

**DRAFT
ENVIRONMENTAL IMPACT REPORT
FOR THE
HELL'S KITCHEN POWERCO 1 AND LITHIUMCO 1
PROJECT
IMPERIAL COUNTY, CALIFORNIA**

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EXECUTIVE SUMMARY

ES.1 INTRODUCTION

This Draft Environmental Impact Report (Draft EIR or DEIR), prepared in accordance with the California Environmental Quality Act (CEQA), addresses potential environmental effects associated with the development of a commercial lithium hydroxide production plant within the Salton Sea geothermal field in Imperial County, California. The DEIR provides an overview of the Project and considered alternatives, identifies the anticipated environmental impacts from the Project and the alternatives, and identifies mitigation measures designed to reduce the level of significance of any impact.

ES.2 PURPOSE OF THE ENVIRONMENTAL IMPACT REPORT

The primary purpose of the CEQA process is to inform the public and decision makers as to the potential impacts of a project and to allow an opportunity for public input to ensure informed decision-making by the Lead Agency. CEQA requires all State and local government agencies to consider the environmental effects of projects over which they have discretionary authority. CEQA also requires each public agency to mitigate or avoid the significant environmental impacts resulting from proposed projects, when feasible, and to identify a range of feasible alternatives to the proposed project that could reduce those environmental effects.

Under CEQA, an EIR analyzes the impacts of an individual activity or specific project and focuses primarily on changes in the environment that would result from that activity or project. The Draft EIR must include the contents required by CEQA and the CEQA Guidelines and examine all phases of the project, including planning, construction, operation, and any reasonably foreseeable future phases.

ES.3 PROJECT DESCRIPTION

Controlled Thermal Resources (US) Inc. via its subsidiary Hell's Kitchen Geothermal, LLC is proposing the Hell's Kitchen PowerCo 1 (HKP1), and Hell's Kitchen LithiumCo 1 LLC is proposing the Hell's Kitchen LithiumCo 1 (HKL1) in Imperial County, California. HKP1 involves the development of a geothermal power plant that will produce up to 49.9 megawatts (MW) net of geothermal green energy. HKL1 involves development of mineral extraction and processing facilities capable of producing lithium hydroxide, silica and polymetallic products, and possibly boron compounds, for commercial sale. HKP1 and HKL1 (together referred to as the Proposed Project) will be constructed by Hell's Kitchen PowerCo 1 LLC and Hell's Kitchen LithiumCo 1 LLC respectively, both subsidiaries of Controlled Thermal Resources (US) Inc. (CTR) and will have shared facilities. Hell's Kitchen Operating Services LLC, also a subsidiary of Controlled Thermal Resources (US) Inc. will operate and maintain these facilities.

ES.4 INTENDED USES OF THIS EIR

This Draft EIR examines the environmental impacts of the Proposed Project. It is the intent of this Draft EIR to enable the County, other responsible agencies, and interested parties to evaluate the environmental impacts of the Proposed Project and identify feasible measures to mitigate such impacts, thereby enabling them to make informed decisions with respect to the requested entitlements.

The CEQA Guidelines require an EIR to include a statement briefly describing the intended uses of the EIR, including a list of agencies expected to use the EIR in their decision-making and the list of the permits and other approvals required to implement the Project.

The County will use this Draft EIR to provide information on the potential environmental effects of the following proposed actions:

- Imperial County Planning Department – Conditional Use Permit
- Imperial County Planning Department – Zoning Variance
- Imperial County Planning Department – Development Agreement (if required)
- Imperial County Building Department – Building and Grading Permits
- Imperial County Public Works Department – Encroachment Permit(s)
- Imperial Irrigation District – Encroachment Permit(s)
- Imperial Irrigation District – Water Supply Agreement
- Imperial Irrigation District – Other approvals not yet known for water or power

ES.5 PROJECT OBJECTIVES

The Proposed Project has the following objectives:

The HKP1 objectives include the following:

- To produce 49.9MW (net) of geothermal green energy from within CTR's geothermal lease area.
- To provide power to the Imperial Irrigation District and other potential off takers.
- To minimize and mitigate potential impacts to sensitive environmental resources while producing renewable energy and creating jobs.

The HKL1 objectives include the following:

- To provide a sustainable domestic source of lithium, a designated critical material identified by the U.S. Department of Energy.
- To extract and produce lithium hydroxide, silica, bulk sulfide, and polymetallic products for commercial sale from the geothermal brine within the Hell's Kitchen lease area.
- To minimize the distance between the geothermal power plant and lithium extraction plant for production efficiency and to reduce the extent of pipeline required to convey brine and steam to and from the geothermal power facility to the mineral extraction plant, therefore minimizing the overall industrial footprint of the combined power and mineral operations.
- To minimize and mitigate potential impacts to sensitive environmental resources within the Project area.

ES.6 SUMMARY OF ALTERNATIVES AND ENVIRONMENTALLY SUPERIOR ALTERNATIVE

As previously discussed, only one alternative was considered feasible and analyzed in this analysis. A comparison of the Project's impacts and the No Project Alternative impacts is shown in Table 5.0-2. The No Project Alternative would be considered the environmentally superior alternative, as it would avoid or reduce all of the potential impacts associated with construction and operation of the Project. The No Project Alternative would not meet most of the Project objectives including that it would not provide a sustainable domestic source of lithium, a designated critical material identified by the U.S. Department of Energy, (2) produce 49.9MW (net) of geothermal green energy from within CTR's geothermal lease area.; or (3) minimize the distance between the geothermal power plant and lithium extraction plant for production efficiency and to reduce the extent of pipeline required to convey brine and steam to and from the geothermal power facility to the mineral extraction plant, therefore minimizing the overall industrial footprint of the combined power and mineral operations. Furthermore, the No Project Alternative may result in future projects other than and potentially with greater impacts than the Proposed Project.

CEQA Guidelines requires that, if the No Project Alternative is determined to be the environmentally superior alternative, an environmentally superior alternative must also be identified among the remaining alternatives. However, reducing the Project size and relocating the Project to another site in the area were deemed to be infeasible alternatives. Thus, the only environmentally superior alternative identified is the No Project Alternative.

ES.7 TABLE OF SIGNIFICANT IMPACTS AND MITIGATION MEASURES

A summary of the potential environmental impacts of the Proposed Project is provided below for each topic addressed in this Draft EIR. Table ES-1 summarizes the significance of the impacts of the Project based on the information and analysis in Chapter 4.0 of this Draft EIR.

