



Jim Minnick
DIRECTOR

Imperial County Planning & Development Services Planning / Building

TO:

Commissioner Mike Goodsell
Commissioner Eddie Cedeno
Commissioner Dennis Logue
Commissioner Sylvia Chavez
Commissioner Jerry Arguelles

FROM:

Jim Minnick, Secretary
Planning & Development Services Director

SUBJECT:

Public Hearing for the consideration of the proposed VEGA 6 SES Solar and Battery Storage Project which includes a Water Supply Assessment, General Plan Amendment #22-0001, Zone Change #22-0001 and Conditional Use Permits #22-0005 & 0027 with associated gen-tie transmission lines to determine Consistency with the Airport Land Use Compatibility Plan APN; 034-160-002; Zoning: S-2 (Open Space/Preservation) General Plan Designation: Agriculture (Supervisory District #3) Latitude 33° 0' 31.32", Longitude - 115° 41' 49.02" [David Black, Project Planner] (**ALUC 07-24**).

DATE OF REPORT:

July 17, 2024

AGENDA ITEM NO:

1

HEARING DATE:

July 17, 2024

HEARING TIME:

6:00 p.m.

HEARING LOCATION:

County Administration Center
Board of Supervisors Chambers
940 Main Street
El Centro, CA 92243

STAFF RECOMMENDATION

It is Staff's recommendation that the Airport Land Use Commission finds the proposed General Plan Amendment #22-0001, Zone Change #22-0001 and Conditional Use Permit #22-0005 (Solar/Battery) & CUP #22-0027 (Water Well) for the VEGA 6 Solar Energy Generation and Storage Project be consistent with the 1996 Airport Land Use Compatibility Plan.

SECRETARY'S REPORT

Project Location:

The project site is located on approximately 320 acres of privately-owned vacant land on a single parcel (APN 034-160-002) in the unincorporated area of Imperial County, CA. The site is located approximately 6 miles south of the southernmost edge of the Salton Sea; 10 miles west of the City of Brawley; and approximately 5 miles southwest of the community of Westmorland. The project site is located directly south of Andre Road and 0.5 mile west of the Westside Main Canal. Latitude 33° 0' 31.32", Longitude - 115° 41' 49.02". The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

The proposed project includes an approximately 4-mile electrical generator intertie (gen-tie) transmission line that would connect to the Imperial Irrigation District's (IID) existing 161 kilovolt (kV) "L" Line. The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area planning area. The gen-tie route begins at the northwest corner of the solar facility site; heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to IID's 161 kV "L" Line.

Project Description:

The project applicant, Vega 6, LLC, proposes to construct and operate an 80 megawatt (MW) photovoltaic (PV) solar facility with an integrated 160 MW Battery Energy Storage System (BESS) on approximately 320 acres of privately-owned land. The proposed project would be comprised of solar PV arrays panels, an on-site substation, BESS, generation tie-line (gen-tie), inverters, transformers, underground electrical cables, and access roads. **Zoning:** S-2 (Open Space/Preservation) **General Plan Designation:** Agriculture

The project is being presented for the Imperial County Airport Land Use Commission (ALUC)'s review and their determination of consistency with its 1996 Compatibility Plan

General Plan/ALUCP Analysis:

The proposed project is located within an unincorporated area of the County. The existing General Plan land use designation is "Agriculture." The project site is currently zoned S-2 Open Space/Preservation and the proposed updated general plan

amendment and zoning change to include into the Renewable Energy Overlay use would allow use subject to a Conditional Use Permit approval.

This project is subject to the Airport Land Use Commission's review for determination of consistency with the 1996 ALUC Plan and policies as stated below:

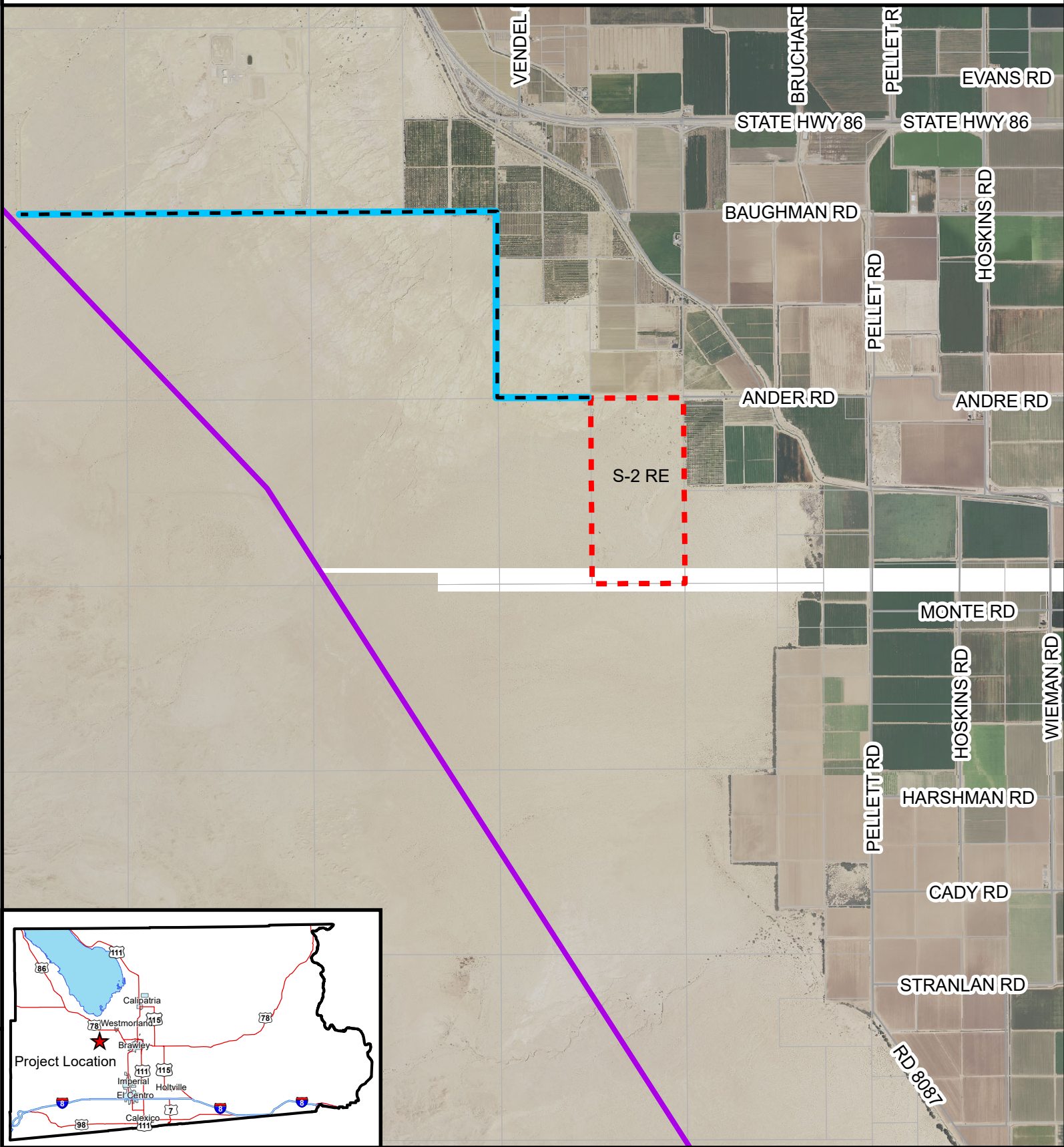
Policies-Scope of Review, Types of Actions Reviewed, **General Plan Consistency Review-states:**

"The Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies until such time as (1) the Commission finds that the local general plan is consistent with the Airport Land Use Compatibility Plan"

After review of project and the environmental document, it is the staff's recommendation that the proposed project (ALUC 05-24 - VEGA 6 Solar Energy Generation and Storage) be considered consistent with the Airport Land Use Compatibility Plan (ALUCP).

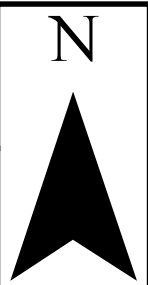
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PROJECT LOCATION MAP



**APEX ENERGY SOLUTIONS, LLC
GENERAL PLAN AMENDMENT,
ZONE CHANGE,
CONDITIONAL USE PERMIT
APN 034-160-002**

- IID 161kV "L" Line
- 60ft Rof Way
- - - Project Location
- - - Gen-Tie
(Proposed Project Gen-Tie)



Attachment A.
Policies Chapter 2

Policies

1.SCOPE OF REVIEW

1. Geographic Area of Concern

The Imperial County Airport Land Use Commission's planning area encompasses:

1. *Airport Vicinity* - All lands on which the uses could be negatively affected by present or future aircraft operations at the following airports in the County and lands on which the uses could negatively affect said airports. The specific limits of the planning area for each airport are depicted on the respective *Compatibility Map* for that airport as presented in Chapter 3.
 - (a) Brawley Municipal Airport.
 - (b) Calexico International Airport.
 - (c) Calipatria Municipal Airport.
 - (d) Holtville Airport.
 - (e) Imperial County Airport.
 - (f) Salton Sea Airport.
 - (g) Naval Air Facility El Centro.

2. *Countywide Impacts on Flight Safety* - Those lands, regardless of their location in the County, on which the uses could adversely affect the safety of flight in the County. The specific uses of concern are identified in Paragraph 2.
3. *New Airports and Heliports* - The site and environs of any proposed new airport or heliport anywhere in the County. The Brawley Pioneers Memorial Hospital has a heliport area on-site.

2. Types of Airport Impacts

The Commission is concerned only with the potential impacts related to aircraft noise, land use safety (with respect both to people on the ground and the occupants of aircraft), airspace protection, and aircraft over-flights. Other impacts sometimes created by airports (e.g., air pollution, automobile traffic, etc.) are beyond the scope of this plan. These impacts are within the authority of other local, state, and federal agencies and are addressed within the environmental review procedures for airport development.

3. Types of Actions Reviewed

1. *General Plan Consistency Review* - Within 180 days of adoption of the *Airport Land Use Compatibility Plan*, the Commission shall review the general plans and specific plans of affected local jurisdictions to determine their consistency with the Commission's policies. Until such time as (1) the Commission finds that the local general plan or specific plan is consistent with the *Airport Land Use Compatibility Plan*, or (2) the local agency has overruled the Commission's determination of inconsistency, the local jurisdiction shall refer all actions, regulations, and permits (as specified in Paragraph 3) involving the airport area of influence to the Commission for review (Section 21676.5 (a)).
2. *Statutory Requirements* -As required by state law, the following types of actions shall be referred to the Airport Land Use Commission for determination of consistency with the Commission's plan *prior to their approval* by the local jurisdiction:

- (a) The adoption or approval of any amendment to a general or specific plan affecting the Commission's geographic area of concern as indicated in Paragraph 1 (Section 21676 (b)).
- (b) The adoption or approval of a zoning ordinance or building regulation which (1) affects the Commission's geographic area of concern as indicated in Paragraph 1 and (2) involves the types of airport impact concerns listed in Paragraph 2 (Section 21676 (b)).
- (c) Adoption or modification of the master plan for an existing public-use airport (Section 21676 (c)).
- (d) Any proposal for a new airport or heliport whether for public use or private use (Section 21661.5).

3. *Other Project Review* - State law empowers the Commission to review additional types of land use "actions, regulations, and permits" involving a question of airport/land use compatibility if either: (1) the Commission and the local agency agree that these types of individual projects shall be reviewed by the Commission (Section 21676.5 (b)); or (2) the Commission finds that a local agency has not revised its general plan or specific plan or overruled the Commission and the Commission requires that the individual projects be submitted for review (Section 21676.5 (a)). For the purposes of this plan, the specific types of "actions, regulations, and permits" which the Commission shall review include:

- a) Any proposed expansion of a city's sphere of influence within an airport's planning area.
- b) Any proposed residential planned unit development consisting of five or more dwelling units within an airport's planning area.
- c) Any request for variance from a local agency's height limitation ordinance.
- d) Any proposal for construction or alteration of a structure (including antennas) taller than 150 feet above the ground anywhere within the County.

- e) Any major capital improvements (e.g., water, sewer, or roads) that would promote urban development.
- f) Proposed land acquisition by a government entity (especially, acquisition of a school site).
- g) Building permit applications for projects having a valuation greater than \$500,000.
- h) Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

4. Review Process

1. *Timing of Project Submittal* - Proposed actions listed in Paragraph 3.1 must be submitted to the Commission for review prior to approval by the local government entity. All projects shall be referred to the Commission at the earliest reasonable point in time so that the Commission's review can be duly considered by the local jurisdiction prior to formalizing its actions. At the local government's discretion, submittal of a project for Airport Land Use Commission review can be done before, after, or concurrently with review by the local planning commission or other local advisory bodies.
2. *Commission Action Choices* - When reviewing a land use project proposal, the Airport Land Use Commission has a choice of either of two actions: (1) find the project *consistent* with the *Airport Land Use Compatibility Plan*; or, (2) find the project *inconsistent* with the Plan. In making a finding of inconsistency, the Commission may note the conditions under which the project would be consistent with the Plan. The Commission cannot, however, find a project consistent with the Plan subject to the inclusion of certain conditions in the project.

Attachment B.

