation measures identified in environmental review documents prepared in accordance with California Environmental Quality Act (CEQA) are implemented after a project is approved. Therefore, this Mitigation Monitoring and Reporting Program (MMRP) has been prepared to ensure compliance with the adopted mitigation measures during the Bowerman Renewable Natural Gas Plant Project (Project). The OC Waste & Recycling (OCWR) is the agency responsible for implementation of the mitigation measures identified in the Initial Study/Mitigated Negative Declaration.

This MMRP provides OCWR with a convenient mechanism for quickly reviewing all the mitigation measures including the ability to focus on select information such as timing. The MMRP includes the following information for each mitigation measure:

- The phase of the project during which the required mitigation measure must be implemented;
- The phase of the project during which the required mitigation measure must be monitored; and
- The monitoring agency.

The MMRP includes a checklist to be used during the mitigation monitoring period. The checklist will verify the name of the monitor, the date of the monitoring activity, and any related remarks for each mitigation measure.

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
SCAQMD – Permit to Construct, Dust Control	**AQ-1:** Construction equipment greater than 350 HP for the trenching and pipeline construction phase must be equipped with Tier 4 Final engines.	Construction	Construction	OCWR		
NCCP/HCP	**BIO-1:** To address potential Project impacts to intermediate mariposa lily (*Calochortus weedii* var. *intermedius*), an in-lieu fee shall be paid via minor amendment to the NCCP/HCP, as approved by USFWS and CDFW. The in-lieu fee will contribute to a management and monitoring program for rare plants in the Nature Reserve of Orange County. Silt fencing or flagging shall be installed under the guidance of a biological monitor along the limits of coastal sage scrub areas that are immediately outside of the grading/impact limits. The silt fencing/flagging shall be used to minimize impacts to sensitive natural resources including special-status plant species and native plant communities outside	Pre-Construction	Pre-Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	and immediately adjacent to the grading limits. Construction activities and personnel will be restricted within these adjacent coastal sage scrub areas and a biological monitor will be present during the silt fence/flagging installation and removal.					
Special Status Species	**BIO-2:** Impacts to coastal sage scrub habitat shall occur outside the breeding and nesting season of the coastal California gnatcatcher (February 15 through July 15) to the extent practicable. A pre-construction survey shall be conducted within the Project site to determine the presence/absence of coastal California gnatcatcher and coastal cactus wren prior to clearing or grading activities. The survey shall include a 100-foot buffer around the grading limits. Any coastal California gnatcatcher or coastal cactus wren observations shall be recorded and marked on the construction/grading plans. All coastal sage scrub habitat outside of the Project impact area shall be fenced or marked with flagging materials prior to the commencement of grading. No construction access, parking, or storage of equipment or materials will be allowed within these areas. A qualified biologist shall conduct and document a pre-construction meeting to educate construction staff (including supervisors, equipment operators, and other site employees) on all mitigation measures required for the Project. A qualified biologist shall monitor the clearing of coastal sage scrub and oak woodland. USFWS/CDFW shall be notified at least 7 calendar days (preferably 14 calendar days) prior to clearing habitat occupied by Target/Identified Species, if observed. The qualified biologist will ensure that clearing activities and earth-moving equipment do not harm coastal California gnatcatchers or coastal cactus wren. The biologist will also ensure that these activities do not harm other species that may occur, including western spadefoot, orange-	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	throated whiptail, red-diamond rattlesnake, and coast patch-nosed snake. The access road(s) shall be sprayed with water on occasion to reduce dust accumulation on the leaves of coastal sage scrub species, as overseen by the biological monitor.					