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Aesthetics			
Threshold a) Have a substantial adverse effect on a scenic vista or scenic highway?			
<p>Due to the distance of the Project site from the nearest scenic highway, the Proposed Project is not anticipated to have a substantial adverse effect on a scenic highway. Additionally, as shown in viewpoint 3 in Figure 4.1-4, the Proposed Project would not result in substantial adverse effect on a scenic highway because it would neither be located near a scenic highway nor would its presence interrupt the views seen along Highway 111.</p> <p>Viewpoints 1 and 2 show that the Proposed Project would affect the existing viewshed by partially blocking the mountain ranges to the north of the Project, such as the Orocopia and Chocolate Mountains to the north/northwest. While the mountains within Imperial County provide visual character to the area, the Project site is not a designated scenic viewpoint and therefore, the presence of Project features would not be considered to have a substantial adverse effect on a scenic vista. Furthermore, the Sonny Bono Salton Sea Wildlife Refuge is located 4 miles southwest of the Project site. Due to its distance from the Project site, the construction and operation of the Proposed Project would not result in substantial adverse effect to its use.</p>	Less than Significant	No Mitigation Required.	Less than Significant
Threshold c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surrounding? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
The construction and operation of the Proposed Project would not substantially degrade the existing visual character of the area. While the Project is not designated to contain high visual quality, it would be designed and constructed to be consistent with the existing power plants in the region so as to maintain visual consistency. Furthermore, the proposed uses of the site would be consistent with the permitted uses of the area as the land use ordinance by the County authorizes the development and operation of renewable energy projects with a CUP. Impacts therefore are less than significant.	Less than Significant	No Mitigation Required.	Less than Significant
Air Quality			
Threshold a) Conflict with or obstruct implementation of the applicable air quality plan?			
Both construction and operational emissions created from the Proposed Project would not be within their respective ICAPCD thresholds. According to the ICAPCD Handbook, projects that are within the ICAPCD thresholds are consistent with the regional air quality plans. Furthermore, the standard mitigation measures provided in the ICAPCD Handbook have been incorporated into the Project Description for the Proposed Project as Project Design Features (see Section 2.10), and the Proposed Project will be required to implement all of the ICAPCD Regulation VIII, fugitive dust control measures during construction and operation of the Proposed Project. Furthermore, any stationary sources of emissions operated on site will be required to adhere to ICAPCD Rule 207, New and Modified Stationary Source Review and Rule 201 that require permits to construct and	Potentially Significant	MM-AQ-1 Prior to commencing construction, the Project proponent shall submit a Dust Control Plan to the Imperial County Air Pollution Control District (ICAPCD) for approval identifying all sources of PM10 and PM2.5 emissions and associated mitigation measures during the construction and operational phases of the Project. The Project proponent shall submit a Construction Notification Form to the ICAPCD ten days prior to the commencement of any earthmoving activity. This plan would provide a detailed list of control measures to reduce fugitive emissions from construction and operational activities, including but not limited to watering of unpaved roads, vehicle speed limits, windbreaks, transport container covers, and cleaning and sweeping procedures. The Dust Control Plan submitted to the ICAPCD shall meet all applicable requirements for control of fugitive dust emissions, including the following measures designed to achieve the no greater than 20-percent opacity performance standard for dust control:	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
<p>operate stationary sources. The Proposed Project would have the potential to conflict with or obstruct implementation of the applicable air quality plans. However, the Project would implement mitigation measures AQ-1 and AQ-2 to reduce CO and NOx emissions. Table 4.2 7 shows that once mitigated, all criteria pollutants would be reduced to a level that is less than significant. Therefore, with implementation of the above mitigation measure, impacts to air quality plans would be reduced to a level less than significant.</p>		<ul style="list-style-type: none"> • All disturbed areas, including bulk material storage, that is not being actively used shall be effectively stabilized; and visible emissions shall be limited to no greater than 20 percent opacity for dust emissions by using water, chemical stabilizers, dust suppressants, tarps, or other suitable material, such as vegetative groundcover. Bulk material is defined as earth, rock, silt, sediment, and other organic and/or inorganic material consisting of or containing PM with 5 percent or greater silt content. • All on- and off-site unpaved roadway segments being used for 50 or more average vehicle trips per day shall be effectively stabilized, and visible emissions shall be limited to no greater than 20 percent opacity for dust emissions by the use of restricting vehicle access, paving, chemical stabilizers, dust suppressants, and/or watering. • All unpaved traffic areas one acre or more in size with 75 or more average vehicle trips per day shall be effectively stabilized, and visible emissions shall be limited to no greater than 20 percent opacity for dust emissions by paving, chemical stabilizers, dust suppressants, and/or watering. • All track-out or carry-out, which includes bulk materials that adhere to the exterior surfaces of motor vehicles and/or equipment (including tires) that may then fall onto the pavement on paved public roads, shall be cleaned at the end of each workday or immediately when mud or dirt extends a cumulative distance of 50 linear feet or more onto a paved road in an urban area. • Movement of bulk material handling or transfer shall be stabilized prior to handling or at points of transfer with application of sufficient water or chemical stabilizers, or by sheltering or enclosing the operation and transfer line except, where such material or activity is exempted from stabilization by the rules of ICAPCD. 	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<ul style="list-style-type: none"> • Any temporary unpaved road shall be effectively stabilized and visible emissions shall be limited to no greater than 20 percent opacity for dust emission by paving, chemical stabilizers, dust suppressants and/or watering. • Fugitive dust generation during construction would be minimized by watering as needed to meet Imperial County standards for fugitive dust control. To further reduce fugitive dust emissions, vehicle traffic on unpaved roads would be kept below 15 miles per hour. • During grading, the Project would be watering actively disturbed on-site areas at least three times a day as necessary to reduce fugitive dust emissions. • Access to the site would be via Highway 111, McDonald Road, and Davis Road. All workers, vendors and haul trucks would be required to utilize these roadways. • An agreement between County of Imperial Public Works and the applicant would be established requiring the applicant to improve a two-mile section of the unpaved Davis Road adjacent to the site by installing a 12- to 18-inch- thick engineered Class II base section. In addition, at the request of the County, the applicant would utilize the improved section during construction and would wet the site continuously during construction activities. The road would be immediately paved after construction prior to operations of the plant to avoid damaging a new asphalt section. • During construction, the Project would be required to maintain daily dust suppression at the two-mile section of Davis Road adjacent to the site using a water truck operating continuously while vehicles are using the road. • The Project would provide wheel shakers at the exit(s) of the construction site to minimize dust being tracked off the Project site and onto the roadways. 	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<ul style="list-style-type: none"> • Operational on-road trips shall not operate on unpaved dirt roads. <p>MM-AQ-2 Prior to commencing construction, the Project proponent shall submit and commit to a Combustion Exhaust Emissions Control Program. This plan would provide a detailed list of control measures to minimize exhaust emissions during Project construction, including but not limited to fuel use, engine maintenance, and procedures:</p> <ul style="list-style-type: none"> • The Exhaust Emission Control Plan shall provide a detailed list of control measures to minimize exhaust emissions during Project construction, including but not limited to fuel use, engine maintenance, and procedures. • The construction contractor shall be required to utilize construction equipment using diesel engines less than 50 horsepower with certified NOx emissions rated as Tier 3 or better. All off-road diesel-powered equipment greater than 50 horsepower that is used on-site during construction of the Project shall meet USEPA Tier 4 offroad emission standards and Level 3 diesel particulate filters. • When commercially available, fossil fueled equipment shall be replaced with electrically driven equivalents (provided they are not run via a portable generator set). • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure, Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. 	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</p> <ul style="list-style-type: none"> Where access to alternative sources of power are available, portable diesel engines shall be prohibited. Haul truck shall be 2010 model year trucks or newer (a gross vehicle weight rating of at least 14,001 pounds), or best commercially available equipment, that meet the California Air Resources Board 2010 engine emissions standards at 0.01 g/horsepower-hour of particulate matter and 0.20 g/horsepower-hour of NOx emissions or newer, cleaner trucks. The volatile organic compounds (VOC) architectural coating limits specify that the use paints and solvents with a VOC content of 100 grams per liter or less for interior and 150 grams per liter or less for exterior surfaces shall be required. 	
<p>Threshold b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?</p>			
<p>During start-up conditions, air emissions of CO and NOx associated with the HKP1 were estimated to exceed the CEQA significance thresholds and air emissions of CO associated with HKP1 were estimated to exceed the Rule 207, Section C.2.g thresholds. ICAPCD Rule 207 Section C.2 requires emissions offsets for sources with pollutant emissions that exceed 137 pounds per day. Pursuant Rule 207, Section C.2.g, the Proposed Project has prepared a CO Air Quality Impact Analysis (Part F of Rule 207), which demonstrates that the HKP1 would not cause or contribute to a violation of the CO NAAQS/CAAQS. The 1-hour and 8-hour CO modeled concentration plus background concentrations are 2,213 and 1,369 micrograms per cubic meter (µg/m³), respectively,</p>	<p>Less Than Significant</p>	<p>None required.</p>	<p>Less than Significant</p>

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
<p>which are well below the NAAQS/CAAQS. Therefore, the startup operations associated with the proposed standby/black-start diesel engine generator would have a less than significant impact on CO concentrations.</p>			
Biological Resources			
<p>Threshold a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>			
<p>The Project includes removal of cattails and other vegetation that provide potential breeding habitat for Yuma hispid cotton rat, <u>burrowing owl</u>, <u>western snowy plover</u>, Yuma Ridgway's rail, California black rail, least bittern, wood stork, white-faced ibis, and <u>desert pupfish</u>. Yuma hispid cotton rat These species could be impacted by construction activities if the species were to occur in the construction area at the time of construction. In addition, construction activities include excavation of trenches and steep walled foundations where cotton rat could become trapped. Because a qualified biologist would be on site to observe all vegetation removal activities and could relocate <u>these species</u> Yuma hispid cotton rat out of harm's way if one were observed in the area, the impact from vegetation removal activities would be less than significant. In addition, because open trenches will be covered to avoid cotton rats from becoming trapped and a biologist will observe open excavations daily, the impact of open excavations on cotton rats will be less than significant.</p>	<p>Potentially Significant</p>	<p>BIO-1. Designated Biologist: The Applicant shall retain the services of a Qualified Biologist. The Qualified Biologist will be employed during construction and all vegetation removal and ground-disturbing activities. The Qualified Biologist will document compliance with the projects mitigation measures and permits. The Qualified Biologist will have the authority to halt any Project activities that are in violation of the terms and conditions of the Project biological opinion(s) or incidental take permit, as appropriate.</p> <p>BIO-2. Biological Monitors: Biological monitor(s) will be employed to assist the Designated Biologist in conducting preconstruction surveys and monitoring ground disturbance, grading, construction, decommissioning, and restoration activities. The biological monitor(s) will have sufficient education and field experience to understand resident wildlife species biology. To avoid and minimize effects to biological resources, the biological monitor(s) will assist the Designated Biologist with the following:</p> <ul style="list-style-type: none"> Conduct inspections for listed species during ground-disturbing construction activities and document that 	<p>Less Than Significant</p>