**EEC HEARING MATERIAL FOR
ENVIRONMENTAL REVIEW**

PROJECT REPORT

TO: ENVIRONMENTAL EVALUATION
COMMITTEE

AGENDA DATE: June 28, 2022

FROM: PLANNING & DEVELOPMENT SERVICES DEPT. AGENDA TIME 1:30 PM/No. 1

Information Item Only

General Plan Amendment #22-0001/Zone Change #22-0001/ Conditional Use Permit
#22-0005 Initial Study #22-0007/WSA

PROJECT TYPE: VEGA SES Project SUPERVISOR DIST #3

LOCATION: 1800 A Andre Road, Westmorland area APN - 034-160-002-000

CA PARCEL SIZE: Approx. 320 acres

GENERAL PLAN (existing) AG GENERAL PLAN (proposed) AG\Renewable Energy (RE)

ZONE (existing) (Open Space- Preservation) S-2 ZONE (proposed) S-2/RE

GENERAL PLAN FINDINGS ☐ CONSISTENT ☐ INCONSISTENT ☒ MAY BE/FINDINGS

PLANNING COMMISSION DECISION:

HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

PLANNING DIRECTORS DECISION:

HEARING DATE: _____

☐ APPROVED ☐ DENIED ☐ OTHER

ENVIROMENTAL EVALUATION COMMITTEE DECISION: HEARING DATE: 07/28/2022

INITIAL STUDY: #22-0007

☐ NEGATIVE DECLARATION ☐ MITIGATED NEG. DECLARATION ☒ EIR

DEPARTMENTAL REPORTS / APPROVALS:

PUBLIC WORKS
AG / APCD
E.H.S.
FIRE / OES
OTHER

☒ NONE
☒ NONE
☐ NONE
☒ NONE

☐ ATTACHED
☐ ATTACHED
☒ ATTACHED
☐ ATTACHED

REQUESTED ACTION:

(See Attached)

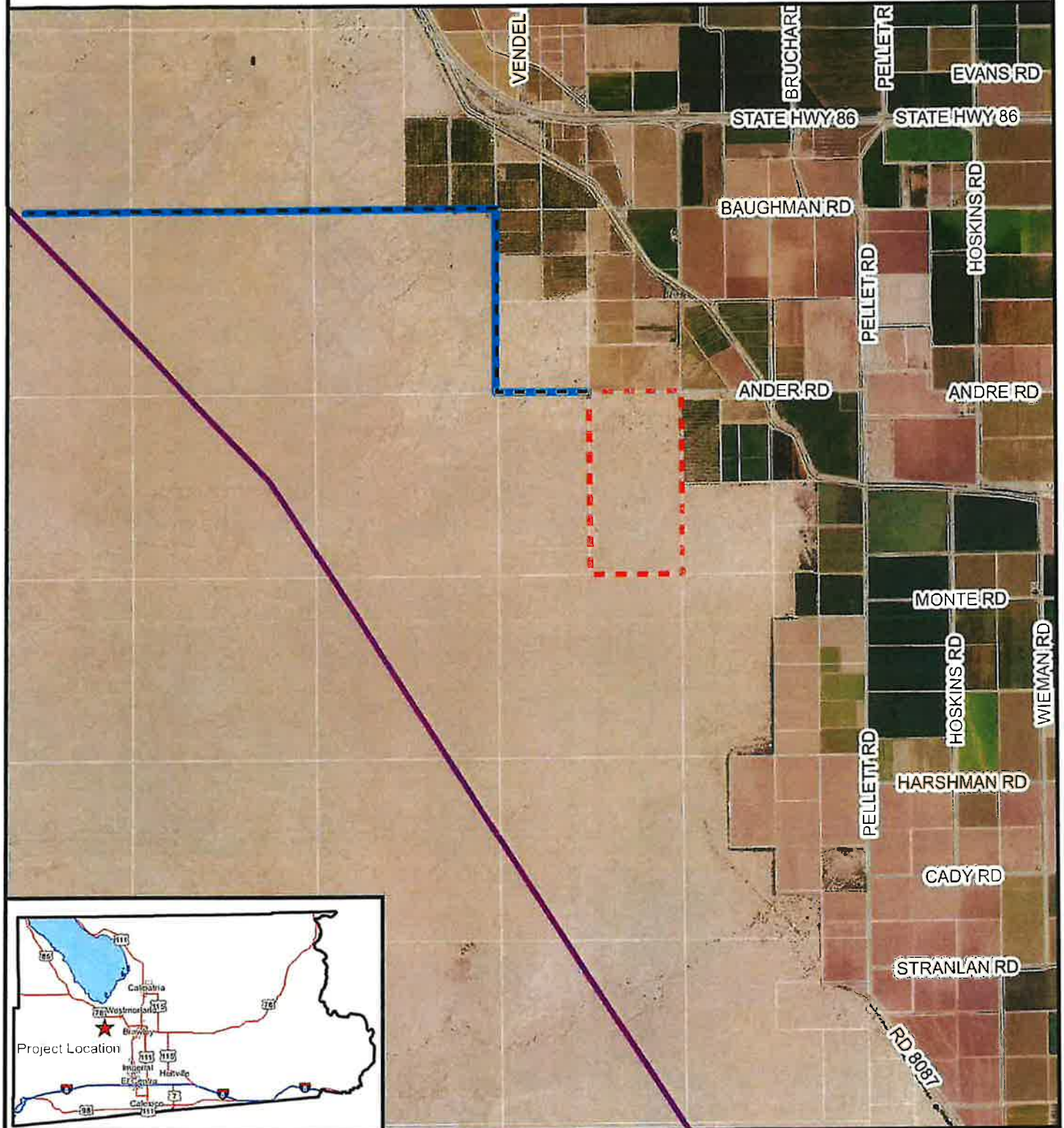
Imperial County Planning & Development Services
(Jim Minnick, Director)

801 MAIN ST., EL CENTRO, CA, 92243 442-265-1736

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EEC ORIGINAL PKG

PROJECT LOCATION MAP



**APEX ENERGY SOLUTIONS, LLC
GENERAL PLAN AMENDMENT,
ZONE CHANGE,
CONDITIONAL USE PERMIT
APN 034-160-002**

- IID 161kV "L" Line
- 60ft Rof Way
- Project Location
- Gen-Tie
- (Proposed Project Gen-Tie)

EEC ORIGINAL PKG





Initial Study and NOP

VEGA SES 6 Solar and Battery Storage Project

Initial Study #22-0007

General Plan Amendment #22-0001

Zone Change #22-0001

CUP #22-0005

Imperial County, CA

July 2022

Reviewed by:

County of Imperial

Planning & Development
Services Department

801 Main Street

El Centro, CA 92243

Prepared by:

HDR Engineering, Inc.

591 Camino de la Reina,
Suite 300

San Diego, CA 92108

EEC ORIGINAL PKG

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Introduction

A. Purpose

This document is a ☐ policy-level; ☒ project-level Initial Study for evaluation of potential environmental impacts resulting with the proposed VEGA SES 6 Solar and Battery Storage Project.

B. CEQA Requirements and the Imperial County's Rules and Regulations for Implementing CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's Rules and Regulations for Implementing CEQA, an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

- ☒ According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:
 - The proposal has the potential to substantially degrade quality of the environment.
 - The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
 - The proposal has possible environmental effects that are individually limited but cumulatively considerable.
 - The proposal could cause direct or indirect adverse effects on human beings.
- ☐ According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.
- ☐ According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study has determined that the proposed applications will result in potentially significant environmental impacts and therefore, an Environmental Impact Report is deemed as the appropriate document to provide necessary environmental evaluations and clearance for the proposed project.

This Initial Study and Notice of Preparation are prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); the State CEQA Guidelines & County of Imperial's CEQA Regulations, Guidelines for the Implementation of CEQA; applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial's CEQA Regulations, Guidelines for the Implementation of CEQA, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the

CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. Intended Uses of Initial Study and Notice of Preparation

This Initial Study and Notice of Preparation are informational documents which are intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study and Notice of Preparation, prepared for the project will be circulated for a period of no less than 35 days for public and agency review and comments.

D. Contents of Initial Study and Notice of Preparation

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

E. Scope of Environmental Analysis

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial

Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact."
4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. Policy-Level or Project-Level Environmental Analysis

This Initial Study will be conducted under a ☐ policy-level, ☒ project-level analysis.

Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County's jurisdiction, are also not considered mitigation measures, and therefore, will not be identified in this document.

G. Tiered Documents and Incorporation by Reference

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. Tiered Documents

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

"Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project."

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

"Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a

general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration."

Further, Section 15152(d) of the CEQA Guidelines states:

"Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means."

2. Incorporation by Reference

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]).

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR is available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1736.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243, Ph. (442) 265-1736.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the 'County of Imperial General Plan EIR is SCH #93011023.



The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).

Environmental Checklist Form

1. **Project Title:** VEGA SES 6 Solar and Battery Storage Project
2. **Lead Agency name and address:** Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA 92243
3. **Contact person and phone number:** David Black, Planner IV, 442-265-1746
4. **Project location:** The solar energy facility site is located on approximately 320 acres of privately-owned vacant land on a single parcel (Assessor Parcel No. [APN] 034-160-002) in the unincorporated area of Imperial County, CA. The site is located approximately 6 miles south of the southern-most edge of the Salton Sea; 10 miles west of the City of Brawley; and approximately 5 miles southwest of the community of Westmorland. The project site is located directly south of Andre Road and 0.50 mile west of the Westside Main Canal. The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

The proposed project includes an approximately 4-mile electrical generator intertie (gen-tie) transmission line that would connect to the Imperial Irrigation District's (IID) existing 161 kilovolt (kV) "L" Line. The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area planning area. The gen-tie route begins at the northwest corner of the solar facility site, heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to IID's 161 kV "L" Line.

5. **Project sponsor's name and address:** Apex Energy Solutions, LLC, 604 Sutter Street, Suite 250, Folsom, CA 95630
6. **General Plan Designation:** Agriculture
7. **Zoning:** S-2 (Open Space/Preservation)
8. **Description of project:** The project applicant, Apex Energy Solutions, LLC, proposes to construct and operate an 80 megawatt (MW) photovoltaic (PV) solar facility with an integrated 160 MW battery storage system on approximately 320 acres of privately-owned land. The proposed project would be comprised of solar PV arrays panels, an on-site substation, BESS, generation tie-line (gen-tie), inverters, transformers, underground electrical cables, and access roads.
9. **Surrounding land uses and setting: Briefly describe the project's surroundings:** The solar energy facility site is bound by undeveloped Open Space/BLM land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.
10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.):**
 - Department of Public Works – Ministerial permits (building, grading, encroachment)
 - Imperial County Air Pollution Control District – Fugitive dust control plan, Authority to construct

- California Regional Water Quality Control Board – Notice of Intent for General Construction Permit
- Imperial Irrigation District – Water supply agreement/permit for water use lease agreement
- Bureau of Land Management – Right-of-way grant for the off-site gen-tie line to be located on federal lands under the jurisdiction of the BLM

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Yes, the Torrez Martinez Desert Cahuilla Indians and Quechan Indian Tribe. These tribes were sent an AB 52 & SB 18 consultation request letter on July 1, 2022.

Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| ☒ Aesthetics | ☐ Agriculture and Forestry Resources | ☒ Air Quality |
| ☒ Biological Resources | ☒ Cultural Resources | ☐ Energy |
| ☒ Geology/Soils | ☒ Greenhouse Gas Emissions | ☒ Hazards & Hazardous Materials |
| ☒ Hydrology / Water Quality | ☒ Land Use/Planning | ☐ Mineral Resources |
| ☐ Noise | ☐ Population/Housing | ☐ Public Services |
| ☐ Recreation | ☒ Transportation | ☒ Tribal Cultural Resources |
| ☒ Utilities/Service Systems | ☐ Wildfire | ☒ Mandatory Findings of Significance |

Environmental Evaluation Committee Determination

After Review of the Initial Study, the Environmental Evaluation Committee (EEC) has:

- ☐ Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND GAME DE MINIMIS IMPACT FINDING:

Initial Study and NOP
VEGA SES 6 Solar and Battery Storage Project

☐ Yes ☐ No

EEC VOTES	YES	NO	ABSENT
PUBLIC WORKS	☐	☐	☐
ENVIRONMENTAL HEALTH	☐	☐	☐
OFFICE EMERGENCY SERVICES	☐	☐	☐
APCD	☐	☐	☐
AG	☐	☐	☐
SHERIFF DEPARTMENT	☐	☐	☐
ICPDS	☐	☐	☐

Jim Minnick, Director of Planning/EEC Chairman
Signature

Date:

Project Summary

Project Location

The solar energy facility site is located on approximately 320 acres of privately-owned vacant land on a single parcel (Assessor Parcel No. [APN] 034-160-002) in the unincorporated area of Imperial County, CA. The site is located approximately 6 miles south of the southern-most edge of the Salton Sea; 10 miles west of the City of Brawley; and approximately 5 miles southwest of the community of Westmorland (Figure 1). The project site is located directly south of Andre Road and 0.50 mile west of the Westside Main Canal (Figure 2). The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

The proposed project includes an approximately 4-mile electrical generator intertie (gen-tie) transmission line that would connect to the Imperial Irrigation District's (IID) existing 161 kilovolt (kV) "L" Line. The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area planning area. As shown in Figure 2, the gen-tie route begins at the northwest corner of the solar facility site, heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to IID's 161 kV "L" Line.

Project Summary

The project applicant, Apex Energy Solutions, LLC, proposes to construct and operate an 80 megawatt (MW) photovoltaic (PV) solar facility with an integrated 160 MW battery storage system on approximately 320 acres of privately-owned land. The proposed project would be comprised of solar PV arrays panels, an on-site substation, battery storage system, gen-tie line, inverters, transformers, underground electrical cables, and access roads.

Environmental Setting

The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

General Plan Consistency

The proposed project is located within an unincorporated area of the County. The existing General Plan land use designation is Agriculture. The project site is currently zoned Open Space/Preservation (S-2). Construction of a solar facility would be allowed within the existing zoning under a Conditional Use Permit (CUP).