Special Status Species	**BIO-3:** Avoid ground-disturbing and vegetation removal activities during the nesting bird season (February 15 to September 15). If these activities must occur during the nesting season, a pre-construction nesting bird survey would be conducted by a qualified biologist on and within 300 feet of the Project construction area. The survey would be conducted no more than 10 days prior to initiation of ground-disturbance, vegetation clearing, or construction activities and repeated between delays of greater than 10 days during the nesting season. If an active nest is found, an appropriate no-disturbance buffer for the species would be developed by a qualified biologist. No ground-disturbing or vegetation removal activities would occur within the buffer until the nesting season has ended or the nest is vacated, and juveniles have fledged, as determined by the qualified biologist. At the discretion of a qualified biologist, encroachment into the buffer may occur for non-listed bird species.	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		
Special Status Species	**BIO-4:** For work occurring during the Crotch's bumble bee nesting season between March 15 through September 15 where potential nesting habitat occurs, a pre-construction nesting survey shall occur prior to ground-disturbing or vegetation-trimming activities within the Project's work area and a 50-foot buffer. A qualified Crotch's bumble bee biologist, whose resume has been submitted and approved by CDFW, will conduct a nest clearance survey within 2 weeks of ground-disturbing construction activities. Surveys shall be conducted during daylight hours when ambient temperatures are between 60 degrees Fahrenheit (°F) and 90 °F. In the event that a bumble bee nest is suspected (i.e.g., bumble bee was	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	observed to have entered a burrow or tree cavity, or disappeared under a shrub or into thatch), the suspected nest location will be passively observed for at least 20 minutes to confirm the presence/absence of a nest. A minimum 50-foot no disturbance buffer will be established and visibly flagged for avoidance if a nest location is discovered and the discovery shall be reported to CDFW by the qualified Crotch's bumble bee biologist within 24 hours of discovery. If Crotch's bumble bee and/or Crotch's bumble bee nests are detected, surveys should record the location of the nest, nest substrate, slope, aspect, and distance to nearest active foraging areas (if known), number of Crotch's bumble bee observed, and vegetation used by individuals. During active construction, the Crotch's bumble bee biologist will monitor the nest on a weekly basis and will update the buffer size as necessary and in coordination with CDFW to ensure protection. Construction activities will not occur within the buffer until the nest is no longer active as determined by the qualified Crotch's bumble bee biologist and CDFW will be notified prior to deactivation of the avoidance buffer and commencement of construction activities in this area. The Crotch's bumble bee qualified biologist shall submit results of preconstruction surveys to CDFW prior to start of vegetation removal activities and shall provide a weekly status update should a Crotch's bumble bee nest no disturbance buffer be established and until the nest is determined.					
Special Status Species	**BIO-5:** Herbicide and insecticide use shall be limited to spot spraying individual plants that are not in bloom and avoiding all rodent burrows to the greatest extent possible within suitable Crotch's bumble bee nesting areas. The qualified Crotch's bumble bee biologist will review the proposed spray areas with OCWR and contractor to ensure burrows and nectar sources are avoided to the greatest extent possible.	Construction, Operation	Construction, Operation	OCWR		
Special Status Species	**BIO-6:** Temporary impacts to nectar sources shall be restored in place through either broadcasting of appropriate Crotch's bumble bee seed mix or by incorporating the seed mix into a	Construction, Operation	Construction, Operation	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	hydro-mulch application. Minor vegetation trimming to preferred nectar sources, that are expected to recover naturally within one year, do not require restoration.					
Special Status Species	**BIO-7:** A qualified Crotch's bumble bee biologist shall attend the pre-construction meeting (see BIO-2) to educate construction staff (including supervisors, equipment operators, other site employees, and biological monitors) on all Crotch's bumble bee specific mitigation measures required by this Crotch's Bumble Bee Avoidance Plan. Training Materials (tri-fold colored pamphlet) shall be provided at the training and shall include detailed photos that can be utilized as a reference for qualified biological monitors to identify Crotch's bumble bee and implement the avoidance measures appropriately. Training Materials will assist in training contractor staff in recognizing bumble bees and inform them of potential penalties (e.g., monetary fines, project delays, jail time) for take of Crotch's bumble bee or other California Endangered Species Act (CESA) violations.	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		
Special Status Species	**BIO-8:** CDFW shall be notified at least 14 calendar days prior to initial vegetation removal and ground-disturbing activities in areas identified as potential Crotch's bumble bee nesting, foraging, or overwintering habitat, regardless of time of year. All Crotch's bumble bee detections shall be reported to CDFW via email within 24 hours of detection. A qualified biological monitor who has received the Crotch's bumble bee training and is in possession of the Training Materials shall monitor the staking of limits, clearing and grubbing, and removal of stockpiled vegetation from the site until the site no longer provides potential Crotch's bumble bee habitat. The biological monitor shall be responsible for monitoring Crotch's bumble bee when they are detected and shall ensure active foraging patches are not removed until the Crotch's bumble bee(s) leave the area on their own volition. The biological monitor, shall monitor the slow and methodical removal of vegetation in patches and by hand where necessary should Crotch's bumble bee nesting or	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	overwintering behavior be observed (scanning the ground instead of targeting flowering resources, seen entering a burrow or disappearing into thick vegetation and not re-emerging, sitting on the open ground), until it is confirmed that a Crotch's bumble bee nest or overwintering site is not present. Should the Project result in unpermitted take of a Crotch's bumble bee individual or nest, work shall immediately halt and CDFW shall be immediately notified by the Crotch's bumble bee biologist.					
