

**MINUTES OF THE
PLANNING COMMISSION MEETING
March 12, 2025**

The Imperial County Planning Commission convened a Meeting on Wednesday, March 12, 2025, at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director, Jim Minnick; Assistant Director, Michael Abraham; Planner III, Derek Newland; Planner IV, David Black; Planner I, Luis Bejarano; Clerks - Marsha Torres & Adriana Ceballos; Office Assistant III, Olivia Lopez

Chairman Rudy Schaffner called meeting to order at 9:00 a.m.

- I. **Roll Call: Commissioners present:** Schaffner, Kalin, Cabanas, Bergh, Medina, Wright, Hinojosa, Roben
- II. **Pledge of Allegiance:**
- III. **Public Hearings**
 1. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **January 22, 2025**, meeting as submitted by staff; Commissioner Kalin made motion to approve minutes seconded by Commissioner Cabanas and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Roben (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)
 2. **Consideration of Lot Line Adjustment #00339** as submitted by Robert J. Korgie and Roberta L. Klein, who are requesting to adjust the boundary line between Parcel "A" and Parcel "B" to resolve an encroachment issue involving a residential structure located on Parcel "B" onto the neighboring Parcel "A". Parcel "A" with Assessor's Parcel Number 033- 555-007 (1179 Boundary Ave, Ocotillo, CA 92259) is legally described as LOT 9 BLK 1 OCOTILLO UNIT 2 FM 1 13, Township 16 South, Range 9 East, S.B.B.M.; Parcel B with Assessor's Parcel Number 033-555-008-000 (1181 Boundary Ave, Ocotillo, CA 92259) is legally described as LOT 8 BLK 1 OCOTILLO UNIT 2 FM 1 13, Township 16 South, Range 9 East, S.B.B.M.; [Luis Bejarano, Planner I at (442) 265-1736, extension 1745 or via email at luisbejarano@co.imperial.ca.us]

Jim Minnick, Director: Gave a brief description of the project, and introduced Luis Bejarano, Planner I, to read the project into the record.

Luis Bejarano, Planner I: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Taylor Preece, Representative: Introduced himself.

Chairman Schaffner: Asked if he read and agreed with everything in the project, and if he had any questions or comments regarding the project.

Taylor Preece, Applicant: Stated that he read and did agree with everything in the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting.

Chairman Schaffner: There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve **Agenda Item #2** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #2** stands approved by this Commission, the applicant or any member of the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

3. **Consideration of Time Extension #24-0004** for the Wistaria Ranch Solar Development Agreement as submitted by CED Wistaria Solar 2, LLC. The applicant requested an Extension of the Commencement of Work to extend the time for project development for an additional ten (10) years. The project is located approximately six (6) miles southwest of the City of El Centro, California and five (5) miles directly west of Calexico, California. The Project area is generally bounded by Wahl Road on the north, Brockman and Rockwood Roads on the west, the U.S./Mexico border on the south, and Ferrell and Corda Roads on the east. (Supervisory District #2) [David Black, Planner IV, at (442) 265-1736, extension 1746 or via-email at davidblack@co.imperial.ca.us]

Jim Minnick, Director: Gave a brief description of the project, and introduced David Black, Planner IV, to read the project into the record.

David Black, Planner IV: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Cristina Gispert, Applicant: Introduced herself & read applicant's PowerPoint presentation into the record.

Chairman Schaffner: Asked if she read and agreed with everything and if she had any questions or comments regarding the project.

Cristina Gispert, Applicant: Stated she read and did agree with everything on the project and had no questions or comments.

Commissioner Cabanas: I do have a question for you. Do you have a time frame when you think you might start developing the next project?

Cristina Gispert, Applicant: We're technically in development right now. There is a transmission line that's planned to come right through the center of the site and we're going to file for interconnection on that line in 2026, when the CAISO queue opens again. That process takes about two years, but we'll find out during that time the potential for interconnection on that line and if we get good results, just preliminarily, we'll come back and make sure that we can maximize the megawatts on that site. There's been a lot of improvements that have happened since 2014, so we think we could maybe get some more power out of this land than we originally thought back then. So, I would say to give us another two years and you might see more motion, in the meantime, we can continue to pay our options payments to the landowners and keep the potential of this project alive. In the meantime, it's being farmed and being used for its agricultural purposes, so no change from the present.

Commissioner Cabanas: Ok, thank you.

Chairman Schaffner: Opened the public portion of the meeting. Valeria Mejia is called to speak.