The County Land Use Ordinance, Division 17, includes the Renewable Energy (RE) Overlay Zone, which authorizes the development and operation of renewable energy projects, with an approved CUP. CUP applications proposed for specific renewable energy project not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. The entire project site (APN 034-160-002) is located outside of the RE Overlay Zone. Therefore, the proposed

Initial Study and NOP
VEGA SES 6 Solar and Battery Storage Project

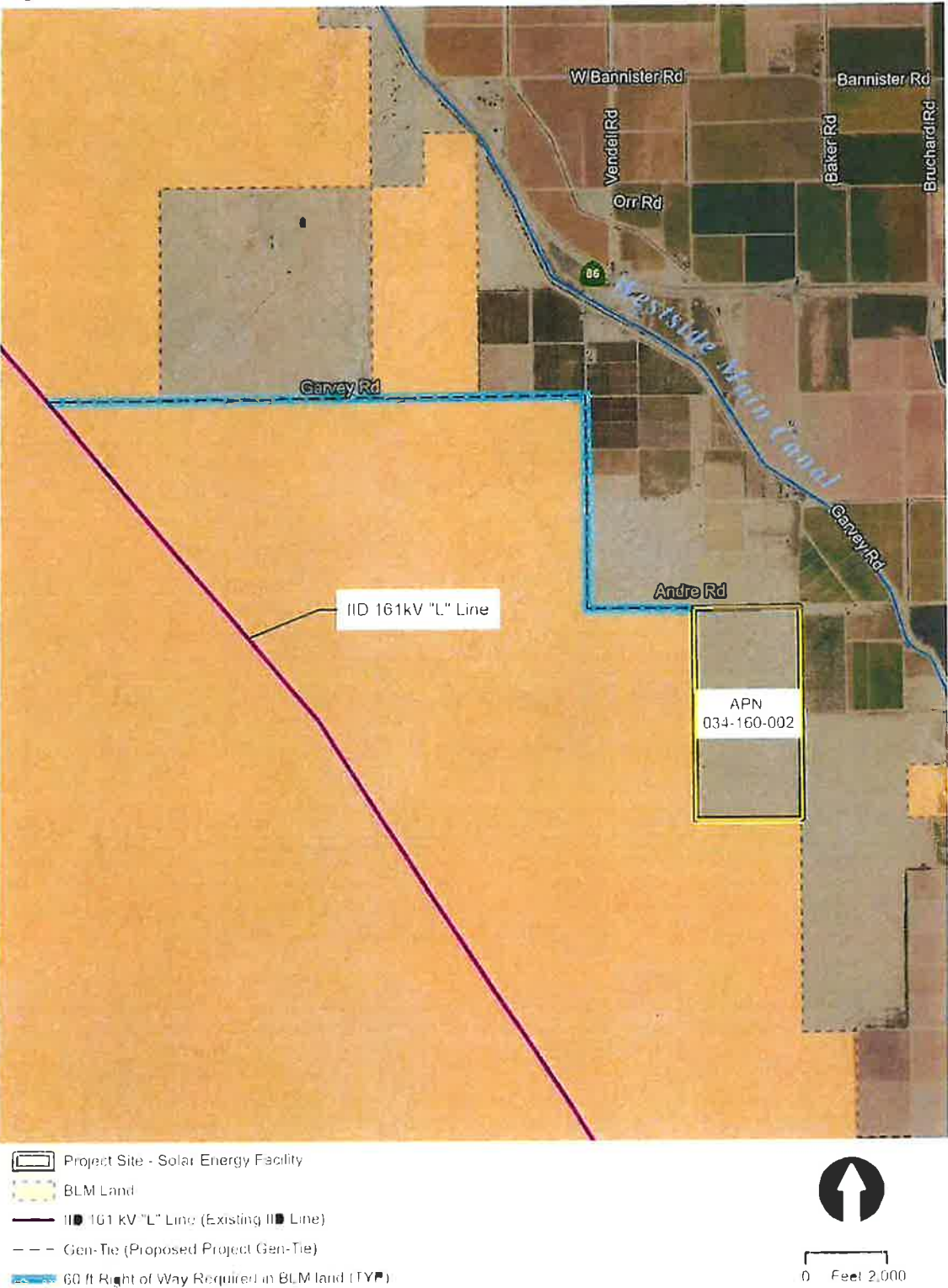


project requires a General Plan Amendment and Zone Change to include/classify the project parcel into the RE Overlay Zone. No change in the underlying General Plan land use (Agriculture) is proposed.

Figure 1. Regional Location



Figure 2. Project Site



Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where they are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
 7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
 8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
 9. The explanation of each issue should identify:
 - a. The significance criteria or threshold, if any, used to evaluate each question; and
 - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

I. Aesthetics

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Except as provided in Public Resources Code Section 21099, would the project:</i>				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☒	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐

Impact Analysis

- No Impact.** According to the Conservation and Open Space Element of the Imperial County General Plan, the solar energy facility site is not located within an area that has been formally identified as a federal, state, or county scenic vista (County of Imperial 2016). No scenic vistas or areas with high visual quality would be disrupted. Thus, no impact is identified for this issue area and no further analysis is warranted.
- No Impact.** According to the California Department of Transportation (Caltrans) California Scenic Highway Mapping System (Caltrans 2019), the project site is not located within a state scenic highway corridor, nor are there any state scenic highways located in proximity to the project site. The nearest scenic highway to the project site is the junction of SR-78 and SR-86, located over 10 miles northwest of the site. The proposed project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway. Therefore, no impact is identified for this issue area and no further analysis is warranted.
- Potentially Significant Impact.** Although the project site is not located near a scenic highway or designated scenic vista, the proposed project may result in a change to the look and rural character of the surrounding area. Therefore, a potentially significant impact is identified for this issue area. A visualization study will be prepared for the project and this issue will be addressed in the EIR.

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- d) **Potentially Significant Impact.** Minimal lighting is required for project operation and is limited to safety and security functions. All lighting will be directed downwards and/or away from any public right-of-way; however, there are no heavily traveled public roadways in immediate proximity to the project site.

The solar panels will be constructed of low reflective materials; therefore, it is not anticipated that they would result in creating glare. Additionally, the proposed project is located in a rural undeveloped area of Imperial County. There are no established residential neighborhoods immediately adjacent to the project site. However, minimal lighting would be required for operations and would be limited to safety and security functions. Although the proposed project is not expected to create a substantial new source of light or glare affecting day or nighttime views, a glare study will be prepared for the proposed project and this issue will be addressed in the EIR. Therefore, a potentially significant impact is identified for this issue area.

The Brawley Municipal Airport is located approximately 10 miles southeast of the project site. Although the solar panels will be constructed of low reflective materials, the potential for glare to impact aircraft will be analyzed further in the EIR.

II. Agriculture and Forestry Resources

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Impact Analysis

- a) **No Impact.** According to the farmland maps prepared by the California Department of Conservation (DOC) (DOC 2021), no portion of the solar energy facility site is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The proposed gen-tie line would border land designated as Farmland of Local Importance; however, the gen-tie line would be located entirely on undeveloped BLM desert land. Therefore,

implementation of the proposed project would not convert Prime Farmland, Farmland of Statewide Importance, or Unique Farmland to non-agricultural use.

- b) **No Impact.** The solar energy facility site is currently zoned Open Space/Preservation (S-2). According to the 2016/2017 Imperial County Williamson Act Map produced by the California Department of Conservation's Division of Land Resource Protection (DOC 2016), the project site is not located on Williamson Act contracted land. The proposed project would not conflict with existing zoning for agriculture use or a Williamson Act contract. Therefore, no impact would occur.
- c) **No Impact.** There are no existing forest lands, timberlands, or timberland zoned "Timberland Production" within or immediately adjacent to the project site that would conflict with existing zoning or cause rezoning. Therefore, no impact is identified for this issue area.
- d) **No Impact.** There are no existing forest lands within or immediately adjacent to the project site. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.
- e) **No Impact.** As discussed in Response II. a) above, the project site does not contain any lands mapped by the California Department of Conservation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is not used for agricultural production. Implementation of the proposed project would not convert any farmland to non-agricultural uses. Therefore, no impact is identified for this issue area.

III. Air Quality

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.</i>				
<i>Would the project:</i>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	☐	☐	☐	☒

Impact Analysis

- Potentially Significant Impact.** The project site is located within the jurisdiction of Imperial County Air Pollution Control District (ICAPCD) in the Imperial County portion of the Salton Sea Air Basin. Construction of the proposed project would create temporary emissions of dust, fumes, equipment exhaust, and other air contaminants that may conflict with the ICAPCD's rules and regulations. No stationary source emissions are proposed from the proposed project; however, temporary construction emissions have the potential to result in a significant air quality impact. An air quality and greenhouse gas study will be prepared to analyze the proposed project's consistency with air quality plans, and will be included in the EIR analysis.
- Potentially Significant Impact.** Currently, the Salton Sea Air Basin is either in attainment or unclassified for all federal and state air pollutant standards, with the exception of the federal ozone (O₃), particulate matter less than 10 microns in diameter (PM₁₀) and particulate matter less than 2.5 microns in diameter (PM_{2.5}) standards, and state standards for O₃ and PM₁₀. Air pollutants transported into the Salton Sea Air Basin from the adjacent South Coast Air Basin (Los Angeles County, San Bernardino County, Orange County, and Riverside County) and Mexicali (Mexico) substantially contribute to the non-attainment conditions in the Salton Sea Air Basin. A potentially significant impact is identified for this issue area. An air quality and greenhouse gas study will be prepared to analyze the proposed project's potential air quality impacts and will be included in the EIR analysis.
- Potentially Significant Impact.** The solar energy facility site is bound by undeveloped Open Space/ BLM land to the west and south, and active agricultural land to the north and east. The nearest sensitive receptor to the project site is a single-family residence located approximately 2,725 feet from the northeastern corner of the solar energy facility site. There are also single-family homes located approximately 1.53 miles east of the solar energy

facility site, located at the intersection of Andre Road and Hoskins Road. This issue will be addressed in the air quality and greenhouse gas study and EIR analysis.

- d) **No Impact.** Land uses commonly considered to be potential sources of odorous emissions include wastewater treatment plants, sanitary landfills, food processing facilities, chemical manufacturing plants, rendering plants, paint/coating operations, and concentrated agricultural feeding operations and dairies. The construction and operation of a solar facility, battery storage system, and gen-tie line are not odor producers. Therefore, no impact is identified for this issue area.

IV. Biological Resources

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☒	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
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?	☒	☐	☐	☐
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 wildlife nursery sites?	☒	☐	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☒	☐	☐	☐

Impact Analysis

- a) **Potentially Significant Impact.** According to the Conservation and Open Space Element of the General Plan (County of Imperial 2016), numerous special-status species occur in the County, and of particular concern is the western burrowing owl which may have the potential to occur near the project site due to suitable habitat. The disturbed areas, berms of the irrigation canals, and agricultural areas in the immediate vicinity provide potential habitat for

the western burrowing owl. Flat-tailed horned lizard has a high potential to occur on the solar energy facility site and gen-tie line due to suitable habitat. Thus, a potentially significant impact is identified for this issue area. A biological resources report and aquatic resources delineation report that will address the proposed project's potential impacts on biological resources will be prepared and included in the EIR analysis.

- b) **Potentially Significant Impact.** Refer to response IV. a) above.
- c) **Potentially Significant Impact.** The project site is adjacent to the Westside Main Canal and unlined irrigation drains which could potentially meet the definition of waters of the U.S. and regulated under the California Water Act, the Porter-Cologne Act, and California Fish and Game Code Section 1602. Therefore, a potentially significant impact is identified for this issue area. A jurisdictional waters/wetlands delineation report will be prepared and included in the EIR analysis.
- d) **Potentially Significant Impact.** Refer to response IV. a) above
- e) **Potentially Significant Impact.** Refer to response IV. a) above
- f) **Potentially Significant Impact.** The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area planning area. A portion of the gen-tie transmission line falls within BLM Renewable Energy Development Focus Areas of the Desert Renewable Energy Conservation Plan. However, none of the project area falls within Areas of Environmental Concern. If habitat within the California Desert National Conserved Lands area of the project is impacted, a potentially significant impact may occur. Therefore, a biological technical report will be prepared, and this potential impact will be evaluated in the EIR analysis.



V. Cultural Resources

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☒	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☐	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☒	☐	☐	☐

Impact Analysis

- a) **Potentially Significant Impact.** The solar energy facility site is bound by undeveloped Open Space/ BLM land to the west and south, and active agricultural land to the north and east. Although the proposed project is not expected to cause a substantial adverse change in the significance of a historical resource or archaeological resource, a potentially significant impact could occur if an unanticipated cultural resource is discovered. A cultural resources report that will address the proposed project's potential impacts on historic and prehistoric resources will be prepared and this issue will be addressed in the EIR.
- b) **Potentially Significant Impact.** Refer to response V. a) above.
- c) **Potentially Significant Impact.** Although unlikely, there is a potential for unknown human remains to be unearthed during earthwork activities. This issue is potentially significant and will be addressed in the EIR.

VI. Energy

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>Would the project:</i>				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Impact Analysis

- a) **Less than Significant Impact.** Information contained in this section is summarized from the *Energy Impact Analysis* prepared for the project (ECORP Consulting, Inc. 2021). The proposed project would impact energy resources during construction and operation. Energy resources that would be potentially impacted include electricity, and petroleum-based fuel supplies and distribution systems. The proposed project would not utilize any natural gas during either construction or operation of the proposed project, and no further analysis of natural gas is provided in this analysis.

The following discussion calculates the potential energy consumption associated with the construction and operation of the proposed project and analyzes if any energy utilized by the proposed project is wasteful, inefficient, or unnecessary consumption of energy resources.

Construction Energy

Construction activities would primarily involve demolition and grubbing; grading of the project area; trenching; the installation of solar equipment and security fencing; and the offsite infrastructure work required for the IID gen-tie transmission line route.

Construction-Related Electricity

During construction of the proposed project, electricity would be consumed to construct the new structures and infrastructure. Electricity would be supplied to the project site by IID and would be obtained from the existing electrical lines in the vicinity of the project site. The use of electricity from existing power lines rather than temporary diesel or gasoline powered generators would minimize impacts on energy use. Electricity consumed during project construction would vary throughout the construction period based on the construction activities being performed. Various construction activities include electricity associated with the conveyance of water that would be used during project construction for dust control (supply and conveyance) and electricity to power any necessary lighting during construction, electronic equipment, or other construction activities necessitating electrical power. Such electricity demand would be temporary, nominal, and would cease upon the completion of construction. Overall, construction activities associated with the proposed project would require limited electricity consumption that would not be expected to have an adverse impact on available electricity supplies and infrastructure. Therefore, the use of electricity during project construction would not be wasteful, inefficient, or unnecessary.