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>habitat within the construction zone is not occupied by Yuma Ridgway's rail or desert pupfish.</p> <ul style="list-style-type: none"> Document compliance with all conservation measures, including but not limited to monitoring for presence of listed species; halting construction activity in the area if an individual listed species is found; and checking the staking/flagging of all disturbance areas to be sure that they are intact and that all construction activities are being kept within the staked/flagged limits. If a Yuma Ridgway's rail or desert pupfish is found within a work area, the Biological Monitor(s) will immediately notify the Designated Biologist, who will determine measures to be taken to ensure that the individual is not harmed, such as temporarily halting construction. <p>BIO-3. Worker Environmental Awareness Program Training: A Worker Environmental Awareness Program will be implemented for construction crews prior to the commencement of Project activities. Training materials and briefings will include, but not be limited to, discussion of the federal and State statutes protecting threatened and endangered species, the consequence of noncompliance with these statutes, identification of values of wildlife and natural plant communities, hazardous substance spill prevention and containment measures, and review of all required conservation measures.</p> <p>BIO-4. Flagging of Work Area Limits: All areas to be disturbed by the Project will be flagged prior to construction. All disturbance will be confined to these flagged areas, and all employees will be instructed that their activities must be confined to locations within the flagged areas.</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>BIO-5. Power Wash Equipment: All equipment used during construction of the Project will be required to be power washed prior to arrival at the Project site to prevent the transportation and establishment of noxious weeds in the area.</p> <p>BIO-6. Sediment and Erosion Control: The Project proponent will acquire the appropriate Clean Water Act regulatory permits, prepare a Stormwater Pollution and Prevention Plan (SWPPP), and implement BMPs prior to construction and site restoration. The SWPPP will identify specific actions and BMPs relating to the prevention of stormwater pollution from Project-related construction sources by identifying a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP reflects localized surface hydrological conditions and will be reviewed by the USFWS prior to commencement of work. A SWPPP will be a condition of the contract with each contractor selected to build and decommission the Project. The SWPPP(s) at a minimum will incorporate soil stabilization and erosion control practices (e.g., hydroseeding, erosion control blankets, mulching), dewatering and/or flow diversion practices, sediment control practices (temporary sediment basins, fiber rolls), temporary and post-construction onsite and offsite runoff controls, and special considerations and BMPs for water crossings, wetlands, and drainages. The SWPPP will be prepared by a qualified SWPPP practitioner with BMPs selected to achieve maximum pollutant removal and that represent the best available technology that is economically achievable. Emphasis for BMPs is placed on controlling discharges of oxygen-depleting substances, floating material, oil and grease, acidic or caustic substances or compounds, and turbidity. Performance and effectiveness of these BMPs are determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>sampling in cases where verification of contaminant reduction or elimination (inadvertent petroleum release) is required to determine adequacy of the measure.</p> <p>BIO-7. Solid Waste Management: Solid waste will be properly contained in designated collection areas on site and regularly disposed of.</p> <p>BIO-8. Desert Pupfish Protection and Relocation Plan: A desert pupfish protection and relocation plan will be prepared prior to construction activities in any suitable habitat for desert pupfish. Its implementation will ensure construction in the drain mouths and channels will be conducted with minimal effects on desert pupfish. The plan will provide the following:</p> <ul style="list-style-type: none"> • Avoidance of construction activities within suitable habitat for desert pupfish during the desert pupfish spawning season (April to October). • Protocols for preconstruction surveys to assess species presence and spawning within or immediately adjacent to work areas (i.e., areas with ponded water). • Protocols for capture (e.g., trapping for construction) and transport methods that will minimize handling and stress as well as exposure to heat, low dissolve oxygen, and crowding. • Identification of locations for release of captured desert pupfish. <p><u>Yuma Ridgway's Rail Measures, Black Rail, and Other Marsh Bird Measures</u></p> <p><u>A desert pupfish protection and relocation plan will be prepared prior to construction activities in any suitable habitat for desert pupfish. Its implementation will ensure construction in any suitable habitat for desert pupfish will</u></p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p><u>be conducted with minimal effects on desert pupfish. This plan will be submitted to the Service and the CDFW for review and approval prior to any ground-disturbing activities that have a water component. This plan will provide:</u></p> <ol style="list-style-type: none"> <u>1. Protocols for pre-construction or pre-maintenance surveys to assess species presence and spawning within or immediately adjacent to work areas (e.g., in, or at the end of, the irrigation drains/drain canals, open water areas, and around the open water margins). The protocols will also outline the qualifications required for biologists to conduct desert pupfish survey, capture, and relocation activities and the process for biologist approval.</u> <u>2. Capture (e.g., trapping in the irrigation drains for construction and maintenance; or trapping, dip netting, and seining in open water areas that are drained or if the water level is dropped) and transport methods to minimize handling and stress as well as exposure to heat, low dissolved oxygen (DO), and crowding.</u> <u>3. Identification of locations for release of captured desert pupfish.</u> <u>4. Timing windows when construction or maintenance in open water areas and in the irrigation drain mouths/canals may be conducted with minimal effects on desert pupfish spawning.</u> 	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p><u>5. Adaptive management procedures that include assessment of mitigation measure effectiveness, development of revised measures to improve effectiveness, and similar assessment of revised measures to verify effectiveness. Yuma Ridgway's Rail Measures, Black Rail, and Other Marsh Bird Measures.</u></p> <p>BIO-9. Construction Timing: Construction activities within habitat for Yuma Ridgway's rail (i.e., cattail marsh) will be scheduled to avoid the nesting and molting flightless season (i.e., February 15 – September 15). Pile driving activities adjacent to Yuma Ridgway's rail habitat will avoid Yuma Ridgway's rail nesting season.</p> <p>BIO-10. Pre-Construction Surveys and Construction Monitoring for Yuma Ridgway's Rail and Black Rail: Pre-construction surveys for Yuma Ridgway's rail and black rail and construction monitoring will be conducted within all Project development areas within suitable habitat and a 500-foot buffer from suitable habitat. In the event that Yuma Ridgway's rail(s) or black rail(s) are detected within the work area (the area of active equipment use), all construction activities in the area will halt and the USFWS and CDFW will be notified no later than noon of the next business day. Project activities in the area may not proceed until the birds have left the work area. The USFWS and CDFW will also be notified if any Yuma Ridgway's rail are detected within 500 feet of the construction area. Project activities may proceed with caution in this buffer area under the direction of the Designated Biologist.</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>BIO-11. Reduced Vehicle Speed Adjacent to Rail Habitat: Vehicle speeds will be reduced to 15 miles per hour (mph) on access roads adjacent to Yuma Ridgway's rail habitat. These areas will be appropriately signed to identify the speed limit.</p> <p>BIO-12. Noise Attenuation: The following noise attenuation measures will be implemented to minimize noise impacts on Yuma Ridgway's rail during the nesting season:</p> <ul style="list-style-type: none"> • At least 30 days prior to activities within 500 feet of Yuma Ridgway's rail habitat, the Applicant will conduct a noise study to evaluate the maximum predicted noise level within rail habitat. • If the maximum predicted noise is less than 60 A-weighted decibel scale (dBA) equivalent continuous sound level (Leq), no additional measures are required. • If the maximum predicted noise level exceeds 60 dBA Leq in rail habitat, noise attenuation measures such as noise walls or hay bales will be installed between the noise source and the suitable habitat. Noise monitors will be installed at the edge of the nearest Yuma Ridgway's rail habitat to assess the noise levels and verify that attenuation measures are successful. If necessary, additional noise reduction measures will be implemented to reduce the noise level to below 60 dBA at the edge of occupied habitat. <p>BIO-13. Habitat Conservation: To offset the loss of Yuma Ridgway's rail habitat, the Project proponent will preserve, create, or enhance habitat near the Project site for Yuma Ridgway's rail. The Project proponent will provide funding for construction and long-term management of the created habitat and will provide financial assurance for the construction of the wetland habitat in the form of performance bonds, escrow accounts, casualty insurance, or letters of credit. The performance bond, escrow account,</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>casualty insurance, or letter of credit shall be of sufficient value to cover all construction, monitoring and reporting costs until the habitat is fully established. The financial assurance shall be in place prior to ground disturbance. Long-term management funding will be provided sufficient to cover, at a minimum, the management costs related to procurement of water from IID, weed control, levee and control structure maintenance, and control structure repair or replacement. The Applicant will prepare a detailed Habitat Enhancement Mitigation and Mitigation Monitoring Plan for review and approval by the USFWS, Corps, and CDFW prior to Project construction. Habitat creation activities will be conducted outside of the bird breeding season (February 15 – September 15) to avoid potential noise impacts on Yuma Ridgway's rail.</p> <p>BIO-14. Burrowing Owl. A pre-construction survey will be conducted for burrowing owls. The survey will be conducted during peak activity period (one hour before to two hours after sunrise or two hours before to one hour after sunset) no more than 14 days prior to the start of construction and within 500 feet surrounding the construction area. If owls are located during the pre-construction survey between February 1 and August 31 (nesting season), a buffer area will be established according to the guidelines in the 2012 Staff Report. A modified buffer reduction may be used with CDFW concurrence. If burrowing owls are located during the nonbreeding season, owls may be passively relocated in coordination with CDFW, by a qualified biologist according to the procedures outlined in the 2012 Staff Report on Burrowing Owl Mitigation. If burrowing owls are found on site during pre-construction</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>surveys, the Project proponent shall contact CDFW to prepare a plan of action for buffers or passive relocation.</p> <p>BIO-15. Lighting. Except as necessary for safety or security purposes, no lighting shall be allowed to impact wetland or riparian habitats.</p> <p>BIO-16. Nesting Bird Plan. A Nesting Bird Plan will be prepared that defines procedures for avoidance of nesting birds during Project construction. The Project will be scheduled to start construction activities outside the nesting season (February 1 through August 31), to the extent feasible. In the event that construction has to start during the nesting season, a qualified biologist will conduct surveys of the Project development area no more than 72 hours before any ground disturbance. If an active nest is observed in the Project development area, the qualified biologist will employ appropriate procedures for nest avoidance, and construction activities will not begin in the area of the active nest until all nesting activities have ceased and the young have fledged the nest. <u>Construction activities shall take place outside the general bird breeding season (February 15 to September 30), to the maximum extent practicable. Regardless of the time of year, prior to ground-disturbing activities, a qualified biologist shall conduct a nesting bird survey to comply with CDFW Code 3503 and 3503.5 and the Migratory Bird Treaty Act. The survey shall occur no more than three (3) days prior to initiation of proposed Project activities and shall include any potential habitat (including trees, shrubs, the ground, or nearby structures). Any occupied passerine and/or raptor nests occurring within the proposed Project area or the Project's zone of influence (generally 100-300 feet) shall be delineated and a no-disturbance buffer zone (as determined by the avian</u></p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p><u>biologist) shall be established and maintained during Project activities. Additional follow-up surveys may be required by the resource agencies and Imperial County. The buffer zone shall be sufficient in size to prevent impacts to the nest. A qualified biologist shall monitor active nests to determine whether construction activities are disturbing nesting birds or nestlings. If the qualified biologist determines that construction activities pose a disturbance to nesting, construction work shall be stopped in the area of the nest and the no disturbance buffer shall be expanded. Once nesting has ceased and the fledglings are no longer using the nest area as confirmed by a qualified biologist, the buffer may be removed. A nesting bird survey report shall be provided to Imperial County and CDFW. If an active nest is encountered during construction, construction shall stop immediately until a qualified biologist can determine the status of the nest and when work can proceed without risking violation to state or federal laws.</u></p> <p>BIO-17. Bird Flight Diverters. Bird flight diverters will be installed on any new transmission and power lines serving the Project, to limit bird mortality associated with introducing new transmission lines in bird flyways. Flight diverters make transmission lines more visible to birds. The transmission and power lines will be designed to meet Avian Power Line Interaction Committee (APLIC) guidelines.</p> <p>BIO-18. Excavation Areas. Any open trench or excavated area shall be securely covered anytime Project activities within the excavated/trenched rea have ceased. The designated biologist shall oversee the covering of all excavated, steep-walled holes or trenches by placing plywood or other barrier materials such that animals are unable to enter and</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		become entrapped. The use of temporary fencing around the perimeter or trenches or holes may be an acceptable minimization measure, if deemed appropriate by the biological monitor. Before holes or trenches are filled, the Biological Monitors shall thoroughly inspect the areas for trapped animals. If any worker discovers that any animal has become trapped, they shall halt Project-related activities and notify the biological monitor immediately.	
