

SECTION 4.2

LAND USE

This section describes the land use plans, policies, and regulations that apply to the proposed Project. The Solar Field Site Parcels and two Gen-Tie lines are located in Imperial County on privately held lands. Applicable local land use plans and regulations include the County's General Plan and Land Use Ordinance, and Airport Land Use Compatibility Plan (ALUCP).

4.2.1 REGULATORY FRAMEWORK

A. FEDERAL

Federal Aviation Regulations Title 14 Part 77

The FAA regulates aviation at regional, public, private, and military airports. The Federal Aviation Administration (FAA) requires notification regarding structures to be constructed in excess of 200 feet in all areas (and, potentially, of structures less than 200 feet, depending on proximity of the proposed structure to public use airports). The U.S. Department of Transportation (DOT) and California Department of Transportation (Caltrans) also require the Applicant submit FAA Form 7460-1, Notice of Proposed Construction or Alteration. Notification allows the FAA to identify potential aeronautical hazards in advance, thus preventing or minimizing any adverse impacts on the safe and efficient use of navigable airspace (49 CFR Part 77.17). Any structure subject to the notification requirement that would also constitute a hazard to air navigation, as defined in FAA Part 77, requires issuance of a permit from the Caltrans Aeronautics Program. If the FAA aeronautical study determines that the structure has no impact on air navigation, a permit is not required (FAA 2010).

Part 77, Subpart C, of the Federal Aviation Regulations limits the heights of structures, trees, and other objects in the vicinity of an airport within Compatibility Zones C and D of an ALUCP to less than 35 feet above ground level. Proponents of a project which may exceed a Part 77 limit must notify the Federal Aviation Administration (FAA 2010).

Currently, there are no such locations near the existing airports in Imperial County. The proposed Project area is not within one-half mile of an airport runway or approach protective zone and is located outside of all airport zones. Compliance with this regulation is not discussed further in this Section of the EIR. Local

Imperial County General Plan

The purpose of the Imperial County General Plan is to guide growth throughout the County. Urban development is directed to areas where public infrastructure can be readily extended to areas with limited health and safety hazards. Likewise, development should avoid natural, cultural, and economic resources.

The General Plan includes ten elements: Land Use; Housing; Circulation and Scenic Highways; Noise; Seismic and Public Safety; Conservation and Open Space; Agricultural; Renewable Energy and Transmission; Water; Parks and Recreation. These elements satisfy the California Government Code requirements for general plan elements. Each element includes goals, objectives, and implementing policies and programs. As shown in **Figure 4.2-1**, the General Plan land use designation "Agriculture" applies to the entirety of the Project site and surrounding area. The Land Use Element of the Imperial County General Plan defines the "Agriculture" designation as follows:

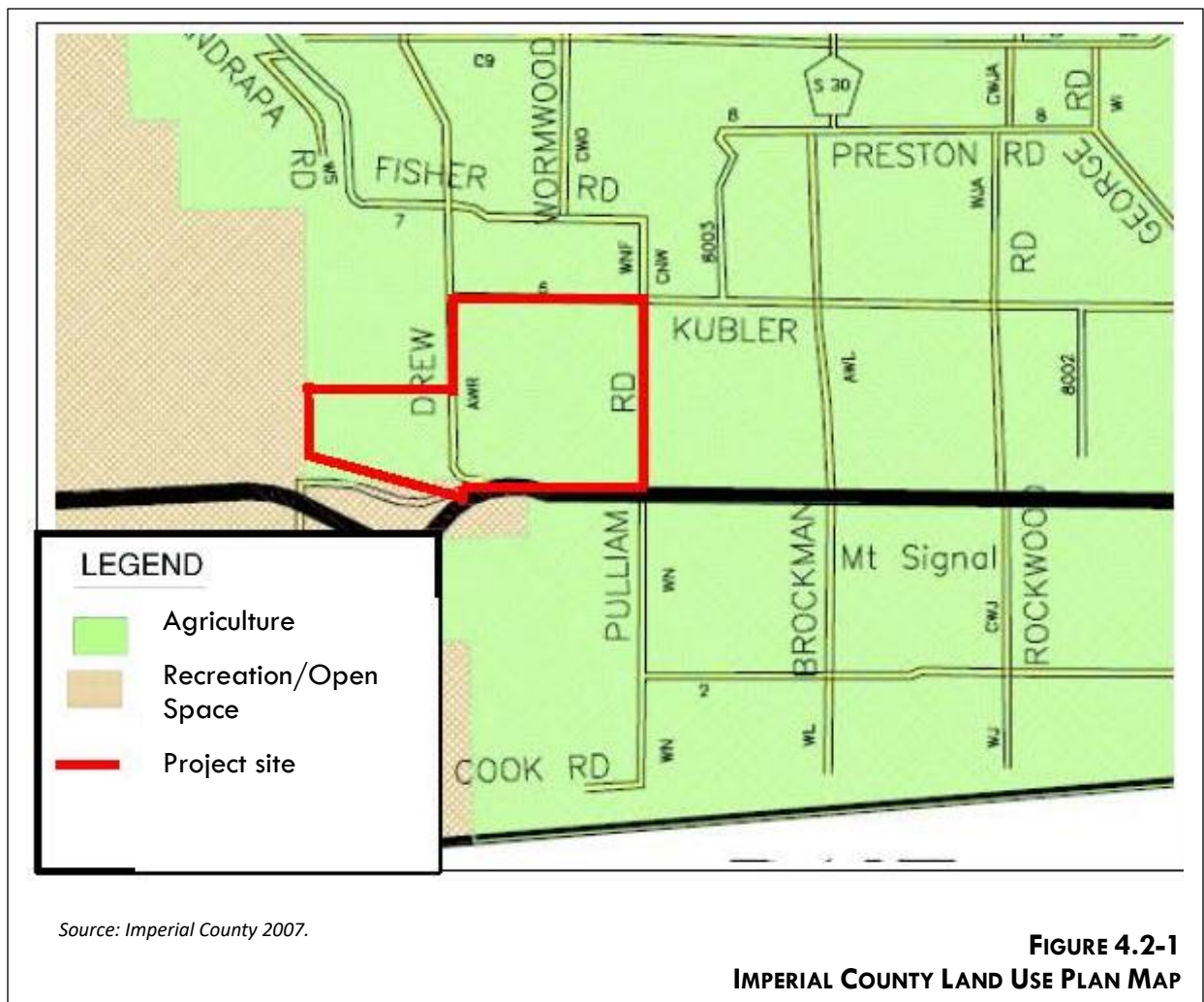
This category is intended to preserve lands for agricultural production and related industries including aquaculture (fish farms), ranging from light to heavy agriculture. Packing and processing of agricultural products may also be allowed in certain areas, and other uses necessary or supportive of agriculture. The Agriculture category includes most of the central irrigated area known as the Imperial Valley, the Bard/Winterhaven Valley and the south end of the Palo Verde Valley.

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Where this designation is applied, agriculture shall be promoted as the principal and dominant use to which all other uses shall be subordinate. Where questions of land use compatibility arise, the burden of proof shall be on the nonagricultural use to clearly demonstrate that an existing or proposed use does not conflict with agricultural operations and will not result in the premature elimination of such agricultural operations. No use should be permitted that would have a significant adverse effect on agricultural production, including food and fiber production, horticulture, floriculture, or animal husbandry.

All non-agricultural uses in any land use category shall be analyzed during the subdivision, zoning, and environmental impact review process for their potential impact on the movement of agricultural equipment and products on roads located in the Agriculture category.

No land shall be removed from the Agriculture category except for annexation to a city, where needed for use by a public agency, for renewable energy purposes in accordance with the Renewable Energy and Transmission Element, where a mapping error may have occurred, or where a clear long term economic benefit to the County can be demonstrated through the planning and environmental review process (Imperial County 2015d, p. 48).



The Imperial County General Plan balances agriculture and alternative energy uses. In 2006, the County adopted the General Plan's Geothermal/Alternative Energy and Transmission Element. This Element was updated and renamed the "Renewable Energy and Transmission Element" 2015 (County of Imperial 2015b) and serves as the primary policy statement by the Board of Supervisors for implementing development policies for alternative energy land uses in Imperial County, regardless of the land use category designated in the General Plan. Section I(C) explains that the County adopted the Renewable Energy and Transmission Element after determining that the benefits of alternative energy development in the County include:

1. Fiscal benefit of expanded property tax revenues;
2. Fiscal benefit of sales tax revenues from purchase of goods and services;
3. Royalty and lease benefits to local landowners and County.
4. Social and fiscal benefits from increased economic activity and employment opportunities;
5. Improvements in technology to reduce costs of electrical generation;
6. Potential air quality improvement by displacement of fossil-fueled generated electricity with geothermal/alternative energy power which does not add to the Greenhouse effect;
7. Contributes toward meeting the State of California's Renewables Portfolio Standard (RPS)"; and
8. Minimization of impacts to local communities, agriculture and sensitive environmental resources.