Construction-Related Petroleum Fuel Use

Petroleum-based fuel usage represents the highest amount of transportation energy potentially consumed during construction, which would be utilized by both off-road equipment operating on the project site and on-road automobiles transporting workers to and from the project site and on-road trucks transporting equipment and supplies to the project site.

The proposed project's gasoline fuel consumption during the one-time construction period is estimated to be 119,015 gallons during 2022 construction and 28,966 gallons during 2023 construction for the combination of the solar/battery storage facilities and gen-tie line (ECORP Consulting, Inc. 2021). The proposed project's gasoline consumption would increase the annual countywide gasoline fuel use in the county by less than 0.1 percent. As such, the construction-related petroleum use would be nominal, when compared to current county-wide petroleum usage rates. No unusual project characteristics would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or the state. Construction contractors would purchase their own gasoline and diesel fuel from local suppliers and would judiciously use fuel supplies to minimize costs due to waste and subsequently maximize profits. Additionally, construction equipment fleet turnover and increasingly stringent state and federal regulations on engine efficiency combined with state regulations limiting engine idling times and requiring recycling of construction debris, would further reduce the amount of transportation fuel demand during project construction. For these reasons, it is expected that construction fuel consumption associated with the project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature.

Construction activities associated with the proposed project would be required to adhere to all State and ICAPCD regulations for off-road equipment and on-road trucks, which provide minimum fuel efficiency standards. As such, construction activities for the proposed project would not result in the wasteful, inefficient, and unnecessary consumption of energy resources. Impacts regarding transportation energy would be less than significant.

Operational Energy

Operations of the proposed project would not result in the consumption of electricity or natural gas and thus, would not contribute to the County-wide usage and would directly support the Renewable Portfolio Standards goal of increasing the percentage of electricity procured from renewable sources (ECORP Consulting, Inc. 2021).

Operations-Related Electricity

Operation of the proposed project would result in the production of electricity at the project site. The proposed project would generate a maximum of 80 MW of electricity at any one time and would potentially displace approximately 34,614 metric tons of CO₂e per year and approximately 1,038,461 metric tons of CO₂e over the course of 30 years (ECORP Consulting, Inc. 2021). Therefore, the contribution of renewable energy production would result in a net cumulative reduction of GHG emissions, a key environmental benefit. As such, the operations-related electricity use would provide a significant renewable resource for the IID and would help IID achieve the State's Renewable Portfolio Standards requirement for non-carbon sources of electricity. No impact would occur from electricity-related energy consumption from the proposed project.

Operations-Related Petroleum Fuel Usage

Operation of the proposed project would result in increased consumption of petroleum-based fuels related to automotive fuel necessary for ongoing maintenance activities. The proposed project would consume 121 gallons of petroleum fuel per year from vehicle travel. This equates to a 0.00006 percent increase of the gasoline and diesel consumed in Imperial

County annually. As such, the operations-related petroleum use would be nominal, when compared to current petroleum usage rates.

It should be noted that, the proposed project would comply with all Federal, State, and County requirements related to the consumption of transportation energy and would provide a non-carbon source of electricity to power electric vehicles in Imperial County. Thus, impacts with regard transportation energy supply and infrastructure capacity would be less than significant and no mitigation measures would be required.

- b) **Less than Significant Impact.** The proposed project would help California meet its Renewable Portfolio Standard of 60 percent of retail electricity sales from renewable sources by the end of 2030 and 100 percent by 2045. The electricity generation process associated with the project would utilize solar technology to convert sunlight directly into electricity. Solar PV technology is consistent with the definition of an "eligible renewable energy resource" in Section 399.12 of the California Public Utilities Code (CPUC) and the definition of "in-state renewable electricity generation facility" in Section 25741 of the CPUC. Therefore, the proposed project would not conflict with or obstruct a state or local plan for renewable energy of energy efficiency. This is considered a less than significant impact.

VII. Geology and Soils

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i. 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?	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☒	☐	☐	☐
iii. Seismic-related ground failure, including liquefaction?	☒	☐	☐	☐
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☒	☐	☐	☐
d) Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial direct or indirect risk to life or property?	☒	☐	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐

Impact Analysis

- ai) **No Impact.** According to the California Earthquake Hazards Zone Application (California DOC 2022), the project site is not located within a State of California, Alquist-Priolo Earthquake Fault Zone. The nearest Alquist-Priolo Earthquake Fault Zone is the Superstition Hills fault located approximately 4.5 miles southwest of the project site. Therefore, no impact is identified for this issue area.
- a ii) **Potentially Significant Impact.** The project site is located in the seismically-active Imperial Valley in Southern California and considered likely to be subjected to moderate to strong ground motion from earthquakes in the region. The project site could be affected by the occurrence of seismic activity to some degree but no more than the surrounding properties. A potentially significant impact has been identified for this issue area. A geotechnical report that will address the proposed project's potential impacts on geology and soils will be prepared and this issue will be addressed in the EIR.
- a iii) **Potentially Significant Impact.** Liquefaction occurs when granular soil below the water table is subjected to vibratory motions, such as vibratory motion produced by earthquakes. With strong ground shaking, an increase in pore water pressure develops as the soil tends to reduce in volume. If the increase in pore water pressure is sufficient to reduce the vertical effective stress (suspending the soil particles in water), the soil strength decreases, and the soil behaves as a liquid (similar to quicksand). Liquefaction can produce excessive settlement, ground rupture, lateral spreading, or failure of shallow bearing foundations.

Four conditions are generally required for liquefaction to occur:

- 1) The soil must be saturated (relatively shallow groundwater).
- 2) The soil must be loosely packed (low to medium relative density).
- 3) The soil must be relatively cohesionless (not clayey).
- 4) Groundshaking of sufficient intensity must occur to function as a trigger mechanism.

All these conditions may exist to some degree at the project site. Therefore, there is a potentially significant impact associated with liquefaction. A geotechnical report that will address the proposed project's potential impacts on geology and soils will be prepared and this issue will be addressed in the EIR.

- a iv) **No Impact.** According to *Figure 2: Landslide Activity* in the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the project site is not located in an area that is prone to landslide hazards. Furthermore, the project site and surrounding area is relatively flat. Therefore, no impact is identified for this issue area.
- b) **Less than Significant Impact.** According to *Figure 3: Erosion Activity* in the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the project site is within a generally flat area with low levels of natural erosion. However, soil erosion can result during construction as grading and construction can loosen surface soils and make soils susceptible to wind and water movement across the surface. Impacts are not considered significant because erosion would be controlled on-site in accordance with Imperial County standards including preparation, review, and approval of a grading plan by the Imperial County Engineer. Implementation of Imperial County standards would reduce the potential impacts to a less than significant level.
- c) **Potentially Significant Impact.** Near surface soils within the project site will need to be identified to determine if the soils are unstable. Therefore, this issue is potentially significant and will be analyzed in the EIR.
- d) **Potentially Significant Impact.** Near surface soils within the project site will need to be identified to determine if they consist of soils having expansion potential. Therefore, this issue is potentially significant and will be analyzed in the EIR.
- e) **No Impact.** The proposed project would not require the installation of septic tanks or alternative wastewater disposal systems. The proposed solar facility would be remotely

operated, controlled and monitored and with no requirement for daily on-site employees. Therefore, no impact is identified for this issue area.

- f) **Potentially Significant Impact.** Many paleontological fossil sites are recorded in Imperial County and have been discovered during construction activities. Paleontological resources are typically impacted when earthwork activities, such as mass excavation cut into geological deposits (formations) with buried fossils. It is not known if any paleontological resources are located on the project site. The proposed project's potential to impact paleontological resources will be addressed in the EIR.

VIII. Greenhouse Gas Emissions

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

Impact Analysis

- a) **Potentially Significant Impact.** In the long-term, the proposed project is expected to provide a benefit with respect to reduction of greenhouse gas emissions. However, the proposed project has the potential to generate greenhouse gas emissions during construction, in addition to construction worker trips to and from the project site. Thus, a potentially significant impact is identified for this issue area. An air quality and greenhouse gas study will be prepared for the proposed project, and this issue will be addressed in the EIR.
- b) **Potentially Significant Impact.** Refer to response VIII. a) above.

IX. Hazards and Hazardous Materials

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☒	☐	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☒	☐

Impact Analysis

- a) **Less than Significant Impact.** Construction of the proposed project will involve the limited use of hazardous materials, such as fuels and greases to fuel and service construction equipment. No extremely hazardous substances are anticipated to be produced, used, stored, transported, or disposed of as a result of project construction. Operation of the proposed project would be conducted remotely. Therefore, no habitable structures (e.g. housing) are proposed on the project site.

Regular and routine maintenance of the proposed project may result in the potential to handle hazardous materials. However, the hazardous materials handled on-site would be limited to small amounts of everyday use cleaners and common chemicals used for maintenance. The applicant will be required to comply with State laws and County Ordinance restrictions, which regulate and control hazardous materials handled on-site. Such hazardous wastes would be transported off-site for disposal according to applicable State and County restrictions and laws governing the disposal of hazardous waste during construction and operation of the project. Therefore, this is considered a less than significant impact.

- b) **Less than Significant Impact.** Refer to response IX. a) above.
- c) **No Impact.** The project site is not located within 0.25 mile of an existing or proposed school. No impact is identified for this issue area.
- d) **No Impact.** Based on a review of the Cortese List conducted in May 2022, the project site is not listed as a hazardous materials site (Department of Toxic Substances Control 2022). No impact is identified for this issue area.
- e) **Potentially Significant Impact.** The project site is not located within 2 miles of a public airport. The nearest public airport is the Brawley Municipal Airport located approximately 9.8 miles southeast of the project site. The project site is outside of the airport compatibility zones of the Brawley Municipal Airport (County of Imperial 1996). Although the solar panels will be constructed of low reflective materials, the potential for glare to impact aircraft will be analyzed further in the EIR.
- f) **Less than Significant Impact.** The proposed project is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project applicant will be required, through the conditions of approval, to prepare a street improvement plan for the project that will include emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize flood, seismic, and fire hazard. Therefore, the proposed project would result in a less than significant impact associated with the possible impediment to emergency plans.
- g) **Less than Significant Impact.** The solar energy facility site is located in the unincorporated area of Imperial County. According to the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the potential for a major fire in the unincorporated areas of the County is generally low.

Proposed project facilities would be designed, constructed, and operated in accordance with applicable fire protection and other environmental, health, and safety requirements (e.g., CPUC safety standards). Primary access to the project site would be located off SR-78 from the north and west, and across the IID aqueduct, via county roadways (Garvey Road and Andre Road). Points of ingress/egress would be accessed via locked gates that can be opened by any emergency responders. Additionally, water for emergency fire suppression would likely be obtained from local IID irrigation canals or laterals in conformance with IID construction water acquisition requirements. Water would be picked up from a nearby lateral canal and delivered to the construction location by a water truck that would be capable of carrying approximately 4,000 gallons per load. Based on these considerations, a less than significant impact is identified for this issue area.

X. Hydrology and Water Quality

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☒	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. impede or redirect flood flows?	☒	☐	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☒	☐	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Impact Analysis

- a) **Potentially Significant Impact.** The proposed project has the potential to create urban non-point source discharge (e.g., synthetic/organic chemicals). As runoff flows over developed surfaces, water can entrain a variety of potential pollutants including, but not limited to, oil

and grease, pesticides, trace metals, and nutrients. These pollutants can become suspended in runoff and carried to receiving waters. If they are not intercepted or are left uncontrolled, the polluted runoff would otherwise freely sheet flow from the project site to the IID Imperial Valley drains and could result in the accumulation of these pollutants in the receiving waters. Potentially significant water quality impacts have been identified and will be addressed in the EIR.

- b) **Less than Significant Impact.** During construction, potable water would be brought to the site for drinking and domestic needs. The approximate 550 acre-feet (AF) of water required during construction would be obtained from local IID irrigation canals or laterals in conformance with IID construction water acquisition requirements. This water would be used for earthwork, soil conditioning, dust suppression, and compaction efforts. Because the solar panels will be pole-mounted above ground, they are not considered "hardscape", such as roads, building foundations, or parking areas, as they do not require a substantial amount of impervious material. Estimated annual water consumption for operation and maintenance of the proposed project, including periodic PV module washing, would be approximately 20-AF annually, which would be trucked to the project site as needed. Therefore, the panels and their mounting foundation would not impede groundwater recharge. A less than significant impact is identified for this issue area.
- ci) **Less than Significant Impact.** The proposed project would not substantially alter the existing drainage pattern of the site. It is anticipated that the proposed drainage patterns would be similar to the existing site conditions. The project applicant would be required to implement on-site erosion control measures in accordance with Imperial County standards which require preparation, review, and approval of a grading plan by the Imperial County Engineer. Therefore, the proposed project would not result in substantial erosion or siltation on- or off-site. A less than significant impact is identified for this issue area.
- cii) **Less than Significant Impact.** The proposed project is not anticipated to generate a significant increase in the amount of runoff water from water use involving solar panel washing. Water will continue to percolate through the ground, as a majority of the surface on the project site will remain pervious. Therefore, the proposed project would not substantially increase the rate of runoff in a manner which would result in flooding on- or off-site or exceed the capacity of existing or planned stormwater drainage systems and provide substantial additional sources of polluted runoff. A less than significant impact is identified for this issue area.
- ciii) **Less than Significant Impact.** Refer to response X. cii) above.
- civ) **Potentially Significant Impact.** According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel 06025C1000C) (FEMA 2008), the solar energy facility site is entirely within Zone X, which is an area determined to be outside of the 0.2 percent annual chance of a flood. A portion of the gen-tie line that runs in the east-west direction of Garvey Road would be within Zone A, which are areas subject to inundation by the 1-percent-annual chance flood event. Therefore, the proposed project has the potential to impede or redirect flood flows and this is considered a potentially significant impact.
- d) **Potentially Significant Impact.** As previously mentioned, a portion of the gen-tie line would be within Zone A, which are areas subject to inundation by the 1-percent-annual chance flood event. The proposed project has the potential to create urban non-point source discharge (e.g., synthetic/organic chemicals). As runoff flows over developed surfaces, water can entrain a variety of potential pollutants including, but not limited to, oil and grease, pesticides, trace metals, and nutrients. These pollutants can become suspended in runoff and carried to receiving waters. If they are not intercepted or are left uncontrolled, the polluted runoff would otherwise freely sheet flow from the project site to the IID Imperial Valley drains and could result in the accumulation of these pollutants in the receiving waters. The proposed project has the potential to release pollutants due to inundation by flood.