Archaeological Resources	**CUL -1:** Environmental Training – Prior to construction of the Project, a Secretary of Interior-qualified archaeologist shall be retained by Bowerman Power to serve as the Project Archaeologist. Cultural resource awareness training will be provided by the Project Archaeologist that includes all applicable laws and penalties pertaining to disturbing cultural resources, a brief discussion of the prehistoric and historic regional context and archaeological sensitivity of the area, types of cultural resources found in the area, and instruction that Project workers will halt construction if a cultural resource is inadvertently discovered during construction, and Project personnel contact information in the event of an inadvertent discovery.	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		
Archaeological Resources	**CUL -2:** Archaeological Monitoring – A qualified Archaeological monitor acceptable to the OCWR shall be retained by Bowerman Power prior to Project-related ground disturbance. The selection of the qualified professional(s) shall be subject to OCWR acceptance based on generally accepted professional qualifications and certifications, as applicable. A qualified Archaeological Monitor will have at least a BS or BA degree in anthropology, archaeology, historic archaeology, or a related field and previous monitoring experience. The monitors will conduct on-site daily archaeological monitoring of construction ground disturbance. The Archaeological monitor will provide daily documentation of construction activity and any findings. The Archaeological monitor will prepare a daily monitoring log	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	and submit it daily to the Project Archaeologist via email, briefly describing the field conditions, construction progress and activities, non-compliance activities, and record any finds of archaeological material. A final report summarizing the monitoring activities will be prepared by the Project Archaeologist.					
Archaeological Resources	**CUL -3:** Monitoring and Inadvertent Discovery Plan – Prior to the start of construction, a Secretary of Interior-qualified Project Archaeologist (retained by Bowerman Power) shall prepare a Monitoring and Inadvertent Discovery Plan (Plan) for the Project. The Plan will be submitted to OCWR for review and approval prior to the start of construction. The Plan shall include at a minimum: • Overview of mitigation measures and responsibility for compliance; • Project description of construction activities and maps; • Description of relevant laws and regulations; • Brief cultural context information and types and description of cultural resources that could be inadvertently discovered; • Description of how monitoring shall occur; • The roles and responsibility of the Archaeological Monitor (e.g., authority to halt construction for an inadvertent discovery, daily monitoring, daily reporting, etc.) and Project Archaeologist (e.g., oversee monitors, response to inadvertent discovery, final reporting, etc.); • Description of protocols in the event of an inadvertent discovery (i.e., halt work) and notification procedures and contact list; and • Description of final monitoring report. Stop work protocols shall be implemented in the event of an inadvertent discovery of cultural resources. If a cultural resource is encountered within the new SoCalGas pipeline	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	route, halt work protocols shall include notifying the SoCalGas Project Archaeologist designated by SoCalGas and the OCWR Environmental Engineering Specialist designated by OCWR. Cultural resources shall not be relocated without consultation with a SoCalGas Archaeologist.					
Paleontological Resources	**GEO-1:** Worker Education Program. The project proponent shall retain a qualified paleontologist, defined as a paleontologist meeting the Society for Vertebrate Paleontology's Professional Standards (SVP 2010), to carry out all mitigation measures related to paleontological resources. The qualified paleontologist shall conduct the following: a. Prior to the start of any ground disturbing activities, the qualified paleontologist shall conduct a Paleontological Resources Awareness Training program for all construction personnel working on the project site. A Paleontological Resources Awareness Training Guide approved by the qualified paleontologist shall be provided to all personnel. A copy of the Paleontological Resources Awareness Training Guide shall be submitted to the OCWR. The training guide may be presented in video form. b. Paleontological Resources Awareness Training may be conducted in conjunction with other awareness training requirements. c. The training shall include an overview of potential paleontological resources that could be encountered during ground disturbing activities to facilitate worker recognition, avoidance, and subsequent immediate notification to the qualified paleontologist for further evaluation and action, as appropriate; and penalties for unauthorized artifact collecting or intentional disturbance of paleontological resources. d. The project operator shall ensure all new employees who have not participated in earlier Paleontological Resources	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	Sensitivity Trainings shall meet the provisions specified above. e. The Paleontological Resources Awareness Training Guides shall be kept available for all personnel to review and be familiar with as necessary.					