The Project proposes a temporary conversion of agriculturally-designated land from agricultural use to an industrial solar generation and energy storage use pursuant to the terms of the CUPs and Development Agreement. The proposed Project will require approval of a General Plan Amendment (GPA#17-0006) for amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project site. However, the Project site will retain its current agricultural zoning. Furthermore, the Project shares a common boundary to an existing transmission source (i.e. the existing Drew Switchyard) and is adjacent to the existing Centinela Solar Farm.

Table 4.2-1 analyzes the consistency of the proposed Project with the applicable goals, policies and objectives relating to land use from the Imperial County General Plan. While this EIR analyzes the Project's consistency with the General Plan pursuant to CEQA Guidelines Section 15125(d) and can be used as substantial evidence to support a finding of consistency required under laws other than CEQA, the Imperial County Board of Supervisors ultimately determines whether the Project is consistent with the overall intent of the General Plan.

Public benefits associated with renewable energy as they pertain to Renewable Energy and Transmission Element were previously discussed in Chapter 2.0, Land Use. Please refer to Table 2.0-2 "Energy Storage and the Public Benefits Associated with Renewable Energy and Transmission" and the discussion that follow on pages 2.0-22 thru 2.0-23.

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**TABLE 4.2-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
LAND USE ELEMENT		
Commercial Agriculture		
<p>Goal 1: Preserve commercial agriculture as a prime economic force.</p>	<p align="center">Yes</p>	<p>The proposed Project would temporarily convert 762.8 net acres of the Project site (exclusive of roads and canals) to five solar energy generating systems and energy storage for the operational life of the Project. At the end of the Project, the Project's CUPs and development agreement require the Applicant to restore the site back to pre-Project conditions. In addition, the Project will prepare a Reclamation Plan describing how the site will be reclaimed to pre-Project conditions. The Project's agricultural reclamation feature (decommissioning) has been incorporated into mitigation measure MM 4.9.1b to facilitate the County's monitoring and tracking of the Project's requirements and to assure the County and the public that the Reclamation Plan meets an acceptable performance standard. Additionally, the Project Development Agreement provides for Agricultural Benefit payments to be paid to the County to be used to enhance and preserve agricultural productivity within the County. For the above reasons, the proposed Project is consistent with the overall intent of this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

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General Plan Policies	Consistent with General Plan?	Analysis
Economic Growth		
<p>Goal 2: Diversify employment and economic opportunities in the County while preserving agricultural activity.</p>	<p>Yes</p>	<p>The proposed Project would diversify employment and economic opportunities in the County through the creation of short-term construction jobs as well as long-term operation and maintenance jobs. The proposed Project, as a solar energy generating system, is among the non-agricultural uses identified in this General Plan for diversification of the County’s economic base. The Renewable Energy and Transmission Element enumerates the varied benefits of alternative energy including fiscal, social, technological and environmental benefits. In view of these benefits, the County amended the General Plan to ensure that such projects would be allowed in the County.</p> <p>The Project is processing a Development Agreement with Imperial County to enable and control a Phased CUP of the Project that is capable of meeting changing market demands by authorizing initiation of the CUP or CUPs anytime within a 10-year period. Thereafter, the CUPs are valid for the remaining period of 40 years from the date of the CUP approval. The requested Development Agreement would provide flexibility to allow the start of construction to commence for up to 10 years after the CUPs are approved. The Development Agreement provides for Community Benefit payments to be paid to the County. Therefore, the proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
Regional Vision		
<p>Goal 3: Achieve balanced economic and residential growth while preserving the unique natural, scenic, and agricultural resources of Imperial County.</p>	<p>Yes</p>	<p>Refer to discussion under Land Use Element Goal 2, Land Use Element Objective 9.6 (page 4.2-8), Chapter 4.1, Aesthetics, and Chapter 4.9, Agricultural Resources. The proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

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**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
Public Facilities		
<p>Goal 8: Coordinate local land use planning activities among all local jurisdictions and state and federal agencies.</p>	Yes	<p>The proposed Project includes development of up to five CUP Areas for solar energy generating systems, one CUP for energy storage, and two associated Gen-Tie lines on land owned by the IID within the jurisdiction of the County of Imperial. The Project would be required to coordinate with the following agencies, including, but not limited to the Imperial County Planning and Development Services Department (ICPDSD), Imperial County Public Works Department (ICDPW), IID, Caltrans District 11, and Regional Water Quality Control Board 7 (RWQCB-7). These are Responsible Agencies and Trustee Agencies under CEQA and therefore outreach and coordination with these agencies has already been initiated through this EIR’s scoping process, which solicited comments regarding the proposed Project. Refer also to Section 2.3.2 and 2.3.3 of the Project Description. Therefore, the proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 8.8 Ensure that the siting of future facilities for the transmission of electricity, gas, and telecommunications is compatible with the environment and County regulation.</p>	Yes	<p>The Imperial County Land Use Ordinance conditionally allows for “major facilities relating to the generation and transmission of electrical energy” on agriculturally-zoned lands with a CUP (Imperial County 2017). The Applicant has requested from the County five CUPs to develop solar energy generating systems including potential energy storage on lands zoned A-2, A-2-R, and A-3; and one CUP to develop energy storage as a component of solar on lands currently zoned A-2 and A-3.</p> <p>The Applicant has also requested a General Plan Amendment (GPA#17-0006) amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project Site; a Zone Change (ZC#17-0007) to add the RE Overlay Zone to the Project site; a Variance to allow for power pole structures that are over 120 feet in height; a Parcel Map (PM#02478) to correct an existing inconsistency with the legal</p>

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General Plan Policies	Consistent with General Plan?	Analysis
<p>Objective 8.8 Ensure that the siting of future facilities for the transmission of electricity, gas, and telecommunications is compatible with the environment and County regulation.</p>		<p>and physical boundary of the SW ¼ Section of the Project site; six CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035, CUP#18-0001); one Variance (V#17-0008); and up to five Lot Tie Agreements to hold some or all of the parcels that are part of the Project together as a single parcel in order to reduce/eliminate the setbacks for interior property lines; and a Development Agreement. These requests were submitted for the County’s review and consideration to ensure the Project is sited and developed in a manner compatible with County regulations.</p> <p>In order to minimize impacts to the environment, the Project proposes to utilize the existing Drew Switchyard as its point of interconnection from the solar energy generating system into the State electricity grid. From the Drew Switchyard, Project-generated electricity would be conveyed to SDG&E’s existing IV Substation via existing transmission infrastructure. As illustrated in Figure 2.0-9, the Project’s Gen-Tie facilities are proposed to extend 400 feet south from the south end of the Project site across Drew Road and State Route 98 into the existing Drew Switchyard located on APN 052-190-039-000. Both Gen-Tie lines may be underground or one may be underground and one above-ground. The Project may bore under SR 98 to connect to the Drew Switchyard or a new pole may be constructed on the existing Centinela Solar Project on APN 052-190-041-000 and its line cutover into the new bay constructed by Drew Solar in the existing Drew Switchyard in order to minimize power line crossings. In addition, Project buildings would be subject to mandatory compliance with State 2016 Title 24 Green Building Standards Code (CCR, Title 24, Part 11), which was developed to promote environmentally responsible development.</p> <p>The requests submitted by the Applicant are subject to approval by the County Board of</p>

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**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
		Supervisors. If approved, the proposed Project would be consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.
<p>Objective 8.9 Require necessary public utility rights-of-way when appropriate.</p>	Yes	<p>The proposed Project will require activities in utility rights-of-way (ROW) associated with IID water and energy infrastructure; IID, private, or County vehicular crossings; and the Caltrans SR 98 ROW. The Applicant is already required by law and through CUP conditions to obtain applicable permits and approvals prior to initiation of any activities within these ROWs. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
Protection of Environmental Resources		
<p>Goal 9: Identify and preserve significant natural, cultural, and community character resources and the County's air and water quality.</p>	Yes	<p>The proposed Solar Field Site Parcels are not identified as being in an area with significant natural, cultural or community character in the General Plan. Refer to discussion under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7) and 9.6 (page 4.2-8), as well as Open Space and Conservation Element Objectives 1.1 and 1.4. The proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