The project site is not located near any large bodies of water. The Salton Sea is located approximately 6 miles north of the project site. Furthermore, the relatively flat project site is approximately 100 miles inland from the Pacific Ocean. Therefore, the proposed project would not risk release of pollutants due to inundation by tsunami or seiche.

- e) **No Impact.** The proposed project will not involve the use of groundwater nor require dewatering activities. The approximate 550 AF of water required during construction would be obtained from local IID irrigation canals or laterals in conformance with IID construction water acquisition requirements. This water would be used for earthwork, soil conditioning, dust suppression, and compaction efforts. Therefore, the proposed project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. No impact is identified for this issue area.

XI. Land Use and Planning

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐

Impact Analysis

- a) **No Impact.** The proposed project is located in a sparsely populated portion of unincorporated Imperial County. There are no established residential communities located within or in the vicinity of the project site. Therefore, implementation of the proposed project would not divide an established community. No impact is identified for this issue area.
- b) **Potentially Significant Impact.** The solar energy facility site is currently zoned as Open Space/Preservation (S-2). Pursuant to Title 9, Division 5, Chapter 19 (County of Imperial 2019a), the following uses are permitted in the S-2 zone subject to approval of a CUP from Imperial County:

d) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.

i) Major facilities relating to the generation and transmission of electrical energy provide[d] such facilities are not under State or Federal law, to [be] approved exclusively by an agency, or agencies of the State or Federal government, and provided such facilities shall be approved subsequent to coordination review of the Imperial Irrigation District for electrical matters. Such uses shall include but be limited to the following:

- *Electrical generation plants*
- *Facilities for the transmission of electrical energy (100-200 kV)*
- *Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)*

The County Land Use Ordinance, Division 17, includes the Renewable Energy (RE) Overlay Zone, which authorizes the development and operation of renewable energy projects, with an approved CUP. CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. The solar energy facility site (APN 034-160-002) is located outside of the RE Overlay Zone.

Implementation of the project requires an amendment to the County's General Plan Renewable Energy and Transmission Element, Zone Change, and approval of a CUP, as described below:

- **General Plan Amendment:** The applicant is requesting a General Plan Amendment to include/classify the project parcel (APN 034-160-002) into the RE Overlay Zone. No change in the underlying General Plan land use (Agriculture) is proposed.
- **Zone Change:** The project site is currently zoned Open Space/Preservation (S-2). The applicant is requesting a Zone Change to classify the project parcel (APN 034-160-002) into the RE Overlay Zone to allow for solar and battery storage development.
- **Conditional Use Permit:** Implementation of the project would require the approval of a CUP by the County to allow for the construction and operation of the proposed solar energy facility with an integrated battery storage system on land zoned S-2.
- **Water Supply Assessment:** Implementation of the project would require the approval of the Water Supply Assessment.

The proposed General Plan Amendment and Zone Change may result in a conflict with an applicable land use plan, policy or regulation. A potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.

Because the proposed gen-tie line would be located entirely on BLM land, the project applicant has filed a right-of-way (ROW) grant application with the BLM for a permit to construct, operate, and maintain the gen-tie line. The proposed ROW would be 60-foot-wide. Construction of the gen-tie line would result in approximately 24.5 acres of disturbed area.

XII. Mineral Resources

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

Impact Analysis

- a) **No Impact.** The project site is not used for mineral resource production. According to *Figure 8: Imperial County Existing Mineral Resources* of the Conservation and Open Space Element of the General Plan (County of Imperial 2016), no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. Therefore, the proposed project would not result in the loss of availability of any known mineral resources that would be of value to the region and the residents of California nor would the proposed project result in the loss of availability of a locally important mineral resource.
- b) **No Impact.** Refer to Response XIII. a) above.

XIII. Noise

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) 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?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Impact Analysis

- a) **Less than Significant Impact.** The Imperial County Code of Ordinances, Chapter 2, Section 90702.00 - Sound level limits, establishes one-hour average sound level limits for the County's land use zones. Agricultural/industrial operations are required to comply with the noise levels prescribed under the general industrial zones. Therefore, the project is required to maintain noise levels below 75 decibels (dB) (averaged over one hour) during any time of day. The project would be expected to comply with the Noise Element of the General Plan which states that construction noise, from a single piece of equipment or a combination of equipment, shall not exceed 75 dB, when averaged over an eight-hour period, and measured at the nearest sensitive receptor. Construction equipment operation is also limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 9 a.m. to 5 p.m. Nevertheless, the project will result in the increase in ambient noise levels during construction. This issue will be addressed in the EIR.
- b) **Less than Significant Impact.** Groundborne vibration and groundborne noise could originate from earth movement during the construction phase of the proposed project. However, significant vibration is typically associated with activities such as blasting or the use of pile drivers, neither of which would be required during project construction. The project would be expected to comply with all applicable requirements for long-term operation, as well as with measures to reduce excessive groundborne vibration and noise to ensure that the project would not expose persons or structures to excessive groundborne vibration. Nevertheless, this issue will be addressed in the EIR.

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- c) **No Impact.** The project site is not located within 2 miles of a public airport. The nearest airport is the Brawley Municipal Airport located approximately 9.8 miles southeast of the project site. The project site is outside of the airport compatibility zones of the Brawley Municipal Airport (County of Imperial 1996). Therefore, the proposed project would not expose people residing or working in the project area to excess noise levels and no impact is identified for this issue area.

XIV. Population and Housing

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Impact Analysis

- a) **Less than Significant Impact.** Development of housing is not proposed as part of the proposed project. No full-time employees are required to operate the proposed project since the project facility will be monitored remotely. However, it is anticipated that maintenance of the facility will require minimal site presence to perform periodic visual inspections and minor repairs. On intermittent occasions, the presence of additional workers may be required for repairs or replacement of equipment and panel cleaning; however, due to the nature of the facility, such actions will likely occur infrequently and would likely come from the existing local workforce. Therefore, the proposed project would not result in a substantial growth in the area, as the number of employees required to operate and maintain the facility is minimal. A less than significant impact is identified for this issue area.
- b) **No Impact.** No housing exists within the project site. Therefore, the proposed project would not displace any existing people or housing, which would require the construction of replacement housing elsewhere. No impact is identified for this issue area.

XV. Public Services

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire Protection?	☐	☒	☐	☐
ii. Police Protection?	☐	☒	☐	☐
iii. Schools?	☐	☐	☐	☒
iv. Parks?	☐	☐	☐	☒
v. Other public facilities?	☐	☐	☐	☒

Impact Analysis

- ai) **Potentially Significant Impact.** Fire protection and emergency medical services in the project area are provided by the Imperial County Fire Department. The project site is located in the unincorporated area of Imperial County. According to the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the potential for a major fire in the unincorporated areas of the County is generally low. Primary access to the project site would be located off State Route (SR) 78 from the north and west, and across the IID aqueduct, via county roadways (Garvey Road and Andre Road). All access roads would be constructed to meet the County Fire Department's standards. Points of ingress/egress would be accessed via locked gates that can be opened by any emergency responders. Although the proposed project would be designed, constructed, and operated in accordance with applicable fire protection and other environmental, health, and safety requirements (e.g., CPUC safety standards), the project applicant will be required to consult with the Fire Department to address any fire safety and service concerns (i.e., battery energy storage system) so that adequate service is maintained. The project's potentially significant impacts on fire services will be addressed in the EIR.
- aii) **Less than Significant Impact.** Police protection services in the project area is provided by the Imperial County Sheriff's Department. Although the potential is low, the proposed project may attract vandals or other security risks and the increase in construction related traffic could increase demand on law enforcement services. Therefore, on-site security systems would be provided, and access would be limited to the areas surrounding the project site during construction and operation, thereby minimizing the need for police surveillance. Six-foot high chain link fencing topped with barbed wire would be installed around the perimeter of the project site at the commencement of construction and site access would be limited to authorized site workers. Points of ingress/egress would be accessed via locked gates. In addition, a motion detection system and closed-circuit camera system may also be installed. The site would be remotely monitored 24 hours per day, 7 days per week. In addition, routine

unscheduled security rounds may be made by the security team monitoring the site security. Based on these considerations, the proposed project would not result in a need for police protection facility expansion and a less than significant impact is identified for this issue area.

- a) **No Impact.** The proposed project does not include the development of residential land uses that would result in an increase in population or student generation. Additionally, construction of the proposed project would not result in an increase in student population within the Imperial County's School District since it is anticipated that construction workers would commute in during construction operations. Therefore, no impact is identified for this issue area and no further analysis is warranted.
- aiii) **No Impact.** Although maintenance of the project facility will require minimal site presence to perform periodic visual inspections and minor repairs, no full-time employees are required to operate the proposed project because the project facility will be monitored remotely. Therefore, substantial permanent increases in population that would adversely affect local parks is not expected. No impact is identified for this issue area and no further analysis is warranted.
- av) **No Impact.** Although maintenance of the project facility will require minimal site presence to perform periodic visual inspections and minor repairs, no full-time employees are required to operate the proposed project because the project facility will be monitored remotely. Therefore, substantial permanent increases in population that would adversely affect libraries and other public facilities (such as post offices) is not expected. The proposed project is not expected to have an impact on other public facilities such as post offices, and libraries. No impact is identified for this issue area and no further analysis is warranted.

XVI. Recreation

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	☐	☐	☐	☒

Impact Analysis

- a) **No Impact.** The proposed project would not generate new employment on a long-term basis. As such, the proposed project would not significantly increase the use or accelerate the deterioration of regional parks or other recreational facilities. The temporary increase of population during construction that might be caused by an influx of workers would be minimal and not cause a detectable increase in the use of parks. Additionally, the proposed project would not include or require the expansion of recreational facilities. Impact is identified for this issue area and no further analysis is warranted.
- b) **No Impact.** Refer to response XVI. a) above.



XVII. Transportation

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☒	☐	☐	☐
b) Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☒	☐	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Impact Analysis

- a) **Potentially Significant Impact.** Operation and maintenance would be conducted remotely, with minimal trips to the project site for panel washing and other solar and gen-tie line maintenance. Construction of the proposed project would result in a small increase of traffic to the area, which may result in a potentially significant impact and will be addressed in the EIR analysis.
- b) **Potentially Significant Impact.** Section 15064.3(b) of the CEQA Guidelines provides guidance on determining the significance of transportation impacts and focuses on the use of vehicle miles traveled (VMT), which is defined as the amount and distance of automobile travel associated with a project. Given the nature of the project, after construction, there would be a nominal amount of vehicle trips generated by the project. Once the proposed project is implemented, the proposed project would require intermittent maintenance requiring a negligible amount of traffic trips on an annual basis. However minimal, the proposed project would increase the number of vehicular trips related to construction and the need for intermittent maintenance on an annual basis. Therefore, this issue is potentially significant and will be addressed in the EIR analysis.
- c) **Less than Significant Impact.** To accommodate emergency access, PV panels would be spaced to maintain proper clearance. Proposed project facilities would be designed, constructed, and operated in accordance with applicable fire protection, CPUC safety standards, and other environmental, health, and safety requirements. Primary access to the project site would be located off SR-78 from the north and west, and across the IID aqueduct, via county roadways (Garvey Road and Andre Road). All access roads would be constructed to meet the County Fire Department's standards. Points of ingress/egress would be accessed via locked gates that can be opened by any emergency responders. Therefore, the proposed project would not increase hazards because of incompatible uses or design features, and impacts are considered less than significant.
- d) **Less than Significant Impact.** As previously stated, the PV panels would be spaced to maintain proper clearance. Proposed project facilities would be designed in accordance with applicable fire protection, CPUC safety standards, and other environmental, health, and



safety requirements. Primary access to the project site would be located off SR-78 from the north and west, and across the IID aqueduct, via county roadways (Garvey Road and Andre Road). All access roads would be constructed to meet the County Fire Department's standards. Points of ingress/egress would be accessed via locked gates that can be opened by any emergency responders. Based on this context, impacts are considered less than significant.

XVIII. Tribal Cultural Resources

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project 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:				
a) 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)?	☒	☐	☐	☐
b) 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?	☒	☐	☐	☐

Impact Analysis

a-b) **Potentially Significant Impact.** AB 52 was passed in 2014 and took effect July 1, 2015. It established a new category of environmental resources that must be considered under CEQA called tribal cultural resources (Public Resources Code 21074) and established a process for consulting with Native American tribes and groups regarding those resources. Assembly Bill 52 requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.

In accordance with AB 52, Imperial County, as the CEQA lead agency, sent an AB 52 consultation request letter to the Torrez Martinez Desert Cahuilla Indians and Quechan Indian Tribe on Date. This issue will be further analyzed in the EIR.