Threshold b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			
The Project study area contains wetlands and riparian habitats that are potentially subject to RWQCB, CDFW, and USACE jurisdiction. The removal of vegetation and discharge of fill to these wetland and riparian resources from temporary construction activities, or permanent conversion to a developed land use during operation of the proposed Project, could be a significant impact. Hell's Kitchen PowerCo 1 LLC and Hell's Kitchen LithiumCo 1 LLC will obtain all required USACE, CDFW, and RWQCB permits for impacts to wetlands and riparian areas prior to construction in any jurisdictional wetland or riparian area. The agencies permit processes requires compensatory mitigation for impacts to jurisdictional water resources. Because the Project will comply with all permit requirements, including development of compensatory wetland and riparian mitigation, the impacts on wetlands and riparian areas would be less than significant. Further details on the proposed wetland mitigation plan can be found in Section 4.3.8, Mitigation Measure BIO-19.	Less than Significant <u>Potentially Significant</u>	BIO-19. Wetland and Riparian Area Restoration/Compensation. The Project will provide restoration/compensation for all unavoidable impacts on areas under the jurisdiction of USACE, RWQCB, and CDFW. Impacts on jurisdictional areas will be avoided to the extent feasible. Where avoidance of jurisdictional areas is not feasible, the Project applicant will provide the necessary mitigation required as part of wetland permitting, by creation, restoration, or preservation of suitable jurisdictional or equivalent habitat along with adequate buffers to protect the function and values of jurisdictional areas. The Mitigation ratio will be 1:1 or as approved by the permitting agencies. The proposed Mitigation Plan area is located in Section 35 approximately 2 miles north of the HKP1 and HKL1 Projects at the corner of Beach Road and Access Road. The proposed mitigation area will total 159.61 acres; approximately 152 acres will be created native wetland/open water habitat and approximately 7 acres will be enhanced native upland habitat. Proposed native wetland communities include Willow Scrub Shrub, Cattail Bullrush Marsh and Desert	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		Riparian Woodlands. Proposed upland communities include Sonoran Desert Scrub/Alkali Sink.	
Threshold c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			
Project construction would occur within a relatively small area of comparatively low habitat quality along the roadside adjacent to the large, contiguous wetlands to the east. Following construction completion, vegetated areas and unvegetated open space would be converted permanently to developed land uses. The conversion of these vegetated and unvegetated open space areas would not result in a noteworthy loss of habitat compared to the large contiguous wetlands and open space areas to the north, west, and east, and would not impede wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their movement or reproduction. The Project impacts are collocated adjacent to Davis Road, IID's existing power line, and other infrastructure. As discussed in Section 4.3.4, the Project study area does not contain any wildlife nursery sites. The impact would be less than significant.		BIO-19. Wetland and Riparian Area Restoration/Compensation. The Project will provide restoration/compensation for all unavoidable impacts on areas under the jurisdiction of USACE, RWQCB, and CDFW. Impacts on jurisdictional areas will be avoided to the extent feasible. Where avoidance of jurisdictional areas is not feasible, the Project applicant will provide the necessary mitigation required as part of wetland permitting, by creation, restoration, or preservation of suitable jurisdictional or equivalent habitat along with adequate buffers to protect the function and values of jurisdictional areas. The Mitigation ratio will be 1:1 or as approved by the permitting agencies. The proposed Mitigation Plan area is located in Section 35 approximately 2 miles north of the HKP1 and HKL1 Projects at the corner of Beach Road and Access Road. The proposed mitigation area will total 159.61 acres; approximately 152 acres will be created native wetland/open water habitat and approximately 7 acres will be enhanced native upland habitat. Proposed native wetland communities include Willow Scrub Shrub, Cattail Bullrush Marsh and Desert Riparian Woodlands. Proposed upland communities include Sonoran Desert Scrub/Alkali Sink.	Less than Significant
Threshold d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Project construction would occur within a relatively small area of comparatively low habitat quality along the roadside adjacent to the large, contiguous wetlands to the east. Following construction completion, vegetated areas and unvegetated open space would be converted permanently to developed land uses. The conversion of these vegetated and unvegetated open space areas would not result in a noteworthy loss of habitat compared to the large contiguous wetlands and open space areas to the north, west, and east, and would not impede wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their movement or reproduction. The Project impacts are collocated adjacent to Davis Road, IID's existing power line, and other infrastructure. As discussed in Section 4.3.4, the Project study area does not contain any wildlife nursery sites. The impact would be less than significant.	Less than Significant	No Mitigation Required.	Less than Significant
Threshold e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			
In accordance with the consistency analysis provided in Table 4.3-1, the proposed Project is not anticipated to conflict with the Imperial County General Plan. There are no other local policies or ordinances protecting biological resources that apply to the proposed Project. Therefore, construction and operation of the proposed Project is anticipated to have a less-than-significant impact with respect to conflicting with any local policies or ordinances protecting biological resources. However, the Imperial County Board of Supervisors provides the ultimate	Less than Significant	No Mitigation Required.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
determination regarding the proposed Project's consistency with the Imperial County General Plan.			
Cultural Resources			
Threshold a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?			
Threshold b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			
The intensive pedestrian survey resulted in identification of a newly recorded resources which consists of a remnant of a historic-era house dating back to 1953(TES-HK-001H). The structure is comprised of adobe brick. However, the structure has been altered over the years. The structure no longer contains walls, windows, doors, and room, and shows evidence of damage, graffiti, and other modern effects such as furniture and refuse. Based on the condition of the structure, there is not enough original structure remaining to understand the original appearance of the structure. Standard DPR site records have been completed for this resource and are waiting permanent designation from the information center. Its severely dilapidated condition does not allow for the structure to meet the criteria needed for listing on the CRHR and is not known to be affiliated with anyone of significance or contribute to local cultural heritage or yield additional information to local history. Therefore, the Proposed Project would not result in significant impact to a historical	Less than Significant	<p>CUL-1 The Applicant shall retain the services of a Qualified Archaeologist, meeting the Secretary of the Interior Standards or County standards, whichever is greater, and require that all initial ground-disturbing work be monitored by archaeological specialist (monitor) proficient in artifact and feature identification in monitoring contexts. The Consultant (Qualified Archaeologist and/or monitor) shall be present at the Project construction phase kickoff meeting.</p> <p>CUL-2 Prior to commencing construction activities and thus prior to any ground disturbance in the Proposed Project site, the Consultant shall conduct initial Worker Environmental Awareness Program (WEAP) training to all construction personnel, including supervisors, present at the outset of the Project construction work phase, for which the Lead Contractor and all subcontractors shall make their personnel available. A tribal monitor shall be provided an opportunity to attend the preconstruction briefing, if requested. This WEAP training will educate construction personnel on how to work with the monitor(s) to identify and minimize impacts to archaeological resources and maintain environmental compliance. This WEAP training will educate the monitor(s) of construction procedures to avoid construction-related injury or harm. This training may be performed periodically, such as for new personnel coming on to the Project as needed.</p>	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
<p>resource. Impacts would be less than significant. An archaeological investigation was conducted for the Project to determine if there are any impacts that would occur that would disrupt or adversely affect a prehistoric or historic-era archaeological site to a community, ethnic or social group. The investigation resulted in resources being found within the Project area. However, because of the conditions of these resources, these have not been determined to be significantly impacted by the Proposed Project. However, given the largely undeveloped nature of the Project site with no previous development, there remains potential that the Project's ground disturbing activity would impact undiscovered resources. These resources could include but not limited to lithic materials, faunal, pottery, ceramics, building materials, or glassware. Therefore, mitigation measure CUL-1 through CUL-5 would be implemented to ensure that impacts would be less than significant.</p>		<p>CUL-3 The Contractor shall provide the Consultant with a schedule of initial potential ground-disturbing activities. A minimum of 48 hours will be provided to the Consultant of commencement of any initial ground-disturbing activities such as vegetation grubbing or clearing, grading, trenching, or mass excavation. A monitor shall be present on-site at the commencement of ground-disturbing activities related to the Project. The monitor, in consultation with the Qualified Archaeologist, shall observe initial ground-disturbing activities and, as they proceed, adjust the number of monitors as needed to provide adequate observation and oversight. All monitors will have stop-work authority to allow for recordation and evaluation of finds during construction. The monitor will maintain a daily record of observations to serve as an ongoing reference resource and to provide a resource for final reporting upon completion of the Project. The Consultant and the Lead Contractor and subcontractors shall maintain a line of communication regarding schedule and activity such that the monitor is aware of all ground-disturbing activities in advance to provide appropriate oversight.</p> <p>CUL-4 In the event of the discovery of previously unidentified archaeological materials, the Contractor shall immediately cease all work activities within an area of no less than 100 feet of the discovery. After cessation of excavation, the Contractor shall immediately contact the County. Except in the case of cultural items that fall within the scope of the Native American Grave Protection and Repatriation Act (NAGPRA), California Health and Safety Code 7050.5, CEQA 15064.5, or California Public Resources Code 5097.98, the discovery of any cultural resource within the Project area shall not be grounds for a Project-wide "stop work" notice or otherwise interfere with the Project's continuation except as set forth in this paragraph. Additionally, all consulting Native American Tribal</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>groups that requested notification of any unanticipated discovery of archaeological resources on the Project shall be notified appropriately. If a discovery results in the identification of cultural items that fall within the scope of NAGPRA, the Contractor shall immediately cease all work activities within an area of no less than 100 feet (30 meters) of the discovery. In the event of an unanticipated discovery of archaeological materials during construction, the Applicant-retained Qualified Professional Archaeologist shall be contacted to evaluate the significance of the materials prior to resuming any construction-related activities near the find. If the Qualified Archaeologist determines that the discovery constitutes a significant resource under CEQA and it cannot be avoided, the Applicant shall implement an archaeological data recovery program.</p> <p>CUL-5 At the completion of all ground-disturbing activities, the Consultant shall prepare an Archaeological Resources Monitoring Report summarizing all monitoring efforts and observations, as performed, and any and all prehistoric or historic archaeological finds as well as providing follow-up reports of any finds to the SCCIC, as required.</p> <p>In the event unanticipated, buried prehistoric archaeological resources (lithic material, faunal, pottery, etc.) or historical archaeological resources (ceramics, building materials, glassware, etc.) are unearthed during construction or any ground disturbing activities within the Project area, additional resource treatments would become necessary. Once a potential resource has been identified, all work within 100 feet must be halted until the find can be assessed by a qualified archaeologist.</p>	
<p>Threshold c) Would the project disturb any human remains, including those interred outside of formal cemeteries?</p>			