Valeria Mejia, Public Speaker: Good morning, I'm Valeria Mejia, and I'm here to express my opposition to this granted Time Extension for the further development of the Wisteria Ranch Solar Development Agreement. I currently live on Brockman Road. I've done so my entire life as my family has now been over 70 years with the 5 parcels that have been developed. I now have solar directly west across the street from me, southwest,

south, and southeast, the furthest being about 1.3 miles from my property. For a variety of reasons, I'm against this project but I want to talk a little bit about some of the impacts that I have personally faced while living out there as well as my neighbors. My family still has multiple parcels. I've surveyed my neighbors down Brockman and Kubler. These properties are not, the properties that are developed for solar are not being properly managed, including the rights-of-ways, the ditch banks, the dirt roads. We see an influx of leucophyllum, these are big sage bushes, it's something we always deal with out there. They're the size of SUVs. We have an increase in Palo Verdes, in native mesquites which have those giant thorns popping up everywhere. We have the incredibly invasive Tamarisk coming up. Those are very difficult to get rid of, around all of these properties. I also am dealing now with vertebra pest infestations along the west of my house as are all of my neighbors because of the mismanagement of this property. Again, when we go back to right-of-way and ditch banks, our burrowing owls are incredibly important here. These are lands that I regularly enjoy the outdoors on, I walk my dogs on, I enjoy hunting and fishing, and so seeing these properties being developed for solar energy is nice, you know, and all of these new regulations that we are having, especially in 2024, 2025 where we want to move to 100% or 50% renewable energy in California. You know taking this much production of agricultural land out of commission, potentially for 10 years up to 40, is very concerning with the way things are going, locally, politically, environmentally. I think Imperial County needs to be really smart. Everything about Imperial County is our desert southwest, our county seals, our postcards, every wedding announcement you get is that beautiful mountain view with Mount Signal. That's not directly west, that's always going to be southwest, exactly where these solar farms are going to be developed. I was not here 10 years ago. I was doing my undergrad so I'm very grateful for the one person who spoke on this 10 years ago, he wasn't able to be here today. Something else I want to talk about, the impact on our rural residential area is that we have a lot of wildlife encroachment. There is nothing for these animals to eat. There is less habitat that has led to an increase in interaction with wildlife predators and increase interaction with aggressive wildlife predators toward myself. I now hold a CCW issued by Imperial County because I have been directly targeted by coyotes where normally we see each other and respect each other, or maybe I got to yell or throw a rock. I have walked, I have thrown rocks, I've had dogs, and these animals are desperate that they are coming towards me whether I'm by myself and with people. We are having more increased interaction with wildcats on our property, between our houses, so it's just something I want to reiterate to the Planning Commission because the existing environmental studies are essentially being approved, these are now over a decade old so there's a lot of concerns for Imperial County, not just a 10-year extension. We're looking at potentially 40 years of additional farmland being taken out of production, it's also going to be essentially east of Melon cow feed yard, they will have more degradation losses. We've had issues with instances where coyotes' packs are taking down 1800lbs Holsteins, we're going to continue to see that. I wanted to also just make a quick statement, production agriculture is very valuable to Imperial County, it's going to keep being more valuable as things change locally and at the federal level and as our international trade is potentially affected, our exports are very crucial here. I read this whole plan and there's a lot of money promised including long-term jobs. There are no long-term jobs out here other than the person that goes and closes and opens the gates, every now and then maybe they'll have somebody go and service the solar panels and half the time they're speeding and running our stop signs. It may not affect you but it affects me and I'm the person, that's you know is potentially being attacked, that's potentially going to be victim of a traffic collision. I looked over our Imperial County Ag Commissioner crop reports and since 2015, when this first-time extension has to pass our current crop report, we've already lost about 30,000 acres of farmland here in the Imperial County. I want you to think of that and understand that it's not just about dollars, it's not just about industry, it's not just about keeping the CUPs alive, it opens the door to a whole another animal than we really know. Again, we're facing relatively historical times. I'm grateful to have learned from an early age to raise and harvested my own beef and now have been a public servant in regard to Federal agencies and local agencies, always with the promotion and the protection of agricultural in my community and I am proud to do so. So, I please ask you to re-consider approving this time extension because it's not just a time extension for these CUPs, thank you.

Chairman Schaffner: Thank you.

Commissioner Cabanas: Called next speaker: Tony & Walter Holts.

