

## **CHAPTER 1.0 – INTRODUCTION**

This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines Section 15132. The County of Imperial (County) is the lead agency for the environmental review of the Energy Source Mineral ATLiS Project (Project) and has the principal responsibility for approving the Project. This Final EIR assesses the expected environmental impacts resulting from approval of the Project and responds to comments received on the Draft EIR.

### **1.1 BACKGROUND AND PURPOSE OF THE FINAL EIR**

#### **1.1.1 Overview of CEQA Requirements for Preparation of an EIR**

Imperial County has prepared this Final EIR to provide the public and responsible and trustee agencies with information about the potential environmental effects of the Project. As set forth in the provisions of CEQA and implementing regulations, public agencies are charged with the duty to consider the environmental impacts of proposed development and to minimize these impacts where feasible while carrying out an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA Guidelines Section 15121(a) states that an EIR is an informational document for decision-makers and the general public that analyzes the significant environmental effects of a project, identifies possible ways to minimize significant effects, and describes reasonable alternatives to the project that could reduce or avoid its adverse environmental impacts. Public agencies with discretionary authority are required to consider the information in the EIR, along with any other relevant information, in making decisions on the project.

CEQA requires the preparation of an EIR prior to approving any project which may have a significant effect on the environment. For the purposes of CEQA, the term “project” refers to the whole of an action which has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the Energy Source Mineral ATLiS Project, the County has determined that the proposed development is a “project” within the definition of CEQA.

#### **1.1.2 Environmental Review Process of the Project**

The following is an overview of the environmental review process for the Project that led to the preparation of this Final EIR:

##### **Notice of Preparation and Initial Study**

In accordance with Section 15082 of the CEQA Guidelines, Imperial County prepared a Notice of Preparation (NOP) of an EIR on December 11, 2020. The County was identified as the lead agency for the proposed Project. The purpose of the notice was to solicit comments on the proposed Project; therefore, it was circulated to interested parties as well as to the public and local, state, and federal agencies. The December 2020 NOP, and comments responding to the NOP, are presented in Appendix A of the Draft EIR.

## **Draft EIR**

The Draft EIR was finalized in June 2021 and circulated for 50-day public and agency review from June 28, 2021, through August 17, 2021. The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at the Imperial County Planning and Development Services Department, the Imperial County Website, and local libraries.

## **Final EIR**

This Final EIR presents the environmental information and analyses that have been prepared for the proposed Project, including comments received addressing the adequacy of the Draft EIR and responses to those comments.

As required by CEQA, this document responds to all written comments received during the 50-day comment period which began on June 28, 2020, through August 17, 2021. Following the close of the CEQA public review period, the County received three comment letters from agencies and interested groups regarding the Draft EIR. This response to comments document, in conjunction with the Draft EIR, constitutes the Final EIR for the proposed Project. A copy of the comment letters submitted in response to the Draft EIR is presented in Chapter 3.0, Comments and Responses to Comments of this document. These comments were reviewed, and revisions were incorporated into the Draft EIR where appropriate. Requirements for the preparation and disposition of the Response to Comments are provided for in Public Resources Code (PRC), Division 13, Section 21092.5 and CEQA Guidelines Section 15088.

In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR and are included as part of the Errata in Chapter 4.0 of this Final EIR. The Final EIR, in combination with the Draft EIR and the Mitigation Monitoring and Reporting Program (MMRP) (which is included as Chapter 5.0 of this Final EIR), will be used by the Planning Commission and Board of Supervisors in the decision-making process for the Project.

### **1.1.3 Intended Uses of the EIR**

The EIR is intended to evaluate the environmental impacts of the Project to the greatest extent possible. This EIR, in accordance with CEQA Guidelines Section 15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the Project. These actions include, but are not limited to, the following:

- Imperial County Planning Department – Minor Subdivision
- Imperial County Planning Department – Water Supply Assessment
- Imperial County Planning Department – Conditional Use Permit
- Imperial County Building Department – Building and Grading Permits
- Imperial County Public Works Department – Encroachment Permit(s)

#### **1.1.4 Organization and Scope of the Final EIR**

This document is organized in the following manner:

#### **CHAPTER 1.0 - INTRODUCTION**

Chapter 1.0 provides an overview of the EIR process to date and the required contents of the Final EIR.

#### **CHAPTER 2.0 - EXECUTIVE SUMMARY**

Chapter 2.0 summarizes the characteristics of the proposed Project and provides a concise summary matrix of the Project's environmental impacts and associated mitigation measures.

#### **CHAPTER 3.0 - COMMENTS AND RESPONSES TO COMMENTS**

Chapter 3.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments made on the Draft EIR.

#### **CHAPTER 4.0 - ERRATA**

Chapter 4.0 consists of revisions to the Draft EIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or content of the analysis or the conclusions regarding level of significance of impacts or alter mitigation measures in their effectiveness to reduce impacts.

#### **CHAPTER 5.0 - MITIGATION MONITORING AND REPORTING PROGRAM**

Chapter 5.0 contains a matrix identifying each mitigation measure, the timing of the mitigation, the responsible agency, and a place to check off when the mitigation has been completed.