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Construction of the Proposed Project would involve grading, which may have the potential to uncover unknown human remains. However, if human remains are encountered during the proposed work, no further excavation or disturbance may occur near the find until the County coroner has been contacted. HSC 7050.5 states (a) Every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in Section 5097.99 of the Public Resources Code. (b) In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains area discovered has determined that the remains are not subject to the provisions of Section 27481. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or to his or her authorized representative, notifying the coroner of the discovery if recognition of human remains. (c) If the coroner determines that the remains are not subject to his or her authority and if the coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission. Compliance with these	Less than Significant	No Mitigation Required.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
regulations would ensure impacts to human remains resulting from the Project would be less than significant.			
Energy			
Threshold a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			
<p>The off-road construction equipment fuel usage was calculated through use of the off-road equipment assumptions and fuel use assumptions provided in Appendix H, which found that the off-road equipment utilized during construction of the Project would consume 636,310 gallons of diesel fuel. The on-road fuel consumption during construction was calculated through use of the construction vehicle trip assumptions and fuel use assumptions provided in Appendix H, which found that the on-road trips generated from construction of the Project would consume 8,554,787 gallons of fuel. As such, the combined fuel used from off-road construction equipment and on-road construction trips for the Project would result in the consumption of 9,191,096 gallons of diesel fuel.</p> <p>Construction activities associated with the Project would be required to adhere to all State and Imperial County Air Pollution Control District regulations for off-road equipment and on-road trucks, which provide minimum fuel efficiency standards. Construction activities for the Project would not result in the wasteful, inefficient, and unnecessary consumption of</p>	Less than Significant	No Mitigation Required.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
<p>energy resources. In addition, the operation of the Project would result in a net increase of 147,732,2kilowatt-hours (kWh) per year.</p> <p>Operation of the Project would result in increased consumption of petroleum-based fuels related to vehicular travel to and from the Project site. Operations related to fuel consumption were calculated using information related to the estimated number of employees, their estimated vehicle miles traveled per day, and the number of operational days per year. The Based on these assumptions, the Project would consume 25,217,394 gallons of transportation fuel per year (diesel and gasoline).</p> <p>Additionally, the Project would comply with all federal, State, and County requirements related to the consumption of transportation energy, including CCR Title 24, Part 11, the CALGreen Code, which requires all new parking lots to provide preferred parking for clean air vehicles. Therefore, it is anticipated the Project will be designed and built to minimize transportation energy through the promotion of the use of electric-powered vehicles and that existing and planned capacity and supplies of transportation fuels would be sufficient to support the Project's demand. Thus, impacts regarding transportation energy supply and infrastructure capacity would be less than significant, and no mitigation measures would be required.</p>			