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General Plan Policies	Consistent with General Plan?	Analysis
<p>Objective 9.6 Incorporate the strategies of the Imperial County Air Quality Attainment Plan (AQAP) in land use planning.</p>	<p>Yes</p>	<p>An Air Quality and Greenhouse Gas Analysis was prepared for the proposed Project (RECON 2018a). The analysis identified potential emissions of Project-generated criteria pollutants primarily during construction. Once operational, the proposed Project would be required to implement standard, discretionary, and Project-specific mitigation measures in order to comply with all County air quality-related plans and regulations. Project air quality compliance is further discussed in Section 4.4, Air Quality, of this EIR. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>CONSERVATION AND OPEN SPACE ELEMENT</p>		
<p>Conservation of Environmental Resources for Future Generations</p>		
<p>Goal 1: Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions and educating the public on their value.</p>	<p>Yes</p>	<p>As a solar generating energy system, the proposed Project would protect environmental resources through the production of approximately 100 MW of renewable energy that would otherwise be generated by non-renewable fossil fuels. Further, the Project is located on active agricultural land, and would be required to reclaim the acreage to pre-Project conditions at the end of each CUP or 40 years whichever is later. The DEIR recommends mitigation measures to reduce and avoid the Project’s impacts, which are incorporated here by reference. Therefore, the proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

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**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
<p>Objective 1.1: Encourage uses and activities that are compatible with the fragile desert environment and foster conservation.</p>	<p align="center">Yes</p>	<p>The Project is proposed to be developed on the disturbed soils of agricultural lands in order to avoid impacts to fragile desert habitats, aquatic, and marshland environment. Therefore, the proposed Project is consistent with this objective. Project-specific biological and drainage reports were prepared for the project (Dudek 2018; Fuscoe 2018a). These studies identify potential impacts to the Imperial Irrigation District (IID) drain system, Greenson Wash and New River as a result of receiving Project runoff. The Project’s configuration would be consistent with applicable regulations, and Project-specific mitigation measures designed to protect biological resources and water quality. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario. These issues are further addressed in Section 4.12, Biological Resources, and Section 4.11, Hydrology and Water Quality.</p>
<p>Objective 1.4: Ensure the conservation and management of the County's natural and cultural resources.</p>	<p align="center">Yes</p>	<p>The Project site is disturbed agricultural land and was selected in part to avoid impacts to sensitive natural and cultural resource located on desert land within the County. Additionally, a Project-specific Cultural Resources Inventory Report was prepared for the Project (Dudek 2018a). This study identified potential impacts to cultural resources as a result of Project implementation. Mitigation measures designed to protect cultural resources were identified. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario. Refer to analysis under Conservation and Open Space Element Objective 1.1 and Chapter 4.7, Cultural Resources.</p>

**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
Conservation of Biological Resources		
Objective 2.4: Use the CEQA and NEPA process to identify, conserve and restore sensitive vegetation and wildlife resources.	Yes	Refer to analysis under Conservation and Open Space Element Objective 1.1 and Chapter 4.12, Biological Resources. The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.
Preservation of Cultural Resources		
Goal 3: Preserve the spiritual and cultural heritage of the diverse communities of Imperial County.	Yes	Please refer to the discussion of Objective 1.4, above, please also refer to the analysis under Conservation and Open Space Element Objective 1.4 and Chapter 4.7, Cultural & Paleontological Resources. The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.
Conservation of Visual Resources		
Goal 5: The aesthetic character of the region shall be protected and enhanced to provide a pleasing environment for residential, commercial, recreational, and tourist activity.	Yes	Refer to Chapter 4.1, Aesthetics. The proposed Project is consistent with this goal.
Conservation of Water Resources		
Goal 6: The County will conserve, protect, and enhance water resources in the County.	Yes	Refer to analysis under Conservation and Open Space Element Objective 1.1 and Chapter 4.11, Hydrology and Water Quality. The proposed Project is consistent with this goal.

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**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
Protection of Air Quality and Addressing Climate Change		
Goal 7: The County shall actively seek to improve the quality of air in the region.	Yes	Refer to analysis under Land Use Element Objective 9.6 (page 4.2-8) and to Chapter 4.4. Air Quality. The proposed Project is consistent with this goal.
Protection of Open Space and Recreational Opportunities		
Goal 8: Open space shall be maintained to protect the aesthetic character of the region, protect natural resources, provide recreational opportunities, and minimize hazards to human activity.	Yes	The Project does not propose changes to land designated for open space or recreational uses. Refer to Chapter 4.1, Aesthetics, and Chapter 4.10, Hazards and Hazardous Materials. The proposed Project is consistent with this goal.
Objective 8.2: Focus all new renewable energy development within adopted Renewable Energy Overlay Zones.	Yes	With the proposed General Plan Amendment, and zone change, the Project will be consistent with this goal for both the Full Build-out Scenario and Phased CUP Scenario. This Project is surrounded on two sides by the existing Centinela Solar Project and is adjacent to the existing Drew Switchyard, which a majority of the projects in the area interconnect to. The Project plans to connect to San Diego Gas & Electric's (SDG&E) Imperial Valley Substation by way of the existing Drew Switchyard. There are several other approved/built solar projects in the immediate vicinity surrounding the Project site. The other projects include the Centinela Solar Project (adjacent to the proposed Project on two sides), the Mount Signal and Calexico Solar Projects, Campo Verde Solar, Wistaria Ranch Solar Energy Center, and the Imperial Solar Energy Center South, the DEIR recommends mitigation measures to reduce and avoid the Project's potentially significant impacts. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario. Refer also to the analysis under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7).

**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
RENEWABLE ENERGY AND TRANSMISSION ELEMENT		
Safe and Orderly Development of Renewable Energy		
<p>Goal 1: Support the safe and orderly development of renewable energy while providing for the protection of environmental resources.</p>	<p>Yes</p>	<p>The Project proposal includes a General Plan Amendment to create an Island Overlay for the Project site in accordance with the Renewable Energy & Transmission Element of the General Plan, a Zone Change application, a Variance application, A Development Agreement, Lot Tie Agreements, a Parcel Map, and six Conditional Use Permit applications authorizing the Project activities. The DEIR recommends mitigation measures to reduce and avoid the Project’s potentially significant impacts, which are incorporated here by reference. Project construction, operations, and decommissioning will comply with all applicable local, state and federal laws and regulations. The County has chosen to concentrate solar development in the Project vicinity. The Project area is currently disturbed agricultural land that will be temporarily converted to a solar energy generating system, then reclaimed to pre-Project conditions at the end of the operational life of the Project. If allowed, the Project also proposes co-locating one of the Gen-Tie lines with the existing Centinela Solar Gen-Tie facilities. Compliance with the County’s land use planning documents and ordinances, shared use and co-location of one of the Gen-Tie lines would support orderly development while preserving undisturbed lands. The proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario. Refer also to analysis under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7).</p>

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**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
<p>Objective 1.2: Lessen impacts of site and design production facilities on agricultural, natural, and cultural resources.</p>	<p align="center">Yes</p>	<p>Refer to discussion under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7) and 9.6 (page 4.2-8), as well as Open Space and Conservation Element Objectives 1.1 and 1.4. The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 1.4: Analyze potential impacts on agricultural, natural, and cultural resources, as appropriate.</p>	<p align="center">Yes</p>	<p>Refer to discussion under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7) and 9.6 (page 4.2-8), as well as Open Space and Conservation Element Objectives 1.1 and 1.4. The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 1.5: Require appropriate mitigation and monitoring for environmental issues associated with developing renewable energy facilities.</p>	<p align="center">Yes</p>	<p>The proposed Project would be required to implement standard, discretionary, and Project-specific mitigation measures in order to comply with the MMRP, Conditions of Approval, and applicable State and Local regulations. Responsibility for monitoring of compliance with each measure will be identified within the MMRP and as otherwise may be stated in the Conditions of Approval. The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

**TABLE 4.2-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
<p>Objective 1.6: Encourage the efficient use of water resources required in the operation of renewable energy generation facilities. Assure that development of renewable energy facilities and transmission lines comply with Imperial County Air Pollution Control District’s regulations and mitigation measures.</p>	<p>Yes</p>	<p>During construction of the Project, water will be required for a variety of activities, including dust suppression, earth compaction, the creation of engineered fill, and concrete preparation. The total water use through full construction buildout, the longest potential operational lifespan of the Project (39 years), and decommissioning (one year) is expected to be 4,740 acre-feet (AF) (Fusco 2018b). During operation, approximately 60 acre-feet per year (AFY) of water will be required for operations and maintenance. The amount of water used would be substantially less than the amount currently used in association with agricultural activities. In addition, the water needed for both construction and operation would be efficiently used (i.e. watering to achieve 20 percent opacity; panel washing only as necessary). Refer also to analysis under Land Use Element Objective 9.6 (page 4.2-8) and Chapter 4.4, Air Quality. The proposed Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 1.7: Assure that development of renewable energy facilities and transmission lines comply with Imperial County Air Pollution Control District’s regulations and mitigation measures.</p>	<p>Yes</p>	<p>Refer to analysis under Land Use Element Objective 9.6 (page 4.2-8) and to Chapter 4.4, Air Quality. The proposed Project is consistent with this objective.</p>