XIX. Utilities and Service Systems

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☒	☐	☐	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☒	☐	☐	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Impact Analysis

- a) **Potentially Significant Impact.** Approximately 550-acre feet (AF) of water for dust suppression and site grading during construction would be required. Construction water needs would be limited to earthwork, soil conditioning, dust suppression, and compaction efforts. Water for construction and operation of the project would be obtained from local IID irrigation canals or laterals in conformance with IID construction water acquisition requirements. Water would be picked up from a nearby lateral canal and delivered to the construction location by a water truck that would be capable of carrying approximately 4,000 gallons per load. The proposed project would not require the relocation, expansion, or construction of new storm drainage facilities because the proposed solar facility would not generate a significant increase in the amount of impervious surfaces that would increase runoff during storm events and exceed the capacity of existing or planned stormwater drainage systems. Water from solar panel washing would continue to percolate through the ground, as a majority of the surfaces within the project site would remain pervious.

The wastewater generated during construction would be contained within portable toilet facilities and disposed of at an approved site. The minimal volume of wastewater generated during construction would not require the relocation expansion, or construction of wastewater treatment facilities.

Further, no habitable structures are proposed on the project site. Therefore, the proposed project would not require or result in the relocation or construction of new or expanded electric power or natural gas.

The proposed project includes an approximately 4-mile gen-tie line that would connect to the IID's existing 161 kV "L" Line. Construction of the proposed gen-tie line could result in potentially significant environmental impacts. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects

Once fully constructed, estimated annual water consumption for operation and maintenance of the proposed project, including periodic PV module washing, would be approximately 20-acre feet annually (af/y), which would be water purchased from the IID and trucked to the project site as needed. Although water for solar panel washing and fire protection during project operation is not anticipated to result in a significant increase in water demand/use, the proposed project's potential impacts on water supplies will be addressed in the water supply assessment and EIR analysis.

- b) **Potentially Significant Impact.** Refer to response XIX. a) above.
- c) **Less than Significant Impact.** The proposed project would generate a minimal volume of wastewater during construction. During construction activities, wastewater would be contained within portable toilet facilities and disposed of at an approved site. Further, no habitable structures are proposed on the project site; therefore, there would be no wastewater generation from the proposed project during operation. The proposed project would not exceed wastewater treatment requirements of the RWQCB. Therefore, a less than significant impact is identified for this issue area.
- d) **Less than Significant Impact.** Solid waste generation would be minor for the construction and operation of the proposed project. Solid waste will be disposed of using a locally-licensed waste hauling service, most likely Allied Waste. Trash would likely be hauled to the Imperial Landfill (13-AA-0019) located approximately 14 miles southeast of the proposed project in Imperial. The Imperial Landfill has approximately 12,384,000 cubic yards of remaining capacity and is estimated to remain in operation through 2040 (CalRecycle 2022). Therefore, there is ample landfill capacity in the County to receive the minor amount of solid waste generated by construction and operation of the proposed project.

Additionally, because the proposed project would generate solid waste during construction and operation, they will be required to comply with state and local requirements for waste reduction and recycling; including the 1989 California Integrated Waste Management Act and the 1991 California Solid Waste Reuse and Recycling Access Act of 1991. Also, conditions of the conditional use permit will contain provisions for recycling and diversion of Imperial County construction waste policies. Therefore, a less than significant impact is identified for this issue area.
- e) **Less than Significant Impact.** Refer to response XIX. d) above.

XX. Wildfire

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<i>If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</i>				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Impact Analysis

- No Impact.** According to the Fire Hazard Severity Zone Viewer provided by the California Department of Forestry and Fire Protection, the proposed project is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2022). Therefore, the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No impact is identified for this issue area.
- No Impact.** The proposed project is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2007). Therefore, the proposed project would not exacerbate wildfire risks. No impact is identified for this issue area.
- Less than Significant Impact.** Fire protection and emergency medical services in the area are provided by the Imperial County Fire Department. The proposed project is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2007). Further, the proposed project is located in an unincorporated area of Imperial County, which has a generally low potential for a major fire (County of Imperial 2016).

The project involves the installation of solar PV arrays panels, an on-site substation, battery storage system, gen-tie, inverters, transformers, underground electrical cables, and access roads. To accommodate emergency access, PV panels would be spaced to maintain proper

clearance. Proposed project facilities would be designed, constructed, and operated in accordance with applicable fire protection, CPUC safety standards, and other environmental, health, and safety requirements. Primary access roads would be located off SR-78 78 from the north and west, and across the IID aqueduct, via county roadways (Garvey Road and Andre Road). All access roads would be constructed to meet the County Fire Department's standards. Points of ingress/egress would be accessed via locked gates that can be opened by any emergency responders. Water for emergency fire suppression would likely be provided from local IID irrigation canals or laterals in conformance with IID construction water acquisition requirements. Water would be picked up from a nearby lateral canal and delivered to the construction location by a water truck that would be capable of carrying approximately 4,000 gallons per load. Therefore, operation and maintenance would not affect the ability of fire personnel to respond to fires or exacerbate fire risk and would continue to be adequately supported by the existing fire protection services. A less than significant impact is identified for this issue area.

- d) **No Impact.** The proposed project is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2007). Additionally, the proposed project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No impact is identified for this issue area and no further analysis is warranted.

XXI. Mandatory Findings of Significance

Environmental Issue Area:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☒	☐	☐	☐
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

Impact Analysis

- Potentially Significant Impact.** The proposed project has the potential to result in significant environmental effects on biological resources and cultural resources, which could directly or indirectly cause adverse effects on the environment. These issues will be further evaluated in the EIR.
- Potentially Significant Impact.** Implementation of the proposed project has the potential to result in impacts related to: aesthetics, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use/planning, noise, public services, transportation, tribal cultural resources, and utilities/service systems. The proposed project has the potential to result in cumulative impacts with regards to the identified issue areas. Cumulative impacts will be discussed and further analyzed in the EIR.
- Potentially Significant Impact.** Implementation of the proposed project has the potential to result in impacts related to: air quality, geology/soils, GHG, and noise. These potential environmental effects could cause substantial adverse effects on human beings. These issues will be further evaluated in the EIR.

References

- California Department of Conservation (DOC). 2016. Imperial County Williamson Act FY 2016/2017. Accessed May 2022.
- . 2022. *California Important Farmland Finder*.
<https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed May 2022.
- . 2022. California Earthquake Hazards Zone Application.
<https://www.conservation.ca.gov/cgs/geohazards/eq-zapp>. Accessed May 2022.
- California Department of Forestry and Fire Protection. 2007. Fire Hazard Severity Zones in SRA – Imperial County https://osfm.fire.ca.gov/media/6680/fhszs_map13.pdf. Accessed May 2022.
- . 2022. Fire Hazard Severity Zone Viewer. <https://egis.fire.ca.gov/FHSZ/>. Accessed May 2022.
- California Department of Resources Recycling and Recovery (CalRecycle). 2022. Facility/Site Summary Details: Imperial Landfill (13-AA-0019).
<https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/603>. Accessed May 2022.
- California Department of Transportation (Caltrans). 2019. California Scenic Highway Mapping System. <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed May 2022.
- County of Imperial. 1996. Airport Land Use Compatibility Plan. Amended June 19, 1996.
- . 1997. County of Imperial General Plan. Seismic and Public Safety Element.
<https://www.icpds.com/assets/planning/seismic-and-public-safety.pdf>. Accessed March 2021. Accessed May 2022.
- . 2016. County of Imperial General Plan. Conservation and Open Space Element.
<https://www.icpds.com/planning/land-use-documents/general-plan/conservation-and-open-space-element>. Accessed May 2022.
- . 2017. Imperial County Land Use Ordinance: Title 9, Division 7, Chapter 2, Section 90702.00 - Sound Level Limits. <https://www.icpds.com/assets/planning/ordinances/title-9-div-7-2015.pdf>. Accessed May 2022.
- . 2019a. Imperial County Land Use Ordinance: Title 9, Division 5, Chapter 19.
<https://www.icpds.com/assets/5-Zoning-Areas-Established-.pdf>. Accessed May 2022.
- Department of Toxic Substances Control. 2022. EnviroStor – Hazardous Waste and Substances Site List (Cortese).
https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29. Accessed May 2022.
- Desert Renewable Energy Conservation Plan (DRECP). 2021. Desert Renewable Energy Conservation Plan Gateway Data Basin. Available online:
<https://drecp.databasin.org/maps/4a5c4f9527f14b7198053bd467f315e7/active/#>. Accessed May 2022.
- ECORP Consulting, Inc. (2021). *Energy Impact Assessment*. July.
- . 2021b. *Noise Impact Assessment*. July.
- Federal Emergency Management Agency (FEMA). 2008. Flood Insurance Rate Map (Panel 06025C1000C). <https://hazards->

Initial Study and NOP
VEGA SES 6 Solar and Battery Storage Project



fema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529aa9cd. Accessed May 2022.

List of Preparers

This Initial Study was prepared for the Imperial County Planning and Development Services Department by HDR at 591 Camino de la Reina, Suite 300, San Diego, CA 92108. The following professionals participated in its preparation:

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Attachment A.
NOP w/Project Description

Notice of Preparation**Appendix A**

To: Office of Planning & Research
(Agency)

P.O. Box 3044, 1400 Tenth Street, Room 212
(Address)

Sacramento, CA 95812-3044

Subject: Notice of Preparation of a Draft Environmental Impact Report**Lead Agency:****Consulting Firm (If applicable):**

Agency Name	<u>Imperial County, Planning & Dev Svcs.</u>	Firm Name	<u>HDR</u>
Street Address	<u>801 Main Street</u>	Street Address	<u>591 Camino de la Reina, Suite 300</u>
City/State/Zip	<u>El Centro, CA 92243</u>	City/State/Zip	<u>San Diego, CA 92108</u>
Contact	<u>David Black</u>	Contact	<u>Tim Gnibus</u>

The County of Imperial will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. We need to know the views of your agency as to the scope and content of the Environmental Information, which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but ***not later than 35 days*** after receipt of this notice.

Please send your response to Imperial County Planning & Development Services, Attn: David Black at the address shown above. We will need the name for a contact person in your agency.

Project Title: VEGA SES 6 Solar and Battery Storage Project

Project Location: The solar energy facility site is located on approximately 320 acres of privately-owned vacant land on a single parcel (Assessor Parcel No. [APN] 034-160-002) in the unincorporated area of Imperial County, CA. The site is located approximately 6 miles south of the southern-most edge of the Salton Sea; 10 miles west of the City of Brawley; and approximately 5 miles southwest of the community of Westmorland. The solar energy facility site is located directly south of Andre Road and 0.50 mile west of the Westside Main Canal. The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

The proposed project includes an approximately 4-mile electrical generator intertie (gen-tie) transmission line that would connect to the Imperial Irrigation District's (IID) existing 161 kilovolt (kV) "L" Line. The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area planning area. The gen-tie route begins at the northwest corner of the solar facility site, heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to IID's 161 kV "L" Line.

Project Description (brief): The project applicant, Apex Energy Solutions, LLC, proposes to construct and operate an 80 megawatt (MW) photovoltaic (PV) solar facility with an integrated 160 MW battery energy storage system (BESS) on approximately 320 acres of privately-owned land. The proposed project would be comprised of solar PV

arrays panels, an on-site substation, BESS, gen tie-line, inverters, transformers, underground electrical cables, and access roads.

The County Land Use Ordinance, Division 17, includes the Renewable Energy (RE) Overlay Zone, which authorizes the development and operation of renewable energy projects with an approved conditional use permit (CUP). CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. The entire project site (APN 034-160-002) is located outside of the RE Overlay Zone.

Implementation of the project requires an amendment to the County's General Plan Renewable Energy and Transmission Element, Zone Change, and approval of a CUP, as described below:

- **General Plan Amendment:** The applicant is requesting a General Plan Amendment to include/classify the project parcel (APN 034-160-002) into the RE Overlay Zone. No change in the underlying General Plan land use (Agriculture) is proposed.
- **Zone Change:** The project site is currently zoned Open Space/Preservation (S-2). The applicant is requesting a Zone Change to classify the project parcel (APN 034-160-002) into the RE Overlay Zone to allow for solar and battery storage development.
- **Conditional Use Permit:** Implementation of the project would require the approval of a CUP by the County to allow for the construction and operation of the proposed solar energy facility with an integrated battery storage system on land zoned S-2.
- **Water Supply Assessment:** Implementation of the project would require the approval of the Water Supply Assessment.