Threshold b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
The Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The applicable Renewable Energy and Transmission Element for the Project is included in the County's General Plan. The Proposed Project's consistency with the applicable energy-related policies in the Renewable Energy and Transmission Element of the General Plan are shown in Table 4.4-1.	Less than Significant	No Mitigation Required.	Less than Significant
Geology and Soils			
<p>Threshold a) i) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</p> <p>ii) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?</p>			
The CBC requires that a site-specific ground motion hazard analysis be performed in accordance with American Society of Civil Engineers (ASCE) 7-16 Section 11.4.8 for structures. The parameters were determined and provided in the Geohazard Evaluation Report. General earthwork considerations pertaining to the Project include remedial grading/over excavation, excavatability, and fill materials. Design considerations would take into account expansion potential, collapse potential, and corrosivity. The Geohazard Evaluation Report notes that based on the	Less than Significant	GEO-1: A complete geotechnical engineering investigation shall be completed, with a Final Geotechnical Report to be prepared prior to submittal of a grading permit. The Final Geotechnical Report shall be prepared by a qualified consultant and be submitted to the County for review and approval. The investigation will include soil test borings; specific and detailed recommendations; soil and sediment analysis; detailed analysis and design standards; geotechnical design criteria; and detailed design recommendations.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
preliminary site plans, no conditions on the Project site would preclude development of the Proposed Project, provided that Mitigation Measures GEO-1 and GEO-2 would be implemented. Therefore, the Proposed Project would be less than significant and is considered feasible from a geotechnical standpoint.		GEO-2: All grading operations and construction shall be conducted in conformance with the recommendations included in the Geohazard Evaluation Report prepared on August 17, 2022, and Final Geotechnical Report on the Project site. Design, grading, and construction shall be performed in accordance with the recommendations of the project geotechnical consultant and corrosion engineer, subject to review by the County, prior to commencement of grading activities.	
iii) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?			
As discussed, based on the presence of shallow groundwater and the nature of subsurface soils, the potential for liquefaction is high. As such, site-specific liquefaction and dynamic settlement shall be evaluated with data obtained through the soils borings during the Project's geotechnical investigation phase. Implementation of Mitigation Measures GEO-1 and GEO-2, in addition to compliance with the CBC, would result in less than significant impacts.	Less than Significant	GEO-1: A complete geotechnical engineering investigation shall be completed, with a Final Geotechnical Report to be prepared prior to submittal of a grading permit. The Final Geotechnical Report shall be prepared by a qualified consultant and be submitted to the County for review and approval. The investigation will include soil test borings; specific and detailed recommendations; soil and sediment analysis; detailed analysis and design standards; geotechnical design criteria; and detailed design recommendations. GEO-2: All grading operations and construction shall be conducted in conformance with the recommendations included in the Geohazard Evaluation Report prepared on August 17, 2022, and Final Geotechnical Report on the Project site. Design, grading, and construction shall be performed in accordance with the recommendations of the project geotechnical consultant and corrosion engineer, subject to review by the County, prior to commencement of grading activities.	Less than Significant
Threshold c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			
Threshold d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Based on the Project's topography and relatively flat nature of the Project site, the risk of landslides is considered remote. However, unstable soils could result in subsidence, expansive soil, liquefaction and lateral spreading. Therefore, site-specific potential for these instabilities shall be evaluated with data from the soil borings during the geotechnical investigation phase. Implementation of Mitigation Measures GEO-1 and GEO-2, as well as the considerations provided in the Geohazard Evaluation Report, would ensure that construction of the Proposed Project would not result in significant impacts due to subsidence, expansive soil, liquefaction and lateral spreading.. Impacts would be less than significant with mitigation incorporated.	Less than Significant	GEO-1: A complete geotechnical engineering investigation shall be completed, with a Final Geotechnical Report to be prepared prior to submittal of a grading permit. The Final Geotechnical Report shall be prepared by a qualified consultant and be submitted to the County for review and approval. The investigation will include soil test borings; specific and detailed recommendations; soil and sediment analysis; detailed analysis and design standards; geotechnical design criteria; and detailed design recommendations. GEO-2: All grading operations and construction shall be conducted in conformance with the recommendations included in the Geohazard Evaluation Report prepared on August 17, 2022, and Final Geotechnical Report on the Project site. Design, grading, and construction shall be performed in accordance with the recommendations of the project geotechnical consultant and corrosion engineer, subject to review by the County, prior to commencement of grading activities.	Less than Significant
Threshold e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			
The Proposed Project would include a septic system that would be constructed to handle wastewater generated during Project operation. The Geohazard Evaluation Report notes that based on the anticipated soil types, Project site soils are expected to be moderately to severely corrosive to ferrous metals in contact. Therefore, the Proposed Project's soils shall be evaluated with data from the soil borings during the geotechnical investigation phase and will include consultation with a corrosion engineer to identify the appropriate protective measures based on the soils samples. Therefore, impacts would be less than	Potentially Significant	GEO-1: A complete geotechnical engineering investigation shall be completed, with a Final Geotechnical Report to be prepared prior to submittal of a grading permit. The Final Geotechnical Report shall be prepared by a qualified consultant and be submitted to the County for review and approval. The investigation will include soil test borings; specific and detailed recommendations; soil and sediment analysis; detailed analysis and design standards; geotechnical design criteria; and detailed design recommendations. GEO-2: All grading operations and construction shall be conducted in conformance with the recommendations included in the Geohazard Evaluation Report prepared on August 17, 2022, and Final Geotechnical Report on the Project site. Design, grading, and construction shall be performed in accordance with the	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
significant with mitigation measures GEO-1 and GEO-2 incorporated.		recommendations of the project geotechnical consultant and corrosion engineer, subject to review by the County, prior to commencement of grading activities.	
Threshold f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?			
Based on information in the Geohazards Evaluation Report, sensitive Late Pleistocene- to Holocene-age Lake Cahuilla Beds exist within the Proposed Project area, and subsurface ground-disturbing activities have the potential to impact sensitive paleontological resources. Therefore, Mitigation Measures PALEO-1 through PALEO-5 would be implemented to reduce impacts to a less than significant level.	Potentially Significant	<p>PALEO-1: The Applicant shall retain the services of a Qualified Paleontologist and require that all initial ground-disturbing work be monitored by someone trained in fossil identification in monitoring contexts. The Qualified Paleontologist shall prepare a Paleontological Resource Mitigation Plan to be implemented during ground-disturbing activity for the proposed Project. This program should outline the procedures for paleontological monitoring, including extent and duration; protocols for salvage and preparation of fossils; and the requirements for a final mitigation and monitoring report. The Qualified Paleontologist and a paleontological monitor shall be present at the Project construction-phase kickoff meeting.</p> <p>PALEO-2: Prior to commencing construction activities and, thus, prior to any ground disturbance in the Proposed Project site, the Qualified Paleontologist and paleontological monitor shall conduct initial Worker Environmental Awareness Program (WEAP) training to all construction personnel, including supervisors, present at the start of the Project construction work phase, for which the Applicant, or their designated Contractor, and all subcontractors shall make their personnel available. This WEAP training will educate construction personnel on how to work with the monitor(s) to identify and minimize impacts to paleontological resources and maintain environmental compliance, and it shall be</p>	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>performed periodically for new personnel coming on to the Project as needed.</p> <p>PALEO-3: The Applicant, or their designated Contractor, shall provide the Qualified Paleontologist with a schedule of initial potential ground-disturbing activities. A minimum of 48 hours will be provided to the consultant prior to the commencement of any initial ground-disturbing activities, such as vegetation grubbing or clearing, grading, trenching, or mass excavation.</p> <p>As detailed in the schedule provided, a paleontological monitor shall be present on-site at the commencement of ground-disturbing activities related to the Project. The monitor, in consultation with the Qualified Paleontologist, shall observe initial ground-disturbing activities and, as they proceed, make adjustments to the number of monitors as needed to provide adequate observation and oversight. All monitors will have stop-work authority to allow for recordation and evaluation of finds during construction. The monitor will maintain a daily record of observations as an ongoing reference resource and to provide a resource for final reporting upon completion of the Project.</p> <p>The Qualified Paleontologist, paleontological monitor, and the Applicant, or their designated Contractor, and subcontractors shall maintain a line of communication regarding schedule and activity such that the monitor is aware of all ground-disturbing activities in advance to provide appropriate oversight.</p> <p>PALEO-4: If paleontological resources are discovered, construction shall be halted within 50 feet of any paleontological finds and shall not resume until the Qualified Paleontologist can determine the significance of the find</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		and/or the find has been fully investigated, documented, and cleared. PALEO-5: At the completion of all ground-disturbing activities, the Qualified Paleontologist shall prepare a Paleontological Resources Monitoring Report summarizing all monitoring efforts and observations, as performed, and any and all paleontological finds and shall provide follow-up reports of any finds to the preferred paleontological repository, as required.	
Greenhouse Gases			
Threshold a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			
The GHG emissions are based on the proposed design detailed in the Project Description as well as IID's adherence to the State's Renewable Portfolio Standards (RPS) that require 60 percent of electricity provided by IID to be from zero-carbon emissions sources by the year 2030. Table 4.7 3 shows that the operational GHG emissions do not exceed either the USEPA's 25,000 MTCO ₂ e emissions threshold or ICAPCD Rule 903 – 20,000 MTCO ₂ e emissions threshold, where exceedance of either threshold would require the Project to perform additional GHG emissions recordkeeping and reporting. Therefore, the Project would offset greenhouse gas emissions. and a less than significant impact would occur.	Less than Significant	No Mitigation Required.	Less than Significant
Threshold b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			
with implementation of the Project Design Features committed to by the Project applicant and Statewide regulatory requirements including the CALGreen building standards, the Proposed Project would be	Less than Significant	No Mitigation Required.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
consistent with all feasible mitigation measure for individual projects provided in the CARB's 2017 Scoping Plan. Therefore, implementation of the Proposed Project would not conflict with any applicable plan that reduces GHG emissions. Impacts would be less than significant.			
Hazards and Hazardous Materials			
Threshold a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			
During construction and operations of the Project, hazardous materials would be transported to and from the Project site. Traffic barriers would protect piping and tanks on the site from potential traffic hazards. The Project Applicant would be required to follow all applicable federal, State, and local laws and regulations. Further, transportation would be subject to licensing and inspection by the CHP. With adherence to the regulatory measures and requirements for hazardous materials, impacts would be less than significant.	Less than Significant	No Mitigation Required.	Less than Significant
Threshold b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			
Based on the assessment conducted at the Project site, further investigations may be required if the areas containing RECs cannot be avoided by future development. Therefore, for the Project to not have a significant impact to the public and environment, the Project shall comply with local, State and federal guidelines and to the Mitigation Measures HAZ-1 and HAZ-2 to ensure the any accidental releases would be mitigated to a less than significant impact.	Less than Significant	MM HAZ-1: To avoid health risks to construction workers, the Applicant shall require the contractor to prepare and implement a site Health and Safety Plan (HSP) if areas containing hazardous materials are to be disturbed. This plan will outline measures that will be employed to protect construction workers and the public from exposure to hazardous materials during construction activities. This plan shall be prepared prior to any ground-disturbing activities and shall be reviewed and approved by the Project	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>Applicant. Workers shall review and sign the site HSP prior to proceeding with the assigned work.</p> <p>MM HAZ-2: For any gen-tie structures or other areas of project ground disturbance that are close to a REC, a Phase 2 limited soil sampling shall be conducted to determine if there are any hazardous materials present on-site. The soil sampling shall be conducted during final design and prior to construction. Soil sampling will determine the California Human Health Screening Levels (CHHSL) of the testing protocol (CAM 17 metals, a list of 17 metals found typically in hazardous materials and mining sites). The CHHSLs are a list of 54 hazardous chemicals in soil or soil gas that the California Environmental Protection Agency (CalEPA) considers to be below thresholds for risks to human health. The Imperial County Public Health Department, Division of Environmental Health (DEH) shall review the soil sampling results. If the results are above the CHHSLs, then the DEH would refer the project to the California Department of Toxic Substances Control for proper soil handling and removal procedures.</p>	
Threshold g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			
<p>During operations, a brush control program would be prepared and implemented on those portions of the Project site that will not be developed. The Imperial County Fire District would be consulted to review and approve all proposed fire equipment, apparatus, and related fire prevention plans. Due to compliance with the measures identified above, and the distance from an identified area of high fire hazard risk, the Project would result in a less than significant impact associated with wildfires.</p>	Less than Significant	No Mitigation Required.	Less than Significant
Hydrology and Water Quality			