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**TABLE 4.2-1
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General Plan Policies	Consistent with General Plan?	Analysis
Transmission Line Routes		
<p>Goal 2 – Encourage development of electrical transmission lines along routes which minimize potential environmental effects.</p>	Yes	<p>The Project proposes co-location of one of the two proposed Gen-Tie line with the existing Centinela Solar Gen-Tie line infrastructure, connecting all the Solar Field Site Parcels and the Energy Storage Component to the existing Drew Switchyard located directly south across SR 98. This co-location would allow the Project to maximize use of existing utility ROW. Further, by connecting to the California Electrical Grid through the existing Drew Switchyard, no new transmission lines or other infrastructure would be required to transport Project-generated energy to SDG&E’s IV Substation. Refer also to analysis under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7). The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 2.1: To the extent practicable, maximize utilization of IID’s transmission capacity in existing easements or rights-of-way. Encourage the location of all major transmission lines within designated corridors, easements, and rights-of-way.</p>	Yes	<p>Refer to analysis under Renewable Energy and Transmission Element Goals 1 and 2. In addition, the Project would require new easements and/or shared use agreements with IID, the State (Caltrans) and other entities to be refined upon development of the final site plan. Upon approval of these requests and agreements, the Project would be consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 2.2: Where practicable and cost-effective, design transmission lines to minimize impacts on agricultural, natural, and cultural resources, urban areas, military operation areas, and recreational activities.</p>	Yes	<p>Refer to discussion under Land Use Element Objective 8.8 (page 4.2-6 and 4.2-7) and Open Space Element Objectives 1.1 (page 4.2-8 and 4.2-9) and 1.4 (page 4.2-9). The proposed Project is consistent with this objective.</p>

**TABLE 4.2-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
Economic Vitality		
<p>Goal 3: Support development of renewable energy resources that will contribute to and enhance the economic vitality of Imperial County.</p>	Yes	<p>The proposed Project is consistent with this goal. Refer to Chapter 2.0, Table 2.0-2 for economic vitality benefits to Imperial County as identified by the Applicant.</p>
<p>Objective 3.5: Encourage employment of County residents by the renewable energy industries wherever and whenever possible.</p>	Yes	<p>The Project would generate construction jobs. The number of workers on the Project site is expected to vary over the construction period. However, the number of construction workers onsite is expected to average up to 250 workers daily. Approximately two to six full-time workers will be employed to operate the Project. These personnel will perform maintenance and security functions. Both construction and operational jobs are typically filled by local workers. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 3.7: Evaluate environmental justice issues associated with job creation and displacement when considering the approval of renewable energy projects.</p>	Yes	<p>The proposed Project is not anticipated to result in adverse impacts related to environmental justice. The Project site is located in an area surrounded by similar uses, and no housing would be displaced. The Fiscal Impact Analysis prepared for the Drew Solar Project determined the Project will generate the equivalent of 190 full-time one-year equivalent construction jobs over the first year and 4 full-time equivalent permanent jobs. By comparison the current use of the site (hay/grass type crops) produces approximately 5.5 jobs. When comparing both the direct and indirect permanent employment of agriculture versus utility (energy) production, the proposed solar use will generate a total of 14.36 permanent jobs while the current use creates 9.79 permanent jobs (DMG 2019). Therefore, the proposed Project would have a positive effect on job creation consistent with this objective for both the Full Build-out Scenario and Phased CUP Scenario.</p>

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**TABLE 4.2-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
Innovative Renewable Energy Technologies		
<p>Goal 5: Encourage development of innovative renewable energy technologies that will diversify Imperial County’s energy portfolio.</p>	<p align="center">Yes</p>	<p>The Project is a proposal to build an approximately 100 MW alternating current (AC) solar generation facility using photovoltaic (PV) technology. The actual net electrical output of the Project will depend upon the technology selected and final design and layout. The Project may include only one PV technology or a combination of various PV technologies, including but not limited to crystalline silicon-based systems, bifacial modules, thin-film systems and perovskites as innovations evolve during the final Project design and construction window for each CUP Area. The project may also include a variety of energy storage technologies. Similarly, a specific design for the O&M Building Complex has not yet been selected as the technology utilized in utility scale solar energy production continues to improve dramatically at a rapid pace. The final layout will be based on the technology selected. Therefore, the Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 5.2: Encourage development of utility-scale distributed generation projects in the County.</p>	<p align="center">Yes</p>	<p>The Project consists of a solar energy generation and facility to generate approximately 100 MW of renewable energy into the California Electricity Grid (CAISO). The Project would also allow for storage of energy generated by the Project as well as from the CAISO grid for use as needed during hours of peak energy use or in the case of outages related to other energy sources. This would increase the stability of energy supply throughout the County (IID system) as well as the regional SDG&E energy supply. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

**TABLE 4.2-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
Land Subsidence		
<p>Goal 7: Actively minimize the potential for land subsidence to occur as a result of renewable energy operations.</p>	<p>Yes</p>	<p>A Preliminary Geotechnical and GeoHazards Report was prepared for the proposed Project (Landmark 2018). Refer to Chapter 4.6, Geology and Soils. The Project is consistent with this goal for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 7.1: Require that all renewable energy facilities, where deemed appropriate, include design features that will prevent subsidence and other surface conditions from impacting existing land uses.</p>	<p>Yes</p>	<p>Refer to analysis under Renewable Energy and Transmission Element Goal 7, and Chapter 4.6, Geology and Soils. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 7.3: Require renewable energy facility permittees to establish and monitor subsidence detection networks in areas affected by permitted project activities.</p>	<p>Yes</p>	<p>Refer to analysis under Renewable Energy and Transmission Element Goal 7, and Chapter 4.6, Geology and Soils. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 7.4: Require monitoring programs for determining the possibility or extent of induced subsidence.</p>	<p>Yes</p>	<p>The proposed Project would be required to implement standard, discretionary, and Project-specific mitigation measures in order to comply with the MMRP, Conditions of Approval, and applicable State and Local regulations. Responsibility for monitoring of compliance with each measure will be identified within the MMRP and as otherwise may be stated in the Conditions of Approval. Refer also to analysis under Renewable Energy and Transmission Element Goal 7, and Chapter 4.6, Geology and Soils. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

4.2 LAND USE

**TABLE 4.2-1
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
Development Overlay Zones and Public Accessibility		
<p>Objective 8.1: Allow for County review with appropriate development and performance standards for development of local resources within the overlay zones.</p>	<p align="center">Yes</p>	<p>The Project proposes a General Plan Amendment to create an Island Overlay for the Project Site and a Zone Change to add the “RE Overlay Zone to the Project site. The Applicant submitted a request for a GPA, ZC, Parcel Map, six CUPs, Variance, up to five Lot-Tie Agreements, and Development Agreement to the County for review and consideration. Therefore, the proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>
<p>Objective 8.3: Provide the public adequate opportunity to obtain information on the current status of renewable energy development and to provide input on matters related to the development of renewable energy resources.</p>	<p align="center">Yes</p>	<p>As a part of the CEQA review process, a Notice of Preparation (NOP) of an EIR and Initial Study (IS) was published in the Imperial Valley Press and distributed to applicable agencies, departments, and other known interested parties. A minimum 30-day review period accompanies publication of the NOP. Agency and departmental staff and members of the public are also invited to ask questions and submit comments at a public scoping meeting held during the NOP comment period. Upon completion of the DEIR, applicable agencies and departments, along with other interested parties and members of the public are invited to review and comment on the EIR during a minimum 45-day public review period. Comments received during public review periods are incorporated into the DEIR and/or Final EIR as applicable. Members of the public have further opportunity for input prior to and during required public hearings before the Planning Commission and Board of Supervisors to consider approval of a project. Notifications and staff reports detailing the agenda for these public hearings are published at least 10 days prior to the date of the hearing to allow the public to review the documents and/or plan to attend. The proposed Project is consistent with this objective for both the Full Build-out Scenario and the Phased CUP Scenario.</p>

County of Imperial Land Use Ordinance, Title (9)

The County of Imperial Land Use Ordinance (Title 9) provides the physical land use planning criteria, development standards, and zoning regulations for development in the unincorporated areas of the County.

The purpose of the Land Use Ordinance is to protect the public health, safety and welfare, to provide for orderly development, classify, regulate and where applicable segregate land uses and building uses; to regulate the height and size of buildings; to regulate the area of yards and other open spaces and buildings; to regulate the density of population; and, to provide the economic and social advantages resulting from orderly planned land uses and resources.

As depicted in **Figure 4.2-2**, lands on which the Drew Solar Project is proposed are currently zoned A-2 (General Agricultural Zone), A-2-R (General Agricultural Zone/Rural Zone), and A-3 (Heavy Agricultural). (refer to Table 2.0-1 in Chapter 2.0, Project Description).