Paleontological Resources	**GEO-2:** Project Monitoring. A qualified paleontologist or designated monitor shall be onsite initially to spot-check excavations below a depth of one foot below the ground surface in areas of undetermined paleontological potential. If it is determined that sediments consist of older alluvium, then full-time paleontological monitoring shall ensue within that area. If sediments are determined to consist of Holocene Quaternary alluvium, paleontological monitoring shall not be required unless an excavation depth of 15 feet below the ground surface is reached in the area. The use of post-driving or rotary drilling shall not require monitoring. a. The duration and timing of monitoring shall be determined by the qualified paleontologist in consultation with OCWR and shall be based on a review of geologic maps and grading plans. b. During the course of monitoring, if the paleontologist can demonstrate based on observations of subsurface conditions that the level of monitoring should be reduced, the paleontologist, in consultation with OCWR, may adjust the level of monitoring to circumstances, as warranted. c. Paleontological monitoring shall include inspection of exposed rock units during active excavations within sensitive geologic sediments. The qualified paleontologist shall have authority to temporarily divert excavation operations away from exposed fossils to collect associated data and recover the fossil specimens if deemed necessary. d. Following the completion of construction, the paleontologist shall prepare a report documenting the absence or discovery of fossil resources onsite. If fossils are found, the report shall summarize the results of the	Construction	Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	inspection program, identify those fossils encountered, recovery and curation efforts, and the methods used in these efforts, as well as describe the fossils collected and their significance. A copy of the report shall be provided to OCWR and to an appropriate repository such as the Natural History Museum of Los Angeles County.					
Paleontological Resources	**GEO-3:** Inadvertent Discoveries of Paleontological Resources — If construction staff or others observe previously unidentified paleontological resources during ground disturbing activities, they will halt work within a 200-foot radius of the find(s), delineate the area of the find with flagging tape or rope (may also include dirt spoils from the find area), and immediately notify a qualified paleontologist. Construction will halt within the flagged or roped-off area. The paleontologist will assess the resource as soon as possible and determine appropriate next steps in coordination with OCWR. Such finds will be formally recorded and evaluated. The resource will be protected from further disturbance or looting pending evaluation.	Construction	Construction	OCWR		
Tribal Cultural Resources	**TCR-1:** Should evidence of human remains be discovered during project construction, the Orange County Coroner (OCC) shall be immediately notified of the discovery. Evidence of human remains requires mandatory compliance with the provisions of State Health and Safety Code Section 7050.5, which restricts further disturbance in the vicinity of the discovery, defined herein as a 50-foot radius, until the OCC has made a determination within two business days of the origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be Native American, the OCC shall notify the Native American Heritage Commission (NAHC) within 24 hours that remains have been discovered. The NAHC shall determine the identity of the Most Likely Descendant (MLD). The MLD shall complete the inspection of the remains within 48 hours of notification by the NAHC. In addition, per CR-3, SoCalGas Project Archaeologist designated by SoCalGas and the OCWR	Construction	Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	Environmental Engineering Specialist designated by OCWR will be notified of the discovery.					
Tribal Cultural Resources	**TCR-2:** If unanticipated tribal cultural resources or deposits are discovered during earth-moving activities, the following measures shall be implemented: • All work shall halt within a 200-foot radius of the discovery. a qualified professional archaeologist shall assess the significance of the find (if a tribal cultural monitor is not present). If the resources are Native American in origin, the OCWR shall coordinate with the Tribe regarding evaluation, treatment, curation and preservation of these resources. The archaeologist shall have the authority to modify the no-work radius as appropriate, using professional judgment in consultation with OCWR. Work shall not continue within the no-work radius until the archaeologist conducts sufficient research, evidence and data collection to establish that the resource is either: (1) not cultural in origin; or (2) not potentially eligible for listing on the California Register of Historical Resources.	Construction	Construction	OCWR		
Tribal Cultural Resources	**TCR-3:** Tribal Cultural Resource Monitor: Prior to the issuance of any grading permit in which soil would be disturbed, Montauk shall provide evidence in the form of an executed Agreement to OCWR that they have retained a qualified Native American tribal monitor to provide third-party monitoring during excavation and grading activities and to recover and catalogue tribal resources as necessary. The tribal monitor shall be from or approved by the Kizh Nation. The agreement shall include (i) professional qualifications for the tribal cultural resource monitor(s); (ii) detailed scope of services to be provided including but not limited to pre-construction education, observation, evaluation, protection, salvage, notification, and/or curation requirements, as applicable, with final documentation/monitoring report to OCWR, as applicable; (iii) contact information; (iv) communication protocols between Contractor and Tribal Cultural Resource	Pre-Construction, Construction	Pre-Construction, Construction	OCWR		

MITIGATION MONITORING AND REPORTING PROGRAM						
Permit Name/Regulatory Condition	**Mitigation Measure**	**Implementation Phase**	**Monitoring Phase**	**Monitoring Agency**	**Compliance Verification**	
					Initial	**Date**
	Monitor; (v) acknowledgment that if the Kizh Nation monitor is not available, Montauk or their contractor as designee may contract with another qualified tribal monitor acceptable to the OCWR. The selection of the qualified professional(s) shall be subject to OCWR acceptance based on generally accepted professional qualifications and certifications, as applicable. The cover sheet of the grading plans shall include a note to identify that third party tribal monitoring is required during excavation and grading activities in accordance the with the OCWR Agreement.					