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Threshold a) Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality?			
Due to the size of the Project, Postconstruction Standards from the Phase II Small MS4 Permit will be applied to the Project. The proposed Project will implement site-design BMPs, source-control measures, low-impact development (LID) BMPs, and hydromodification-management BMPs to meet the permit criteria. The Project owner will maintain all on-site site-design BMPs, source-control measures, postconstruction BMPs, and retention basins during the lifetime of the Project. A full list of postconstruction BMPs is provided in Appendix I. With implementation of Mitigation Measures HWQ-1 and HWQ-2 impacts to water quality standards and waste discharge requirements would be less than significant.	Less than Significant	<p>HWQ-1 Prepare SWPPP and Implement BMPs Prior to Construction and Site Restoration. The Project applicant or its contractor shall prepare a Storm Water Pollution Prevention Plan (SWPPP) specific to the Project and be responsible for securing coverage under the State Water Resources Control Board's National Pollution Discharge Elimination System stormwater permit for general construction activity (Order 2009-0009-DWQ). The SWPPP shall identify specific actions and best management practices (BMPs) related to the prevention of stormwater pollution from Project-related construction sources by identifying a practical sequence for site restoration, BMP implementation, contingency measures, responsible parties, and agency contacts. The SWPPP shall reflect localized surface hydrological conditions and shall be reviewed and approved by the appropriate agency prior to commencement of work and shall be made conditions of the contract with the contractor selected to build and decommission the Project. The SWPPP shall incorporate control measures in the following categories:</p> <ul style="list-style-type: none"> - Soil stabilization and erosion control practices - Sediment control practices - Temporary and postconstruction on- and off-site runoff controls - Special considerations and BMPs for water crossings and drainages - Monitoring protocols for discharge(s) and receiving waters, with emphasis place on the following water quality objectives: dissolved oxygen, floating material, oil and grease, potential of hydrogen (pH), and turbidity - Waste management, handling, and disposal control practices 	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<ul style="list-style-type: none"> - Corrective action and spill contingency measures - Agency and responsible party contact information - Training procedures that shall be used to ensure that workers are aware of permit requirements and proper installation methods for BMPs specified in the SWPPP <p>The SWPPP shall be prepared by a Qualified SWPPP Practitioner and/or Qualified SWPPP Developer, with BMPs selected to achieve maximum pollutant removal and representative of the best available technology that is economically achievable. Emphasis for BMPs shall be placed on controlling discharges of oxygen-depleting substances; floating material; oil and grease; acidic or caustic substances or compounds; and turbidity. BMPs for soil-stabilization, erosion-control, and sediment-control practices will also be required. Performance and effectiveness of these BMPs shall be determined either by visual means where applicable (i.e., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination, (inadvertent petroleum release) is required to determine adequacy of the measure.</p> <p>HWQ-2 Incorporate Postconstruction Runoff BMPs into Project Drainage Plan. The Project Drainage Plan shall adhere to the County's Engineering Guidelines Manual, IID Draft Hydrology Manual or other recognized source with approval by the County Engineer to control and manage the on- and off-site discharge of stormwater to existing drainage systems. Infiltration basins will be integrated into the Drainage Plan to the maximum extent practical. The Drainage Plan shall provide both short and long-term drainage solutions to ensure the proper sequencing of drainage facilities and management of runoff generated from Project-related impervious surfaces as necessary.</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Noise			
Threshold a)	Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		
Implementation of the Project would not result in a substantial increase in ambient noise levels at off-site noise-sensitive receptors or exceed the County of Imperial Property Line Noise Standards (70 dBA anytime for Light Industrial/Industrial Park Zones) and the applicable Noise/Land Use Compatibility criteria. Based on reported noise levels from similar operations, it is anticipated that noise levels would not exceed the County property line noise limits at the closest sensitive receptors. Therefore, operational noise impacts would be less than significant.	Less than Significant	No Mitigation Required.	Less than Significant
Transportation			
Threshold a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?		
Threshold b)	Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?		
The Project's traffic analysis zone (TAZ 5600) has an estimated VMT per employee of 20.84, which is approximately 82.5% of the Countywide average of 25.25 and falls below the 85% threshold of 21.46. Therefore, based on the VMT analysis presented above, the Proposed Project represents a less than significant transportation impact and no further VMT analysis is required.	Less than Significant	No Mitigation Required.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
<i>Tribal Cultural Resources</i>			
Threshold a)	<p>Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:</p> <p style="padding-left: 40px;">Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or</p> <p style="padding-left: 40px;">A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.</p>		
Based on the results of the Cultural Resources Survey and in consultation with the tribes, the County has determined there are no known tribal cultural resources within the Project site. However, the potential remains for the Project's ground-disturbing activity to impact undiscovered resources. These resources could include but not be limited to lithic materials, faunal, pottery, ceramics, building materials, or glassware. Impacts would be considered less than significant with implementation of the mitigation measures outlined in Section 4.4.	Less than Significant	<p>CUL-1 The Applicant shall retain the services of a Qualified Archaeologist meeting the Secretary of the Interior Standards or County standards, whichever is greater, and require that all initial ground-disturbing work be monitored by archaeological specialist (monitor) proficient in artifact and feature identification in monitoring contexts. The Consultant (Qualified Archaeologist and/or monitor) shall be present at the Project construction phase kickoff meeting.</p> <p>CUL-2 Prior to commencing construction activities and thus prior to any ground disturbance in the Proposed Project site, the Consultant shall conduct initial Worker Environmental Awareness Program (WEAP) training to all construction personnel, including supervisors, present at the outset of the Project construction work phase, for which the Lead Contractor and all subcontractors shall make their personnel available. A tribal monitor shall be provided an opportunity to attend the preconstruction briefing, if requested. This WEAP training will educate construction personnel on how to work with the monitor(s) to identify and minimize impacts to</p>	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>archaeological resources and maintain environmental compliance. This WEAP training will educate the monitor(s) of construction procedures to avoid construction-related injury or harm. This training may be performed periodically, such as for new personnel coming on to the Project as needed.</p> <p>CUL-3 The Contractor shall provide the Consultant with a schedule of initial potential ground-disturbing activities. A minimum of 48 hours will be provided to the Consultant of commencement of any initial ground-disturbing activities, such as vegetation grubbing or clearing, grading, trenching, or mass excavation. A monitor shall be present on-site at the commencement of ground-disturbing activities related to the Project. The monitor, in consultation with the Qualified Archaeologist, shall observe initial ground-disturbing activities and, as they proceed, adjust the number of monitors as needed to provide adequate observation and oversight. All monitors will have stop-work authority to allow for recordation and evaluation of finds during construction. The monitor will maintain a daily record of observations to serve as an ongoing reference resource and to provide a resource for final reporting upon completion of the Project.</p> <p>The Consultant and the Lead Contractor and subcontractors shall maintain a line of communication regarding schedule and activity such that the monitor is aware of all ground-disturbing activities in advance to provide appropriate oversight.</p> <p>CUL-4 In the event of the discovery of previously unidentified archaeological materials, the Contractor shall immediately cease all work activities within an area of no less than 100 feet of the discovery. After cessation of excavation, the Contractor shall immediately contact the County. Except in the case of cultural items that fall within the scope of the Native American Grave Protection and Repatriation Act (NAGPRA), the California Health and Safety Code 7050.5, CEQA Section 15064.5, or California Public Resources</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
		<p>Code Section 5097.98, the discovery of any cultural resource within the Project area shall not be grounds for a Project-wide “stop work” notice or otherwise interfere with the Project’s continuation except as set forth in this paragraph. Additionally, all consulting Native American tribal groups that requested notification of any unanticipated discovery of archaeological resources on the Project shall be notified appropriately. If a discovery results in the identification of cultural items that fall within the scope of NAGPRA, the Contractor shall immediately cease all work activities within an area of no less than 100 feet (30 meters) of the discovery. In the event of an unanticipated discovery of archaeological materials during construction, the Applicant-retained Qualified Professional Archaeologist shall be contacted to evaluate the significance of the materials prior to resuming any construction-related activities in the vicinity of the find. If the Qualified Archaeologist determines that the discovery constitutes a significant resource under CEQA and it cannot be avoided, the Applicant shall implement an archaeological data recovery program.</p> <p>CUL-5 At the completion of all ground-disturbing activities, the Consultant shall prepare an Archaeological Resources Monitoring Report summarizing all monitoring efforts and observations, as performed, and any and all prehistoric or historic archaeological finds as well as providing follow-up reports of any finds to the SCCIC, as required.</p> <p>In the event unanticipated, buried prehistoric archaeological resources (lithic material, faunal, pottery, etc.) or historical archaeological resources (ceramics, building materials, glassware, etc.) are unearthed during construction or any ground disturbing activities within the Project area, additional resource treatments would become necessary. Once a potential resource has been identified, all work within 100 feet must be halted until the find can be assessed by a qualified archaeologist.</p>	