Solar Energy Generation Component

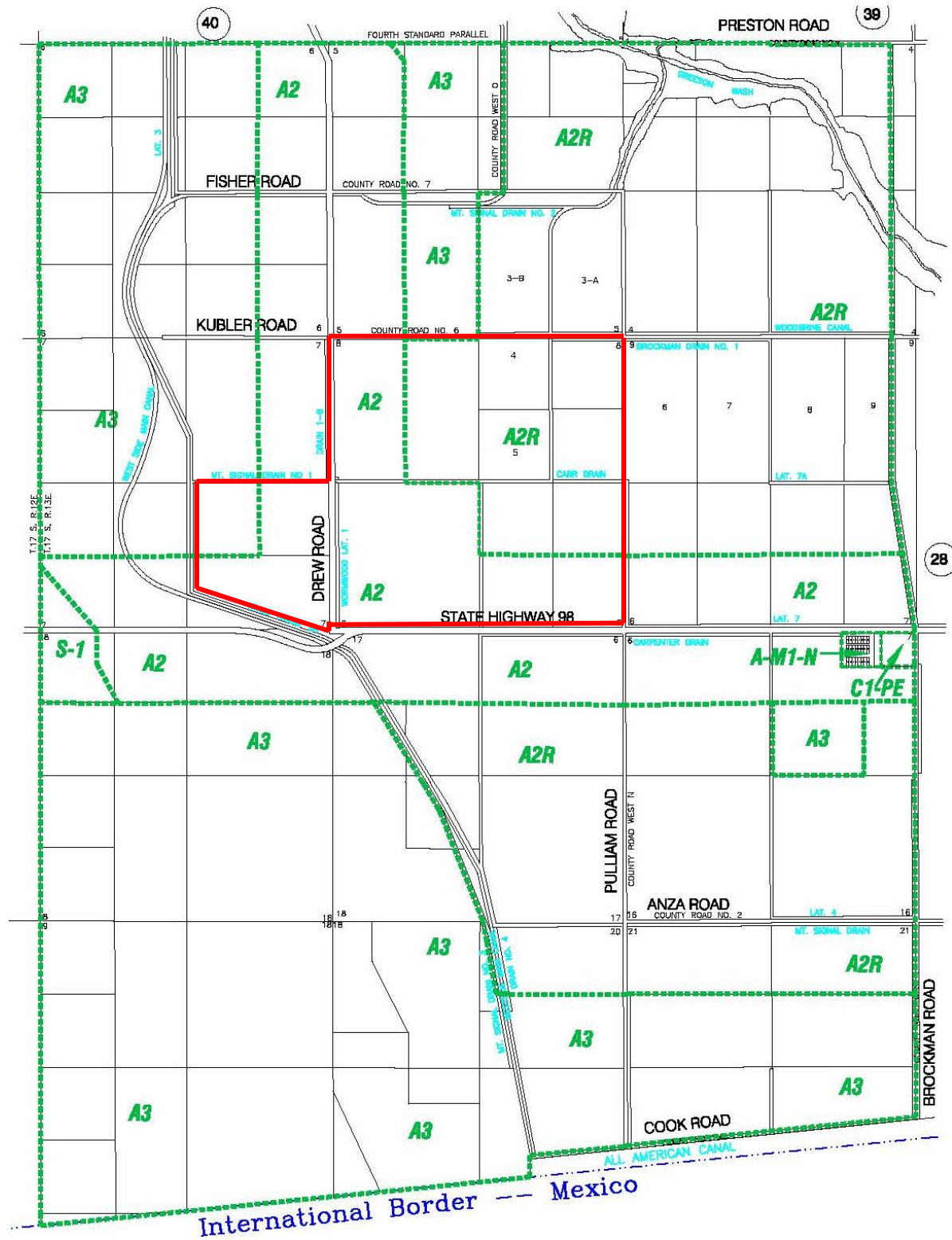
Per Title 9, Division 5, Sections 90508.02 and 90509.02 of the Land Use Ordinance, solar energy electrical generators, electrical power generating plants, substations, and facilities for the transmission of electrical energy are allowed as conditional uses in Agricultural zones. The proposed Solar Energy Generation Component would require approval of a General Plan Amendment (GPA#17-0006) for amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project Site. The Solar Energy Generation Component would also require a Zone Change (ZC#17-0007) to add the Renewable Energy (RE) Overlay Zone to the Project site; a Parcel Map to correct an existing inconsistency with the legal and physical boundary of the SW ¼ Section of the Project site; six CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035 and CUP#18-0001) to develop solar energy generating and potentially also energy storage systems on lands zoned A-2, A-2-R, and A-3 per Title 9, Division 5: Zoning Areas Established, Chapter 8, Section 90508.02 and 90509.02; and a Variance (V#17-0003) for power pole structures that are over 120 feet in height. With approval of the Variance, the proposed power pole structures could be up to 180 feet in height. The Project also requires up to five Lot Tie Agreements to hold some or all of the parcels that are part of the Project together as a single parcel in order to reduce/eliminate the setbacks for interior property lines of parcels that are part of the Project and adjacent to one another. Approval of the requested GPA, ZC, Parcel Map, six CUPs, a Variance, Lot Tie Agreements, and a Development Agreement are subject to approval by the County Board of Supervisors.

Energy Storage Component

The proposed Energy Storage Component would be subject to the same General Plan and Zoning Ordinance required approvals as the Solar Energy Generation Component: a General Plan Amendment (GPA#17-0006) to create an Island Overlay to include Project site; a Zone Change (ZC#17-0007) to add the Renewable Energy (RE) Overlay Zone to the Project site; a Parcel Map (PM#02478); six CUPs; a Variance (V#17-0003) for power pole structures to exceed 120 feet in height would also be applicable to the Energy Storage Component; and a Development Agreement.

Because energy storage infrastructure may be located in conjunction with each Solar Field Site Parcel as well as the Phase 5 parcels, the Energy Storage Component would require approval of the five CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035) for the Solar Energy Generation Component as well as one CUP (CUP#18-0001) to develop energy storage as a component of solar on lands currently zoned A-2 and A-3, per Title 9, Division 5: Zoning Areas Established, Chapter 8, Sections 90508.02 and 90509.02 (A-2 and A-3).

4.2 LAND USE



Source: Imperial County 1998b.

 Project Site

FIGURE 4.2-2
IMPERIAL COUNTY ZONING MAP 27 – MOUNT SIGNAL AREA

Approval of the requested GPA, ZC, Parcel Map, six CUPs, a Variance, Lot Tie Agreements, and a Development Agreement are subject to approval by the County Board of Supervisors.

Drew Switchyard and Gen-Tie Component

As described in Chapter 2, Section C, the Project proposes improvements for a new bay at the existing Drew Switchyard, and connection to the Drew Switchyard via two approximately 400-foot long Gen-Tie lines from the south end of the Project site across Drew Road and SR 98 into the existing Drew Switchyard. A new pole may be constructed on the existing Centinela Solar Project and its line cutover into a new bay constructed by Drew Solar in the existing Drew Switchyard in order to minimize power line crossings. If the Project is allowed to co-locate with other facilities in the area, the Project may construct a new pole to the east of the existing pole on the north side of the existing Drew Switchyard in order to reduce Gen-Tie crossings. If constructed above-ground, the Gen-Tie line would require a Variance (V-17-0003) to allow for Gen-Tie poles that may exceed 120 feet in height. Section 90508.07 and 90509.07 of the Land Use Ordinance limits non-residential structure height to 120-feet within the A-2, A-2-R and A-3 zones.

The Gen-Tie lines (whether underground or above-ground) would also require right-of-way (ROW) agreements/permits for electric and vehicular crossings of State (Caltrans) facilities, IID facilities and County facilities (refer to Section 2.3.3 of the Project Description). Such agreements would be coordinated based on the final engineering design between the Applicant and affected entities prior to Project implementation.

Improvements to the Drew Switchyard would require review and approval by IID and SDG&E for improvements to their facilities, and appropriate approvals by the County of Imperial for any grading work and/or new structures.

Table 4.2-2 summarizes the conditionally allowed uses allowed within each parcel applicable to the Project and demonstrates that the Project’s proposed solar energy generation, storage, and transmission uses are allowed within the A-2, A-2-R and A-3 zones with a CUP. **Table 4.2-2** also identifies the conditionally allowable uses in the Renewable Energy (RE) Overlay Zone proposed by the Project’s requested and General Plan Amendment (GPA#17-0006) and Zone Change (ZC#17-0007).