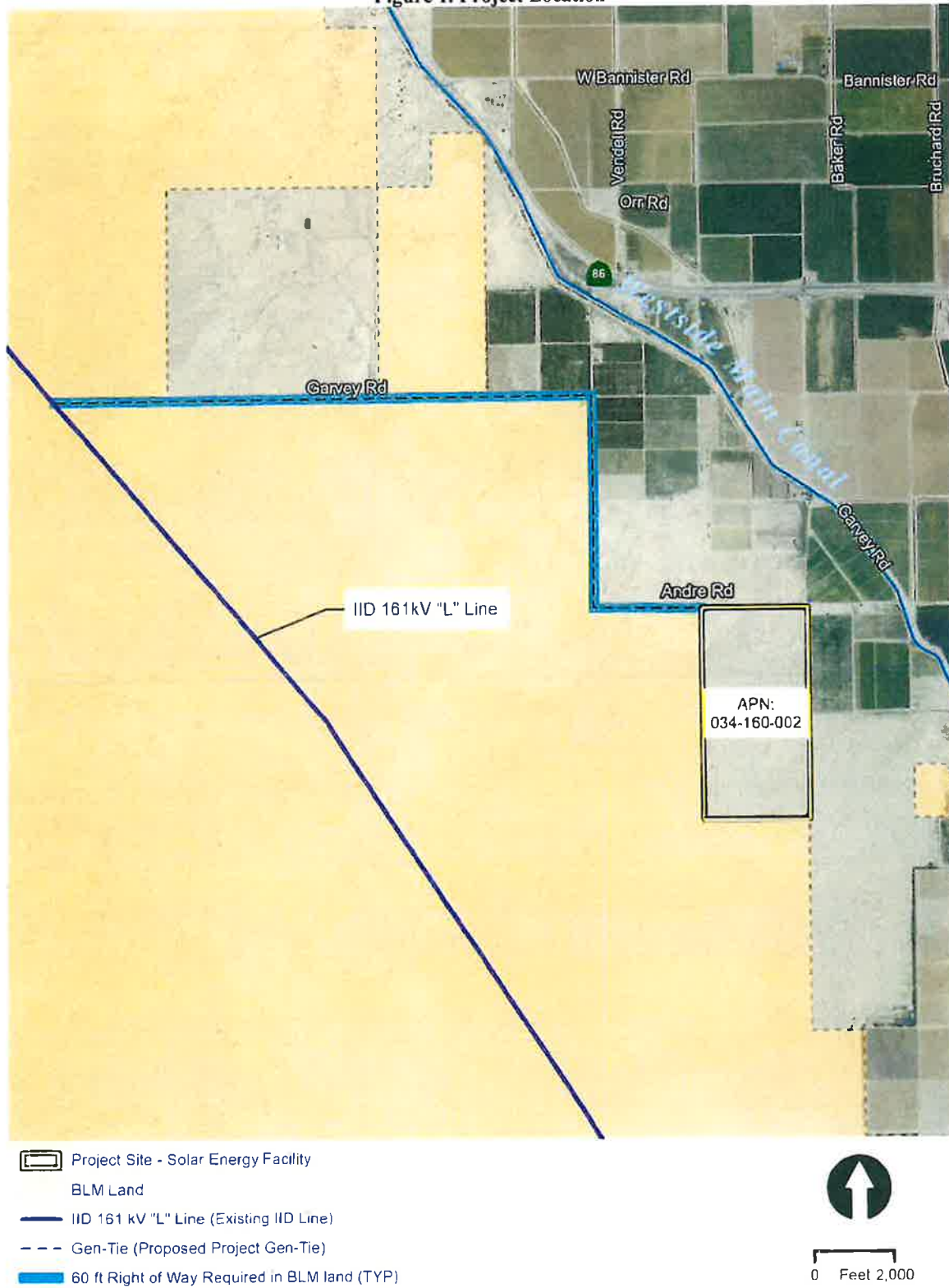
As previously mentioned above, the proposed gen-tie line would be located entirely on BLM land. The project applicant has filed a right-of-way (ROW) grant application with the BLM for a permit to construct, operate, and maintain the gen-tie line. The proposed ROW would be 60-feet-wide. Construction of the gen-tie line would result in approximately 24.5 acres of disturbed area.

Project Applicant: Apex Energy Solutions, I.I.C.

Date		Signature	
		Title	
		Telephone	

Reference: California Administrative Code, Title 14, (CEQA Guidelines) Section 15082(a), 15103, 15375.

Figure 1. Project Location



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2 Project Description

Chapter 2 provides a description of the VEGA SES 6 Solar and Battery Storage Project. This chapter also defines the goals and objectives of the proposed project, provides details regarding the individual components that together comprise the project, and identifies the discretionary approvals required for project implementation.

The proposed project consists of three primary components: 1) an 80 megawatt (MW) solar energy generation equipment and associated facilities including a substation and access roads (herein referred to as “solar energy facility”); 2) a 160 MW battery energy storage system (BESS); and, 3) electrical generator intertie (gen-tie) transmission line to connect to the Imperial Irrigation District’s (IID) 161 kilovolt (kV) “L” Line. The solar energy facility, BESS, and gen-tie are collectively referred to as the “proposed project” or “project.”

2.1 Project Location

2.1.1 Solar Energy Facility

The solar energy facility site is located on approximately 320 acres of privately-owned vacant land on a single parcel (Assessor Parcel Number (APN) 034-160-002) in the unincorporated Imperial County, California (Figure 2-1). The site is located approximately 6 miles south of the southern-most edge of the Salton Sea; 10 miles west of the City of Brawley; and approximately 5 miles southwest of the community of Westmorland. The solar energy facility site is located directly south of Andre Road and 0.50 mile west of the Westside Main Canal (Figure 2-2).

The topography of the solar energy facility site is relatively flat, with elevations ranging between -39 meters (-129 feet) and -6 meters (-21 feet). The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land immediately to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

2.1.2 Battery Energy Storage System

As depicted in Figure 2-3, the project includes a BESS, which is proposed to be located in the northwest portion of the solar energy facility site.

2.1.3 Gen-Tie Line

The proposed project includes an approximately 4-mile gen-tie transmission line that would connect to the IID’s existing 161 kV “L” Line. The entire gen-tie route would be on federal lands managed by the Bureau of Land Management (BLM) within the California Desert Conservation Area (CDCA) planning area. As shown in Figure 2-4, the gen-tie route begins at the northwest corner of the solar facility site, heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to the IID 161 kV “L” Line.

Figure 2-1. Regional Location

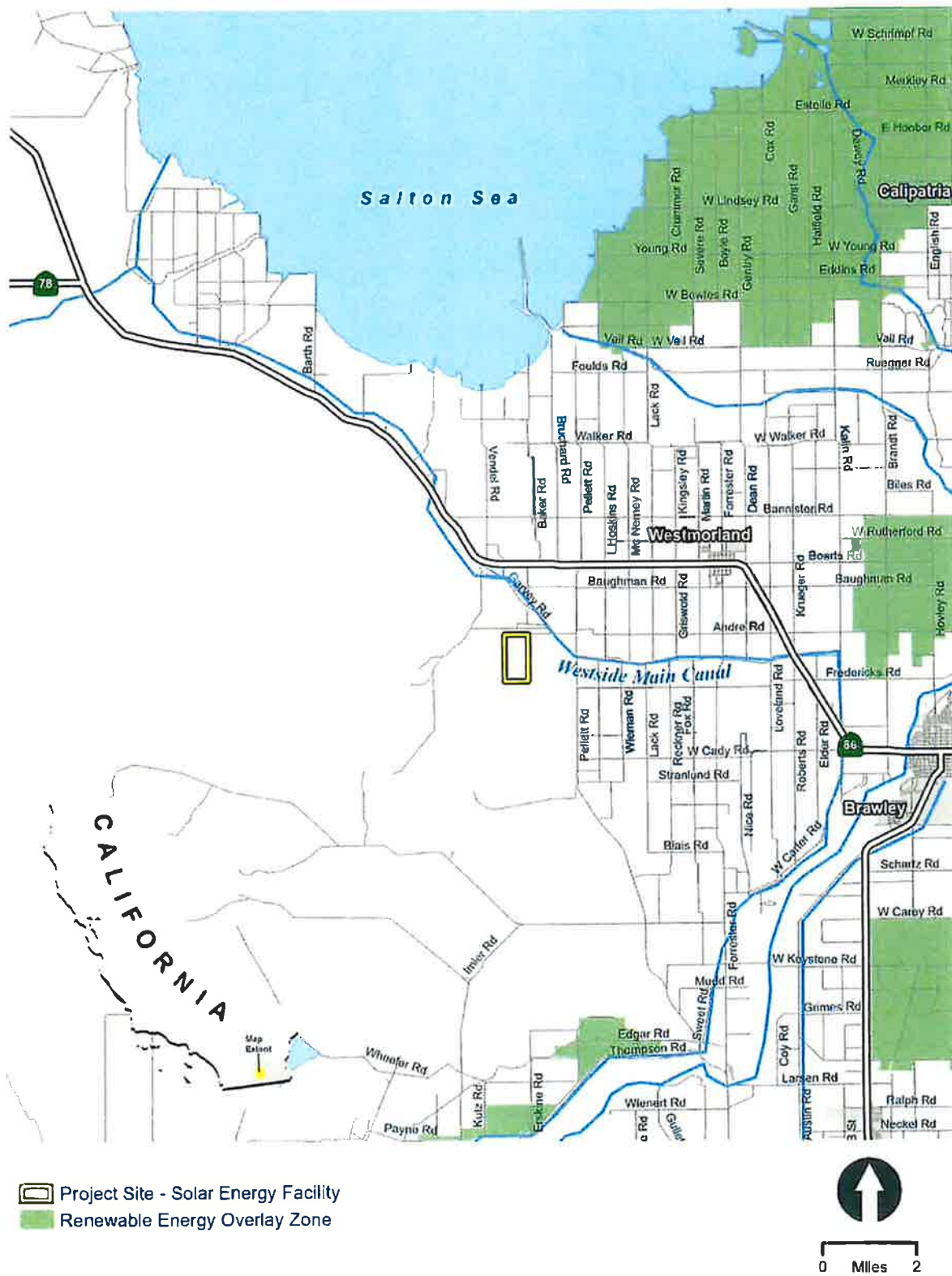
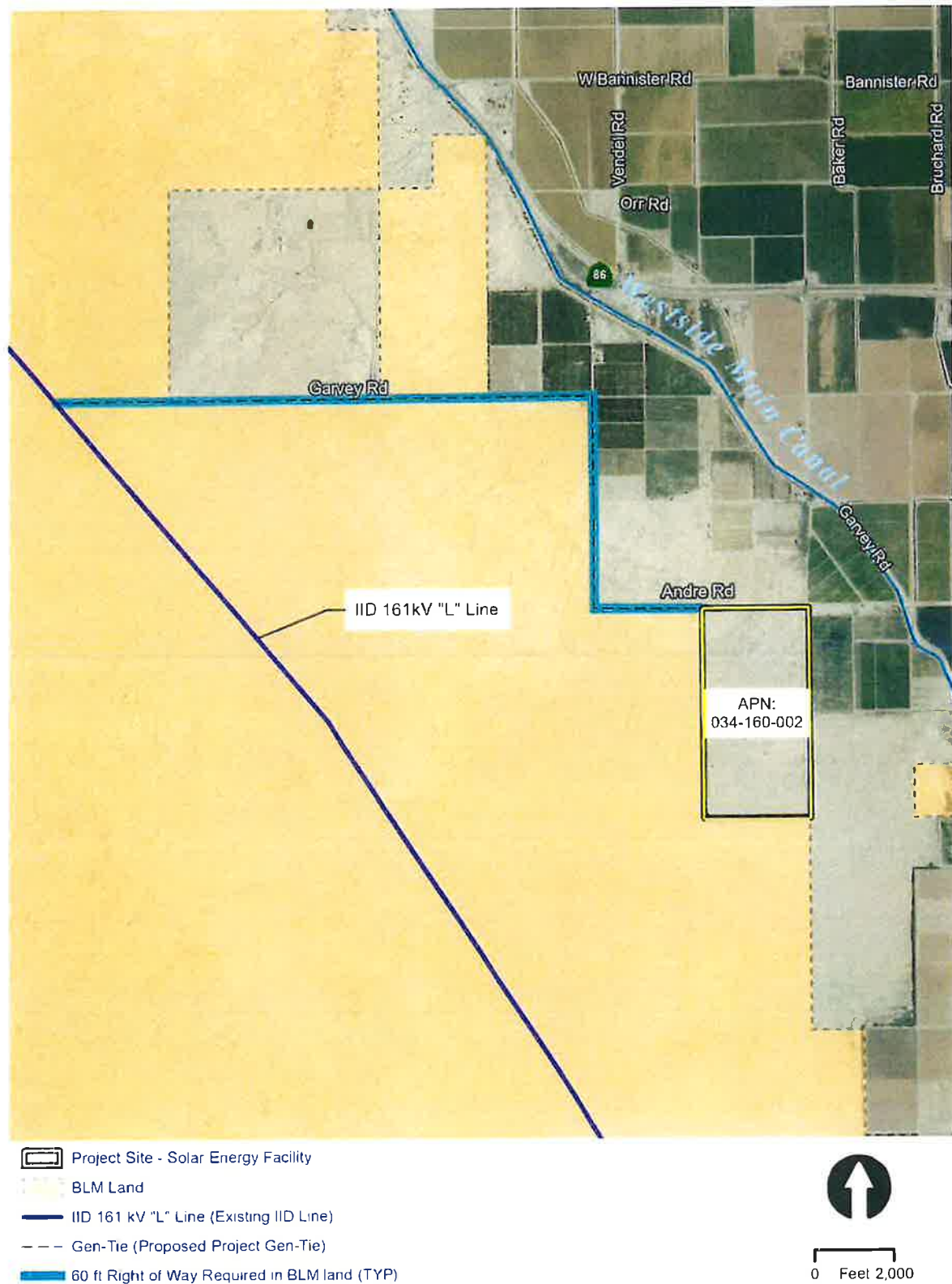