Walter Holts, Public Speaker: Good morning, Walter Holts here. I have a piece of land that's involved in the solar project. We've been working on this for years. All these questions that come up now have been addressed before and have been handled. I think it's important to the energy future of the nation to get some more of this green energy. 250 megawatts of power is a substantial amount of power. As far as the farmland goes, in general this is not the best farmland in the valley by far. With the constrictions of water and Lake Mead being low and everything else, water, it's a question if there's enough water to adequately farm all this ground anyway coming in the future so I don't see this as being significant to the production of Imperial County ag at all. As far as wildlife goes, there's lots and lots and lots of land still available for them. I've seen a lot of wildlife in the river bottom for years around there. I've been out there for 50 years farming now. I really feel that this is a good future use of this land. Thank you.

Commissioner Cabanas: Called next speaker: Tony Holts.

Tony Holts, Public Speaker: Good morning, my name is Tony Holts and I'm his other half I know you need that information. Walter usually comes with me because of my disability. It takes a little while for me to get my explanations out to what I do, so he's really good, so if that's ok if he can just stay if I need something. As Walter said, we've been doing this for quite a while, waiting, and the people we've dealt with, three or four different things as its passed along through ConEd and now the RWE and they've always did what they've said they were going to do, they've explained things to us and they've tried really hard to make something work that's special that for landowners that are in the area, as well as for considering other areas around there too. I think the project, how they put it together works feasibly for people that still choose to farm and other people that are getting retired and maybe think there's a different way but I'm very happy with the people, that they've done this and I hope that you'll consider it and give it a chance to go forward and I think that as Walter said that farming is getting, not just with you guys, but any of you that have been farming you know there's a lot of rules just for farming and a lot of different things and maybe there's something a little bit easier for us and they have been honorable and said what they've said they're going to do so thank you.

Commissioner Cabanas: Thank you.

Chairman Schaffner: Thank you. Any other comments from the Public? Please step forward. State your name and address for the record.

Shawna Bishop, Public Speaker: My name is Shawna Bishop. I live at the corner of Kubler and Rockwood Rd and the project is right next to me. I would only say that in the last 10 years with the EIR, it is our responsibility of the Planning Commission and all of us that are keeping the promises that were made and look at how, and I am sorry, I did not prepare anything for this, but I would ask you to drive through the area where the first part of the project has been completed, look at the roadsides, look at the promises for landscaping and that kind of thing that is there, see how it has been maintained because a promise or something that is in the report need to be followed up on and I want, as you think about things and go forward, to look and see what has happened. That entire area has changed in the last 15 years, and we all know that. We need to take a look and see what has been accomplished, what hasn't. The predators are more because they're confined. You've got grease and warsh that runs through that whole area and is right there in the New River and all the habitat that they would go and forage in, when you put up the fences, when you change things, things do change and I think that relying on an EIR from 10, 15 years ago is not the same as it is today and I think that's something that should be looked at and also the promises and things that all these companies, cause they do change all the time, that those things are being done responsibly, check on and that all the provisions are maintained and taken care of. That is my thought for you today because life in that area has changed. Thank you.

Commissioner Cabanas: Thank you.

Chairman Schaffner: Thank you. Any other comments from the public?

Anabel Ruiz, Public Speaker: Hi, good morning, my name is Anabel Ruiz. Also, like Shawna stated, I am concerned about the landscaping. I live right next door to a development that's been there for 10 years, and you guys should go, take a drive, and look at all the bushes. We've been calling, me and my husband have been telling, calling their attention so they can come and remove all those bushes. There's been times I get out of my driveway, and I cannot see the car that drives by. They're so big that even if a brush of fire comes my house would burn because of all those bushes that have been so high. Like Shawna said, you should go take a drive and see cause the landscaping has been really, really, poor ever since that development started. That's all I wanted to say. Thank you.

Chairman Schaffner: Ma'am, I just have one question. Is the property that these bushes are on, whose property is that? Is that part of the project or is that County Road or private property?

Anabel Ruiz, Public Speaker: To my concern those bushes belong to the Solar Panel Company so they're not maintaining, they're not keeping it clean.

Chairman Schaffner: It's inside the fenced area where the panels are or outside?

Anabel Ruiz, Public Speaker: It's outside. Outside the panel area.

Chairman Schaffner: Ok, I don't know whose property that is, but you probably need to find out.

Anabel Ruiz, Public Speaker: Well, they tell us that it's part of the solar panel company.

Chairman Schaffner: Who told you that?

Anabel Ruiz, Public Speaker: My husband, I don't know.