**TABLE 4.2-2
SUMMARY OF ZONING FOR SOLAR FIELD SITE PARCELS AND TRANSMISSION LINE**

Zoning	Purpose	Uses Allowed with a CUP
General Agriculture (A-2)	To designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.	<ul style="list-style-type: none"> • Electrical generation plants (less than 50-MW) (90508.02.Y) • Electrical Power Generating Plant excluding nuclear or coal fired. (90508.02.Z) • Electrical substations in an electrical transmission system (500-kV/230-kV/161-kV). (90508.02.AA) • Facilities for the transmission of electrical energy (100-200 kV). (90508.02.CC)

4.2 LAND USE

**TABLE 4.2-2
SUMMARY OF ZONING FOR SOLAR FIELD SITE PARCELS AND TRANSMISSION LINE**

Zoning	Purpose	Uses Allowed with a CUP
General Agriculture (A-2)	To designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.	<ul style="list-style-type: none"> Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under State or Federal law, to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the IID for electrical matters. (90508.02.UU). Solar energy electrical generator (90508.02.FFF).
General Agriculture Rural (A-2-R)	To designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.	<ul style="list-style-type: none"> Electrical generation plants (less than 50-MW) (90508.02.Y) Electrical Power Generating Plant excluding nuclear or coal fired. (90508.02.Z) Electrical substations in an electrical transmission system (500-kV/230-kV/161-kV). (90508.02.AA)
Heavy Agriculture (A-3)	To designate areas that are suitable for agricultural land uses; to prevent the encroachment of incompatible uses onto and within agricultural lands; and to prohibit the premature conversion of such lands to non-agricultural uses	<ul style="list-style-type: none"> Transmission lines, including supporting towers, poles microwave towers, utility substations. (90509.01.T) Note that this particular use is allowed by right without a CUP. Solar energy plants (90509.02.CCC) Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under State or Federal law, to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the IID for electrical matters. (90509.02.QQ)

**TABLE 4.2-2
SUMMARY OF ZONING FOR SOLAR FIELD SITE PARCELS AND TRANSMISSION LINE**

Zoning	Purpose	Uses Allowed with a CUP
Renewable Energy (RE) Overlay Zone	<p>A. To facilitate the beneficial use of renewable energy resources for the general welfare of the people of Imperial County and the State of California; to protect renewable energy resources from wasteful or detrimental uses; and to protect people, property, and the environment from detriments that might result from the improper use of renewable energy resources.</p> <p>B. To implement the Renewable Energy Overlay Zone established in the Renewable Energy and Transmission Element, and integrate, to the extent possible, Imperial County’s regulations with those of other governmental agencies which regulate renewable energy development.</p> <p>C. To provide for the protection of the public health, safety and general welfare as the result of changes in the regulations or enforcement policies of those other agencies which regulate renewable energy development.</p>	<ul style="list-style-type: none"> • An amendment may be made to allow for development of a future renewable energy project located adjacent to the existing RE Overlay Zone if the project: <ul style="list-style-type: none"> - Is not located in a sensitive area - Would not result in any significant environmental impacts (91701.01). • “Island” Overlay: An amendment may be made to allow for development of a future renewable energy project that is not located adjacent to the existing RE Overlay Zone if the project: <ul style="list-style-type: none"> - Is located adjacent (sharing a common boundary) to an existing transmission source - Consists of the expansion of an existing renewable energy operation - Would not result in any significant environmental impacts (91701.01). • Renewable Energy Projects must be located within the Renewable Energy Overlay Zone and may be permitted only through the issuance of a Conditional Use Permit (CUP) within applicable zones as approved by the Approving Authority unless otherwise allowed by applicable law. Renewable energy projects may consist of the following technologies: geothermal, solar, wind, deep solar ponds, biofuel, bio-mass, algae production, concentrated solar-thermal power, and concentrated photovoltaics (91701.03).

Source: County of Imperial 2015b.

Imperial County Airport Land Use Compatibility Plan (ALUCP)

The ALUCP provides the criteria and policies used by the Imperial County Airport Land Use Commission (ALUC) to assess compatibility between the principal airports in Imperial County and proposed land use development in the areas surrounding the airports. The ALUCP emphasizes review of local general and specific plans, zoning ordinances, and other land use documents covering broad geographic areas.

4.2 LAND USE

The California Public Utilities Code (CPUC) (Section 21676.5) empowers the ALUC to review additional types of land use “actions, regulations, and permits” involving a question of airport/land use compatibility if either: (1) the ALUC and the local agency agree that these types of individual projects shall be reviewed by the ALUC (Section 21676.5 (b)); or, (2) the ALUC finds that a local agency has not revised its general plan or specific plan or overruled the ALUC and the ALUC requires that the individual projects be submitted for review (Section 21676.5 (a)). The ALUC is also required to review “any request for variance from a local agency’s height limitation ordinance” (Imperial County 1996, p. 2-3).

The Naval Air Facility, El Centro is approximately 7.5 miles north of northernmost Project parcels; the El Centro Airport is approximately 10 miles to the northeast of the northernmost Project parcels; and the Calexico International Airport is located approximately 7.75 miles east of the easternmost Project parcels. The privately-owned and operated Johnson Brothers Airstrip is located approximately 5.5 miles east of the easternmost Project parcels. As a private airstrip, the Johnson Brothers facility is not subject to the ALUCP. According to Figure 3G (Compatibility Map-Naval Air Facility, El Centro) of the ALUCP, the Solar Field Site Parcels are not located within any of the Naval Air Facility, El Centro land use compatibility zones. According to Figure 3E (Compatibility Map-Imperial County Airport) of the ALUCP, the Project site is not located within any of the Imperial County Airport Land Use Compatibility Zones. According to Figure 3B (Compatibility Map-Calexico International Airport) of the ALUCP, the Project site is also not located within any of the Calexico International Airport land use compatibility zones (Imperial County 1996).

The Applicant submitted one Variance Application (V 17-0003) to the ICPDSD to address Gen-Tie structures that may exceed the A-2, A-2-R, and A-3 zoning height limitation of 120 feet. The proposed Project was presented and discussed at the County’s ALUC Meeting held on June 20, 2018. In accordance with applicable rules and regulations, the ALUC reviewed the proposed application, including the variance requests for transmission structure height. The ALUC found the proposed Project consistent with the 1996 ALUCP. Therefore, consistency with the ALUCP is not further discussed in this EIR.

County of Imperial Right to Farm Ordinance No. 1031

The County of Imperial Right to Farm Ordinance (No. 1031) was approved by the County Board of Supervisors on August 7, 1990. The purpose and intent of the Ordinance is to reduce the loss to the County of its agricultural resources by clarifying the circumstances under which agricultural operations may be considered a nuisance. The Ordinance permits operation of properly conducted agricultural operations within the County. The Ordinance promotes a good neighbor policy by disclosing to purchasers and users of adjacent properties the potential problems and inconveniences associated with agricultural operations. The Project does not propose any activities that would impede or preclude continued implementation of the Right to Farm Ordinance. Therefore, consistency with the Right to Farm Ordinance is not further discussed in this EIR.

4.2.2 ENVIRONMENTAL SETTING

As discussed in subsection 2.1.2 of Chapter 2.0, the proposed Project site includes approximately 762.8 net acres of land that have been used for agriculture located in the southwestern portion of Imperial County, approximately 6.5 miles southwest of the City of El Centro (refer to **Figure 2.0-1** in Chapter 2.0). The proposed Drew Solar Project is located between the Westside Main Canal and Pulliam Road, and between Kubler Road and SR 98. Regional access to the Project site is available via SR 98.

The Project site and surrounding are all designated for “Agriculture” land uses on the Imperial County Land Use Plan (refer to **Figure 4.2-1**) and zoned for varying densities of agricultural uses on the Imperial County Zoning Map (refer to **Figure 4.2-2**). The Project site is generally flat and in active agricultural production of flat crops, currently consisting of Bermuda grass. The perimeter of the Project site is surrounded by public roads as well as IID canal and drains. A number of IID laterals and drains also extend through the Project site (refer to Figure 2.0-3 in Chapter 2.0, Project Description).

There are several other approved/built solar projects in the immediate vicinity surrounding the Project site, including Centinela Solar Energy Project, the Mount Signal Solar Farm and Calexico Solar (Cluster I Solar Power Project), Campo Verde Solar, Wistaria Ranch Solar Energy Center and Imperial Solar Energy Center South. The Project is bordered on the east and south by the existing Centinela Solar Project and is north of the existing Drew Switchyard. A majority of the solar projects in the area interconnect to the Drew Switchyard. The rest of the area is predominantly agricultural with very few residences and agricultural buildings.

4.2.3 IMPACTS AND MITIGATION MEASURES

A. STANDARDS OF SIGNIFICANCE

The impact analysis provided below is based on the following CEQA Guidelines, as listed in Appendix G. The Project would result in a significant impact to land use if it would result in any of the following:

- a) Physically divide an established community.
- b) Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

B. ISSUES SCOPED OUT AS PART OF THE INITIAL STUDY

Criterion “a” was eliminated from further evaluation as part of the Initial Study because the proposed Project is located in a portion of Imperial County with similar industrial solar generation projects (i.e. the Centinela Solar Energy Project, the Mount Signal Solar Farm and Calexico Solar (Cluster I Solar Power Project)) and would not physically divide any established community. The rest of the area is predominantly agricultural fields with a scattering of residences and agricultural buildings. The Project does not vacate any roads used by residents to connect with an existing established community. Therefore, no impact is identified for this issue area and it is not discussed further in the analysis.