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
Utilities and Service Systems			
Threshold a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?			
New facilities would be constructed for the purpose of water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications. Expansion of these facilities would utilize existing infrastructure no limited to existing irrigation canals and power/telephone lines which would minimize damage to existing facilities. Therefore, no significant environmental effects are expected to result. Impacts would be less than significant.	Less than Significant	No Mitigation Required.	Less than Significant
Threshold b) Have sufficient water supplies available to serve the project from existing and reasonably foreseeable future development during normal, dry and multiple dry years?			
When drought conditions exist within the IID water service area, as has been the case for the past decade or so, the water supply available to meet agricultural and nonagricultural water demands remains the same as normal year water supply because IID continues to rely on its entitlement for Colorado River water. Due to the priority of water rights and other agreements, drought affecting Colorado River water supplies causes shortages for Arizona, Nevada, and Mexico, but not California or IID. Therefore, the likelihood that IID	Potentially Significant	UTIL-1: If the IID does not receive its annual 3.1 maf water apportionment according to the QSA obligations of Colorado River water during the Project's 30-year lifespan, the Applicant shall work with IID to ensure any reduction in water availability can be managed by the Project.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
will not receive its annual 3.1 million AF apportionment under the QSA obligations of Colorado River water is low due to the high priority of the IID entitlement relative to other Colorado River contractors (see Appendix J for further details on the IID's water rights). If such reductions were to come into effect within the life of the 30-year Project, a significant impact would occur. If such reductions do occur, Mitigation Measure (MM) UTIL-1 would be implemented, requiring the Applicant to work with IID to ensure any reduction in water availability during the life of the Project can be managed. Therefore, with implementation of MM UTIL-1, impacts would remain less than significant.			
Threshold d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			
it is estimated that 90 percent of filter cakes would fall below California thresholds for soluble threshold limit concentration (STLC) and total threshold limit concentration (TTLC). The remaining 10 percent, or approximately 4,178 cy, would exceed these standards and would be trucked to the Copper Mountain Landfill located at 34853 County 12th Street in Wellton, Arizona, approximately 96 miles southeast of the Project site. This landfill has a design capacity for 2.5 million megagrams. Although the remaining landfill capacity is not available, the amount of solid waste sent to this facility would be minimal. If the filter cakes were to exceed Arizona's toxicity standards which is not expected to occur, the Applicant will	Less than Significant	No Mitigation Required.	Less than Significant

Table ES-1: Summary of Significant Impacts and Mitigation Measures

Project Impacts	Level of Significance before Mitigation	Mitigation	Level of Significance After Mitigation
<p>arrange for hazardous materials to be trucked to Idaho or Nevada.</p> <p>As mentioned in Chapter 2: Project Description, approximately every three years the Project facilities will be shut down for about three weeks to complete a facility cleaning. This process would remove mineral scale from Project plant piping. The scale removed during this process has the potential to exceed STLC and TTLC standards for Arizona, in which case solid waste would be required to be trucked to Nevada. However, this is an extremely rare occurrence, and in the past 10 years only two truckloads have needed to be transported to Nevada. The implementation of the Proposed Project would not increase the amount of solid waste needing to go out of state.</p> <p>Therefore, solid waste facilities have adequate permitted capacity for solid waste materials generated by the Project. Impacts would be less than significant.</p>			
Threshold e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			
<p>Disposal of solid/hazardous wastes generated during Project construction and operations would be in compliance with local federal, State, and County regulations and disposed of at authorized facilities. Therefore, a less than significant impact would occur.</p>	Less than Significant	No Mitigation Required.	Less than Significant