Chairman Schaffner: Ok, yeah, I don't know but if it is you need to go to the Planning department and talk to them about it, see if they're not keeping up their end.

Anabel Ruiz, Public Speaker: And also, I forgot to mention about the habitat. I run on Kubler so I've encountered some coyotes too in the past.

Chairman Schaffner: Ok, thank you. Any other comments from the public? If not, we'll close the public portion of the hearing. Commissioners, any questions or comments?

Commissioner Kalin: Mr. Minnick, The mitigation requirements, are there reports required that should be submitted to you for mitigation of habitat and weed control and that kind of thing?

Jim Minnick, Director: Not typically, no, but weed control is considered a nuisance so we can go take a look at it. So generally speaking, the operations, the construction and operation is where the, most of the construction on the habitat part is during that time and then operationally any neighbor needs to maintain their weed control and so we can take a look at that. To answer your question, there's a significant chance that the fence lines are recessed enough that land that belongs to the underlying property owner and not the right-of-way, but I will get with Public Works and we'll take a look at it and if we need to, get it mitigated. We will take care of that.

Commissioner Bergh: What about the roads? The roads coming back and forth?

Jim Minnick, Director: What about the roads?

Commissioner Bergh: We got complaints about dust and everything like that. I'm sure the original EIR probably addressed canal roads or whatever.

Jim Minnick, Director: Oh, ok so well let's look at that from different perspectives. So, you have projects that are fenced lined and have a driveway that come off a county-maintained road. If you have a long driveway, then that would be a dust issue; but I don't believe any of these solar projects are using canal roads as access directly to their facilities but if they were then we would have abated that requirement, it would be a water truck or something.

Commissioner Cabanas: Jim, most of the solar plans have to maintain some kind of landscaping aside their properties, correct?

Jim Minnick, Director: The landscaping is usually minimal and it's at the front gate and or at the O/M building if they have one. We have not required them to landscape along the fence line about a half mile or quarter mile, that would require a lot of water usage and it's currently not being required by the farming operations either, so it was determined that entrance points and any O/M building area but that's about it. That doesn't exclude excuse weed abatement. That needs to be taken care of.

Commissioner Bergh: What about the animals?

Commissioner Bergh: I mean, I could see if I was a landowner out there or someone that had a residence out there and the coyotes or something coming around the solar projects and coming onto my property do I have the legal right to shoot them?

Jim Minnick, Director: I think you should talk to the Sheriff.

Commissioner Bergh: Well, that's usually a no-brainer. They don't have the personnel to do that.

Jim Minnick, Director: Ok.

Commissioner Bergh: So, I shoot'em.

Jim Minnick, Director: There you go, you've answered your own question.

Commissioner Bergh: And a ricochet bullet hits one of those solar panels then what?

Chairman Schaffner: That one won't work.

Commissioner Bergh: That one won't work?

Chairman Schaffner: The coyotes are typically, they have trappers, they have federal trappers that come down here and take care of that. I have a problem with that too. Always. And this year they didn't come. They said there was no funding and so I've got more coyotes than ever. I have to live with it. I have to go after them and shoot them if I can or whatever.

Commissioner Cabanas: Jim, final question for you. So, will your department get with the developers and try to work on some of these complaints we heard today?

Jim Minnick, Director: Absolutely.

Commissioner Cabanas: Ok, thank you.

Commissioner Bergh: Can we add that to this to the condition to that?

Jim Minnick, Director: It's a standard condition on everybody's property that they have to, regardless of what you have on your property, you have to abate nuisance weeds. It's a fire issue, there's a whole code on nuisance so if there's weeds that are growing up like this then yeah they have to abate that whether it's a residential house or not.

Commissioner Bergh: So, they complain to your department, then?

Jim Minnick, Director: Yes, and I am hearing them loud and clear so we will go out there.

Commissioner Roben: Do they need to do an official written complaint to you?

Jim Minnick, Director: Nope, this is sufficient for what we need to move forward.

Chairman Schaffner: Ok.

Commissioner Medina: Mr. Chairman, I have a question for the applicant please. The energy being produced by these panels who are they serving?

Cristina Gispert, Applicant: Right now, for Wistaria I it's going into the greater California network.

Commissioner Medina: How much of that is local?

Cristina Gispert, Applicant: Whatever portion is outside of IID in this county.

Commissioner Medina: What do you produce and what stays local is that 10%, 5%, 20%?