C. METHODOLOGY

Evaluation of potential land use impacts of the proposed Project were based on review of relevant planning documents, including the Imperial County General Plan and Title 9 of the Imperial County Land Use Ordinance. The focus of the land use analysis is on land use impacts that would result from implementation of the Drew Solar Project. Land use conflicts are identified and evaluated based on existing land uses and land use designations; land use designations, standards and policies related to land use; and, the uses proposed by the Project.

Land use compatibility is based on the intensity and patterns of land use to determine whether the Project would result in incompatible uses or nuisance impacts. Potential land use conflicts or incompatibility are not themselves an environmental impact but can be an indicator of a project’s significant impact on the environment.

D. PROJECT IMPACTS AND MITIGATION MEASURES

Cause a Significant Environmental Impact due to a Conflict with Any Land Use Plan, Policy, or Regulation

Impact 4.2.1 Upon approval of the requested GPA, one ZC, one Parcel Map, six CUPs, one Variance and up to five Lot-Tie Agreements and a Development Agreement, the proposed Project would be consistent with the General Plan and Land Use Ordinance under both the Full-Buildout Scenario and Phased CUP Scenario. This is considered a **less than significant impact** under both the Full Build-out Scenario and Phased CUP Scenario.

4.2 LAND USE

Construction Phase

Solar Energy Generation Component

As discussed above under Methodology, the proposed uses, land use and zoning designations, policies and regulations applicable to the proposed Project are very similar throughout all of the proposed phases of the Solar Energy Generation Component. Under both the Full Build-out Scenario and Phased CUP Scenario, proposed construction activities at each of the five Solar Field Site Parcels would include the following: development of O&M facilities and parking lots; site appurtenances for utility connections for water; drainage; power; phone; TV and internet; driveways for access to County and Caltrans roads; rights-of-way; septic systems; perimeter fencing and on-site roads; raw/fire water supply; treated water storage; water filtration facilities; control buildings; improvements to County and Caltrans roads rights-of-way; project substations and improvements to the existing Drew Switchyard; solar generation facilities; inverters and collection system and transmission facilities crossing Caltrans and IID rights-of-way as conditionally allowed by the Land Use Ordinance in Agriculturally-zoned areas. Construction areas may also include development of energy storage facilities at each of the five Solar Field Site Parcels subject to Board of Supervisors' approval of a General Plan Amendment (GPA#17-0006) for amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project site and approval of the proposed Zone Change (ZC#17-0007) to add the Renewable Energy (RE) Overlay Zone to the Project site.

Compliance with applicable regulations have been addressed through the preparation of Project-specific technical studies and analyses provided in Section 4.1, and 4.4 through 4.14 of this EIR. No construction-related conflicts with existing land use plans and policies would occur under either the Full Build-out Scenario and or Phased CUP Scenario. In addition, like all projects in Imperial County, the Project would be subject to mandatory compliance with applicable, State, and Federal regulations designed to avoid adverse impacts at the Project site and surrounding environment. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during operations for the Solar Energy Generation Component under both the Full Build-out Scenario and Phased-Buildout Scenario.

Energy Storage Component

Construction activities at the Energy Storage Component under both the Full Build-out Scenario and Phased CUP Scenario would include development of O&M structures and transmission facilities as conditionally allowed by the Land Use Ordinance in Agriculturally-zoned areas. Construction activities would also include development of energy storage facilities, as allowed subject to Board of Supervisors' approval of a General Plan Amendment (GPA#17-0006) for amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project site and approval of the proposed Zone Change (ZC#17-0007) to add the Renewable Energy (RE) Overlay Zone to the Project site.

Compliance with issue-specific regulations related to construction have been addressed through the preparation of Project-specific technical studies and analysis provided in Sections 4.1 thru 4.4 and 4.6 through 4.14 of this EIR. No construction-related conflicts with existing land use plans and policies would occur during construction of the Energy Storage Component. Like all projects in Imperial County, the Project would be subject to mandatory compliance with applicable, State, and Federal regulations designed to avoid adverse impacts at the Project site and surrounding environment. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during construction for the Energy Storage Component of the proposed Project under both the Full Build-out Scenario and Phased CUP Scenario.

Drew Switchyard and Gen-Tie Lines Component

As discussed above, construction activities at the Drew Switchyard would include development of a new bay at the existing Drew Switchyard, new Gen-Tie poles on either side of SR 98 and Drew Road (one on the Project site, and one on the Drew Switchyard Site), and an approximately 400-foot long Gen-Tie connection line from the Project site to the Drew Switchyard site. A new pole may be constructed on the existing Centinela Solar Project and its line cutover into a new bay constructed by Drew Solar in the existing Drew Switchyard in order to minimize power line crossings. If the Project is allowed to collocate with other facilities in the area, the Project may construct a new pole to the east of the existing pole on the northside of the existing Drew Switchyard in order to reduce Gen-Tie crossings. The proposed Gen-Tie line would require a Variance (V#17-0003) to allow for Gen-Tie poles that may exceed 120 feet in height. Section 90508.07 and 90509.07 of the Land Use Ordinance limits non-residential structure height to 120-feet within the A-2, A-2-R and A-3 zones.

Compliance with issue-specific regulations related has been addressed through the preparation of Project-specific technical studies and analysis provided in Section 4.1, and 4.3 through 4.13 of this EIR. No construction-phase related conflicts with existing land use plans and policies would occur during construction activities at the Drew Switchyard site. Like all projects in Imperial County, the Project would be subject to mandatory compliance with applicable local, State, and Federal regulations designed to avoid adverse impacts at the Project site and surrounding environment. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during construction for the Drew Switchyard Component of the proposed Project under both the Full Build-out Scenario and Phased CUP Scenario.

Operation

Solar Energy Generation Component

All of the Solar Field Site Parcels are currently designated "Agriculture" on the General Plan Land Use Map and zoned A-2, A-2-R, or A-3. Per Sections 90508.02 and 90509.02 (Uses Permitted with a Conditional Use Permit) of Division 5 of Title 9 of the Imperial County Land Use Ordinance, development of the Solar Field Site Parcels with a "solar energy electrical generator" and "solar energy plants" are an allowed use subject to a CUP. Consistent with this requirement, the Applicant submitted five CUP applications for solar generation and energy storage, and one CUP application for energy storage as a component of solar inclusive of all the proposed Solar Field Site Parcels to the Imperial County Planning and Development Services Department. The Project does not propose to change the existing underlying land use or zoning designations of any of the Solar Field Site Parcels included in the Solar Energy Generation Component. The Project does propose amending the General Plan (GPA#17-0006) to add an Island Overlay designation to the Project site and amending the Land Use Ordinance to add the RE Overlay zone (ZC#17-0007) to the Project site. Because the requested GPA is located directly adjacent to existing renewable energy generation and transmission facilities, the requested GPA is not anticipated to result in significant land use conflicts under both the Full Build-out Scenario and Phased CUP Scenario.

The purpose of the Land Use Ordinance is to provide goals, policies, and objectives to implement General Plan land use designations. As such, uses that are allowable or conditionally allowable under the Land Use Ordinance are considered consistent with corresponding land use designations of the General Plan. The Land Use Ordinance with its CUP procedures has been in effect for years upon a finding that CUPs were compatible with the General Plan. Accordingly, the County, general public, and Applicant are entitled to rely upon CUPs to demonstrate consistency with the General Plan. Therefore, upon County Board of Supervisors' approval of the GPA, ZC, Parcel Map, six CUPs, a Variance, up to five Lot Tie Agreements and a Development Agreement discussed above, no conflict with the Imperial County General Plan or Land Use Ordinance would occur.

4.2 LAND USE

Further, the Project's consistency with issue-specific goals, policies and objectives contained within the General Plan, as well as standards contained within the Land Use Ordinance, have been addressed through the preparation of Project-specific technical studies and analysis in 4.1 thru 4.4 and 4.6 thru 4.13 of this EIR. For example, the Project is required to comply with the County of Imperial Fire Prevention and Explosives Ordinance; specifically, weed and vegetation control would be enforced as part of operation of the proposed Project. Mitigation measures have been identified to reduce potentially significant operational impacts to a level of less than significant. In addition, like all projects in Imperial County, the Project would be subject to mandatory compliance with applicable local, State, and Federal regulations designed to avoid adverse impacts to the CUP Areas and surrounding environment. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during operations for the Solar Energy Generation Component under both the Full Build-out Scenario and Phased CUP Scenario.

Energy Storage Component

As discussed above, the Applicant has requested a GPA (GPA#17-0006) to add an Island Overlay designation to the Project site; a ZC to add the RE Overlay zone (ZC#17-0007) to the Project site; a Parcel Map (PM#02478) to fix the existing inconsistency with the legal and physical boundary of the SW ¼ Section of the Project site; five CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035) to develop solar energy generating systems including potential energy storage on lands zoned A-2, A-2-R, and A-3; one CUP (CUP18#0001) to develop energy storage as a component of solar on lands zoned A-2 and A-3; a Variance (V#17-0003) to allow for Gen-Tie line poles in excess of 120 feet in height; and up to five Lot Tie Agreements to hold some or all of the parcels that are part of the Project together as a single parcel; and a Development Agreement.

Should the County approve the requested GPA, ZC, Parcel Map, six CUPs, Variance, Lot Tie Agreements and Development Agreement, the proposed Energy Storage Component would be consistent with the General Plan and Land Use Ordinance. Further, the Energy Storage Component's consistency with issue-specific goals, policies and objectives contained within the General Plan, as well as standards contained within the Land Use Ordinance, have been addressed through the preparation of Project-specific technical studies and analysis in 4.1 thru 4.4 and 4.6 thru 4.13 of this EIR. In addition, like all projects in Imperial County, the Project would be subject to mandatory compliance with applicable local, State, and Federal regulations designed to avoid adverse impacts to the CUP Areas and surrounding environment. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during operations for the Energy Storage Component under both the Full Build-out Scenario and Phased CUP Scenario.

Drew Switchyard and Gen-Tie Component

As discussed above, the Project proposes development of a new bay at the existing Drew Switchyard, and connection from the Project site to the Drew Switchyard via an approximately 400-foot long Gen-Tie line, with possible connections to and/or co-location of Gen-Tie lines with the adjacent Centinela Solar facility. The Applicant has requested a General Plan Amendment (GPA#17-0006) to add an Island Overlay designation to the Project site; a Zone Change (ZC#17-0007) to add the RE Overlay zone to the Project site; a Parcel Map (PM#02478) to fix the existing inconsistency with the legal and physical boundary of the SW ¼ Section; five CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035) to develop solar energy generating systems including potential energy storage on lands zoned A-2, A-2-R, and A-3; one CUP (CUP18#0001) to develop energy storage as a component of solar on lands zoned A-2 and A-3; one Variance (V#17-0003) to allow for Gen-Tie line poles in excess of 120 feet in height; up to five Lot Tie Agreements to hold some or all of the parcels that are part of the Project together as a single

parcel; and a Development Agreement. Should the County approve the Applicant's aforementioned requests, the proposed Drew Switchyard and Gen-Tie Component would be consistent with the General Plan and Land Use Ordinance.

Operational activities at the Drew Switchyard and associated Gen-Tie poles and lines would be limited to required maintenance. The Project's consistency with issue-specific goals, policies and objectives contained within the General Plan, as well as standards contained within the Land Use Ordinance, have been addressed through the preparation of Project-specific technical studies and analysis in 4.1 thru 4.4 and 4.6 thru 4.13 of this EIR. Mitigation measures have been identified to reduce potentially significant operational impacts to a level of less than significant. In addition, like all projects in Imperial County, the Project would be subject to mandatory compliance with applicable local, State, and Federal regulations designed to avoid adverse impacts to the Project site and surrounding environment. Further, operational activities at the Drew Switchyard would be subject to compliance with applicable SDG&E requirements. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during operations for the Drew Switchyard and Gen-Tie Component under both the Full Build-out Scenario and Phased CUP Scenario.

Decommissioning/Reclamation

All Project Components

Decommissioning would be conducted in compliance with a required Reclamation Plan that would be implemented at the end of the Project's life and would adhere to Imperial County's decommissioning requirements. Further, decommissioning activities would be subject to mandatory compliance with applicable local, State, and federal regulations designed to avoid adverse impacts to the Project Area and surrounding environment. Therefore, environmental impacts due to a conflict with an applicable land use plan, policy or regulation would be **less than significant** during decommissioning/reclamation under the Full Build-out Scenario and Phased CUP Scenario.

Mitigation Measures

None required.

Significance After Mitigation

Not Applicable.

4.2.4 CUMULATIVE SETTING, IMPACTS AND MITIGATION MEASURES

A. CUMULATIVE SETTING

The geographic scope for the analysis of cumulative impacts related to land use is the area within a 20-mile radius of the Project Area. This distance was determined based on capturing projects within a reasonable distance of the Project Area. The cumulative setting for land use includes build-out of the proposed, approved and reasonably foreseeable projects in the region as identified in Table 3.0-1 in Chapter 3.0, Introduction to the Environmental Analysis and Assumptions Used. **Figure 3.0-1** shows the locations of the cumulative projects surrounding the Project Area.

4.2 LAND USE

B. CUMULATIVE IMPACTS AND MITIGATION MEASURES

Cumulative Conflicts with Applicable Land Use Plans, Policies, or Regulations

Impact 4.2.2 Development of the proposed Project in combination with proposed, approved and reasonably foreseeable projects in the region would not incrementally cause a significant environmental impact due to a conflict with applicable land use plans, policies and regulations. Each CUP Area would be required to be overall consistent with the applicable plans, policies and regulations. Thus, environmental impacts associated with conflicts with applicable land use plans, policies and regulations are considered **less than cumulatively considerable** under both the Full Build-out Scenario and Phased Build-out Scenario.

Construction

All Project Components

Should the County of Imperial Board of Supervisors approve the requested General Plan Amendment (GPA#17-0006) to add an Island Overlay designation to the Project site; a Zone Change (ZC#17-0007) to add the RE Overlay zone to the Project site; a Parcel Map (PM#02478) to fix the existing inconsistency with the legal and physical boundary of the SW ¼ Section; five CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035) to develop solar energy generating systems including potential energy storage on lands zoned A-2, A-2-R, and A-3; one CUP (CUP18#0001) to develop energy storage as a component of solar on lands zoned A-2 and A-3; one Variance (V#17-0003) to allow for Gen-Tie line poles in excess of 120 feet in height; up to five Lot Tie Agreements to hold some or all of the parcels that are part of the Project together as a single parcel; and a Development Agreement, the proposed Project construction would be considered consistent with the goals, objectives and policies of the General Plan and Land Use Ordinance as described in **Table 4.2-1**. Without these approvals, the Project would not be allowed to move forward. Likewise, other proposed, approved and reasonably foreseeable projects in the region as identified in Chapter 3.0, Table 3.0-1 would also be required to be overall consistent with General Plan land use designations in order for them to obtain necessary development permits, and would be evaluated for consistency on a case-by-case basis. Therefore, Project construction would not incrementally contribute to cumulative conflicts with the Imperial County General Plan during construction under the Full Build-out Scenario or Phased CUP Scenario. Environmental impacts related to conflicts with the Imperial County General Plan and Land Use Ordinance would be **less than cumulatively considerable** during construction under both the Full Build-out Scenario and the Phased Build-out Scenario.

Operation

All Project Components

Should the County of Imperial Board of Supervisors approve the requested GPA, ZC, Parcel Map, six CUPs, Variance and Development Agreement, potential land use conflicts associated with proposed Project operations would be considered consistent with the goals, objectives and policies of the General Plan and Land Use Ordinance as described in **Table 4.2-1**. Without these approvals, the Project would not be allowed to move forward. Other proposed, approved and reasonably foreseeable projects in the region as identified in Chapter 3.0, Table 3.0-1 would also be required to be overall consistent with General Plan land use designations in order for them to obtain necessary development permits, and would be evaluated for consistency on a case-by-case basis. As such, Project operations would not incrementally contribute to cumulative conflicts with the Imperial County General Plan or Land Use Ordinance during operation under the Full Build-out Scenario or Phased CUP Scenario. Environmental impacts related to conflicts with the Imperial County General Plan and Land Use Ordinance would be **less than cumulatively considerable** during operations under both the Full Build-out Scenario and the Phased Build-out Scenario.

Decommissioning/Reclamation

All Project Components

Project decommissioning would be required to maintain overall consistency with General Plan land use designations and Land Use Ordinance requirements. Activities during Project decommissioning would be required to comply with Mitigation Measures as identified in Section 4.1 thru 4.14 of this EIR, as well as with all mandatory State and Local regulations relating to removal of Project facilities and restoration of the site for agricultural production. Likewise, other proposed, approved and reasonably foreseeable projects in the region as identified in Chapter 3.0, Table 3.0-1 would also be required to be overall consistent with General Plan land use designations in order for them to obtain necessary development permits, and would be evaluated for consistency on a case-by-case basis. Therefore, the proposed Project would not incrementally contribute to cumulative environmental impacts due to conflicts with the Imperial County General Plan during decommissioning under the Full Build-out Scenario or Phased CUP Scenario. Potential for environmental impacts related to conflicts with applicable land use plans, policies and regulations would be **less than cumulatively considerable** during decommissioning under the Full Build-out Scenario and Phased CUP Scenario.

Mitigation Measures

None required.

Significance After Mitigation

Not Applicable.

4.2 LAND USE

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