Cristina Gispert, Applicant: So the way it works is, accounting wise, a utility like PG&E will allocate power from a given power plant but electrically that power is going to be delivered to the closest spot to it so are you asking accounting wise or you asking electrically cause it's in this location and it's going to be distributed to the closest spot where it's needed. So, in reality, it stays in Southern California, but I believe the power purchase agreement might be with PG&E for Wistaria I.

Commissioner Medina: Yeah, the purpose of my question is that the local papers been covered of power bills for local residents going up and yet we have a lot of our agricultural fields being eliminated and replaced with solar and we are producing what we are being charged extra. So, my question is how much of what you produce in our land in this county actually go to subsidize the rate payer of this county?

Cristina Gispert, Applicant: Well, I will say this, right now for Wistaria II, we don't have the interconnection settled yet. We could file with IID. I will also say that solar power in this day and age is the cheapest form of energy generation so we're not putting an expensive facility there, this is as cheap as it gets. We're still pretty early on and we don't have a business deal right now to build and that's where we are at this time.

Commissioner Cabanas: We have heard many issues and stuff about your sites and tell me what you're planning to do moving forward for the next 10 years if this gets approved today that we don't come back and hear issues like we heard today.

Cristina Gispert, Applicant: I'm surprised to hear some of the concerns about our Wistaria I project. That project is a model project for our company where we show off how immaculate that site is. It's very well maintained. If there's even an issue with weeds or with anything you want us to take care of we have the personnel on site to take care of it immediately. It's not a problem for us to do. If there's ever a complaint like

that, hole in the fence, weeds like I mentioned, we'll be out there instantaneously. We have a crew of about 5 men that work that facility, that can be out there in an instant, they're out there right now.

Commissioner Cabanas: So, what I'm hearing is that you will pay attention more than what you have paid attention.

Cristina Gispert, Applicant: Absolutely, I'm going to drive by the site right after this meeting and see for myself.

Commissioner Cabanas: Ok, thank you.

Commissioner Kalin: Might be a good idea to discuss this with some of their neighbors out there too.

Cristina Gispert, Applicant: Of course, sure.

Commissioner Kalin: Made a motion to approve **Agenda Item #3** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #3** stands approved for recommendation to the Board of Supervisors; The project will move forward to the Board, there is no appeal of the Planning Commission's decision, but we do welcome all in attendance to come to the Board meeting once that's scheduled.

Chairman Schaffner: I'd like to make one comment. I've lost track of what project was what, but I know there's a lot of projects we've ran through here and voted no on and went to the Supervisors and they did what they wanted. I don't know which one this was but we kind of got out voted and stomped on quite a few times there.

Jim Minnick, Director: Maybe you'll get out voted on this one too.

4. **Consideration of Use Permit #23-0001** as submitted by La Valle Sabbia LLC, Project proposes to construct and operate a grain mill to process corn and wheat into a flaked cattle feed to be transported and used at the LVS Cattle Feeders Feed Yard at 495 W. Heber Road, El Centro, CA 92243. The project parcel is legally described as a TR 123 15-13 35.8 AC EXC POR IN ROADS & RR S.B.B.M.. (APN 062-080-015-000) (2015 Silsbee Rd., El Centro, CA 92243, and; (Supervisory District #3), [Derek Newland, Planner III at 442-265-1736 or by email at dereknewland@co.imperial.ca.us].

Jim Minnick, Director: Gave a brief description of the project, and introduced Derek Newland, Planner III, to read the project into the record.

Derek Newland, Planner III: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Patrick Bush, General Manager of La Valle Sabbia: Introduced himself.

Chairman Schaffner: Asked if he read and agreed with everything and if he had any questions or comments regarding the project.

Patrick Bush, General Manager of La Valle Sabbia: Stated that he read and did agree with everything on the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting.

Chairman Schaffner: There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve **Agenda Item #4** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follows Schaffner (yes), Kalin (yes), Roben (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #4** stands approved by this Commission; in which the applicant or any member from the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

IV. Public Comments: NONE

V. Planning Commissioner Comments: NONE

VI. Director Comments: Absolutely. I just want you to know if you're not aware of it, but you just heard Derek's last presentation. He's moving on to brighter pastures. I believe Riverside, San Bernadino County. He's upgrading to the biggest county in the state of California, and I believe the 21st is his last day so thank him for 17 years of hard work and dealing with me, probably feels like 30, but I wish him all the best.

VII. Adjournment: Chairman Schaffner: Adjourned meeting. Meeting adjourned at 9:42am.



Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission

Marsha Torres & Olivia Lopez- PC Recording Clerks
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