Figure 2-2. Project Site



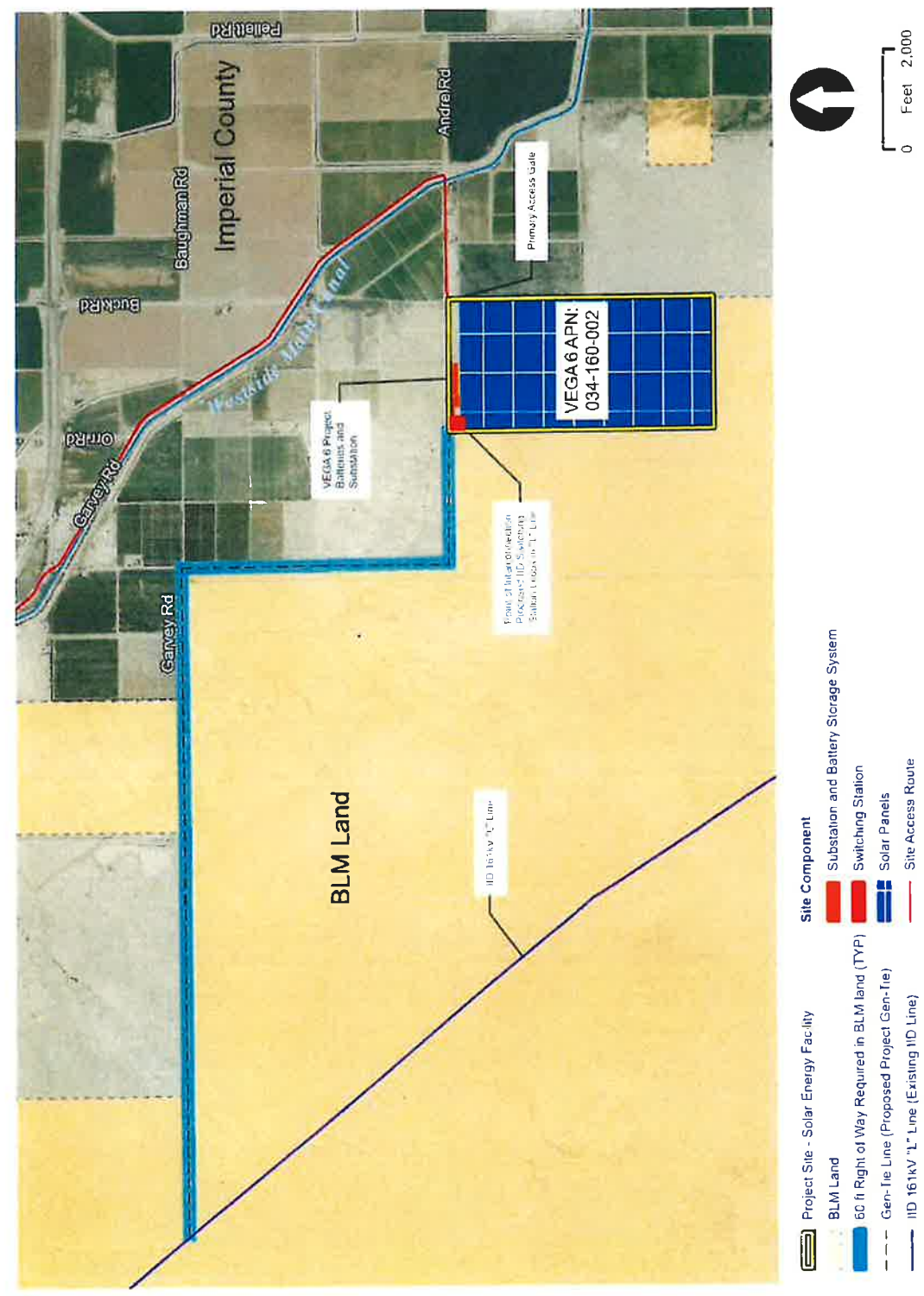
2.2 Project Objectives

- Construct and operate a solar energy facility capable of producing up to 80 MW alternating current (AC) of electricity to assist the State of California in achieving its 60 percent renewable portfolio standard by 2030.
- Provide a 160 MW energy (battery storage) system, that would accommodate and store the power generated by the project so that the facility can continue to provide renewable energy during non-daylight hours.
- Help California meet its statutory and regulatory goal of increasing renewable power generation, including greenhouse gas reduction goals of Senate Bill 32.
- Interconnect directly to IID's existing electrical transmission system.
- Minimize and mitigate any potential impact to sensitive environmental resources within the project area.

2.3 Project Characteristics

The proposed project involves the construction and operation of a 80 MW photovoltaic (PV) solar facility with an integrated 160 MW BESS on approximately 320 acres of privately-owned land. The proposed project would be comprised of solar PV arrays panels, an on-site substation, BESS, gen-tie line, inverters, transformers, underground electrical cables, and access roads. These project components are described in detail below and depicted in Figure 2-3.

Figure 2-3. Site Plan



2.3.1 Photovoltaic Panels/Solar Arrays

The project proposes to use either thin film or crystalline solar PV technology modules mounted either on fixed frames or horizontal single-axis tracker (HSAT) systems. The fixed-frame PV module arrays would be mounted on racks that would be supported by driven piles. The fixed-frame racks would be secured at a fixed tilt of 20 to 30 degrees from horizontal facing a southerly direction. As proposed, individual PV modules would be mounted two high on a fixed frame, providing 12 to 24 inches of ground clearance and resulting in the tops of the panels at approximately 7.5 feet above the ground. The fixed PV modules would be arranged in arrays spaced approximately 15 to 25 feet apart (pile-to-pile) to maximize performance and to allow access for panel cleaning. These arrays would be separated from each other and the perimeter security fence by up to 30-foot-wide interior roads.

If HSAT technology is used, the PV modules would rotate around the north-south HSAT axis so that the PV modules would continue to face the sun as the sun moves across the sky throughout the day. The PV modules would reach their maximum height (up to 9 feet above the ground, depending on the final design) at both sunrise and sunset, when the HSAT is rotated to point the modules at the rising or setting sun. At noon, or when stowed during high winds, when the HSAT system is rotated so that the PV modules are horizontal, the nominal height would be about 6 feet above the ground, depending on the final design. The individual PV systems would be arranged in large arrays by placing them in columns spaced approximately 10 feet apart to maximize operational performance and to allow access for panel cleaning and maintenance. Individual HSAT PV modules, each approximately 2 feet wide by 4 feet long (depending on the specific PV technology selected), would be mounted on a frame which is attached to an HSAT system. These HSAT arrays would be separated from each other and the perimeter security fence by up to 30-foot-wide roads, consistent with County emergency access requirements.

2.3.2 Battery Energy Storage System

The proposed BESS would be constructed adjacent to the project's substation and would consist of either lithium ion or flow batteries. The batteries will either be housed in storage containers or buildings fitted with heating, ventilation, and air conditioning and fire suppression systems. Inside the housing, the batteries will be placed on racks, the orientation of which depends on the type of housing. Underground trenches with conduits will be used to connect the batteries to the control and monitoring systems, and inverters to convert the PV-produced direct current (DC) power to alternating current (AC) power. The BESS would be capable of storing up to 160 MW. Figure 2-5 depicts representative examples of a typical BESS.

Figure 2-5. Representative Example of Battery Energy Storage Systems



2.3.3 Interconnection Facilities

As shown in Figure 2-3, a new substation would be constructed in the northwest portion of the solar energy facility site. The inverters would be connected to pad-mounted transformers to raise the voltage from 385V to the 34.5 kV voltage level of the collector system inside the project substation. This system collects the energy from all the inverters and then transmits it through a generator step-up transformer, which steps up the voltage level to the 161 kV of the existing IID “L” line.

A new interconnection switching station would be constructed in the northwest corner of the solar energy facility site, immediately adjacent to the substation. The switching station would include circuit breakers, switches, overhead bus work, protective relay equipment and an electrical control building. The switching station would operate at 161 kV and be equipped with two circuit breakers, allowing for looping in of the IID 161 kV “L” transmission line as well as connection to the project’s gen-tie line. The substation and switching station would be connected via a single overhead 161 kV line. The switching station would be enclosed within its own fence.

The medium voltage power produced by the project would be conveyed underground, or aboveground where necessary to cross over any sensitive site features, to connect to the project’s interconnection facilities. The project’s interconnection facilities design would meet all necessary utility standards and requirements. As required, surge arrestors would be used to protect facilities and auxiliary equipment from lightning strikes or other disturbances. Distribution from the site would be via an overhead connection.

2.3.4 Gen-Tie Line

The proposed project includes an approximately 4-mile gen-tie transmission line that would connect to the IID's existing 161 kV "L" Line. The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area (CDCA) planning area. As shown in Figure 2-4, the gen-tie route begins at the northwest corner of the solar facility site, heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to IID's 161 kV "L" Line.

The 4-mile gen-tie line would include a total of 78 pole structures, with a combination of tangent double circuit wood pole structures (Figure 2-6), deadend double circuit wood pole structures (Figure 2-7), and double circuit steel poles (Figure 2-8). At the interconnection point, three wood pole structures and deadend wood structures would be used. The height of the proposed gen-tie transmission structures would be 75 feet.

The electrical energy produced by the project would be conducted through the project substation to the proposed 161 kV gen-tie line and delivered to the existing IID-approved point of interconnection at the IID 161 kV "L" line.

Because the proposed gen-tie line would be located entirely on BLM land, the project applicant has filed a right-of-way (ROW) grant application with the BLM for a permit to construct, operate, and maintain the gen-tie line. The proposed ROW would be 60-feet-wide. Construction of the gen-tie line would result in approximately 24.5 acres of disturbed area.

2.3.5 Security

Six-foot high chain link fencing topped with barbed wire would be installed around the perimeter of the solar energy facility site at the commencement of construction and site access would be limited to authorized site workers. Points of ingress/egress would be accessed via locked gates. In addition, a motion detection system and closed-circuit camera system may also be installed. The site would be remotely monitored 24 hours per day, 7 days per week. In addition, routine unscheduled security rounds may be made by the security team monitoring the site security.

Figure 2-6. Representative Example of Tangent Double Circuit Wood Pole Structure

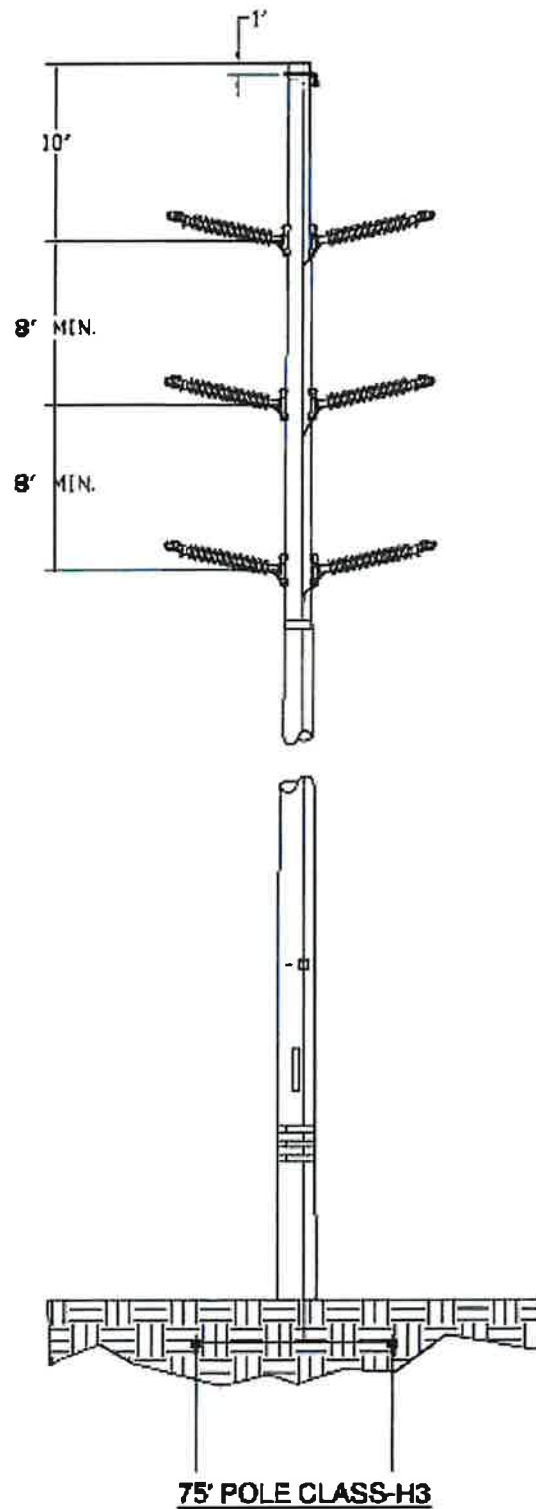


Figure 2-7. Representative Example of Deadend 3-Pole Structure

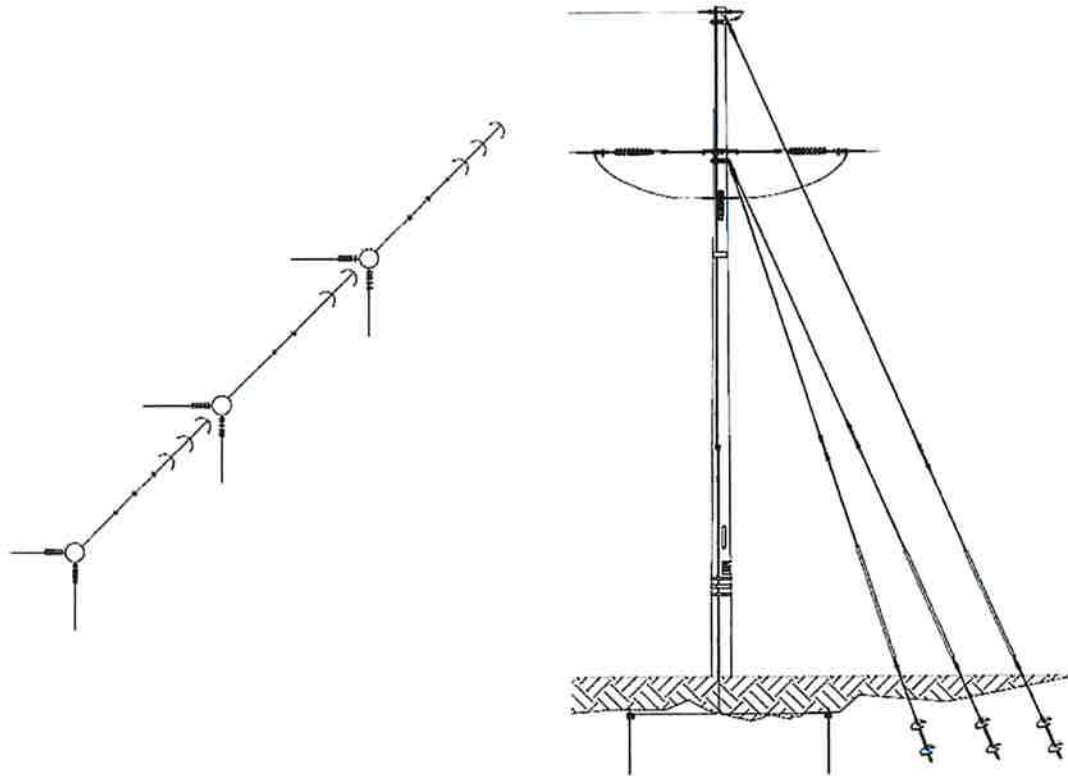
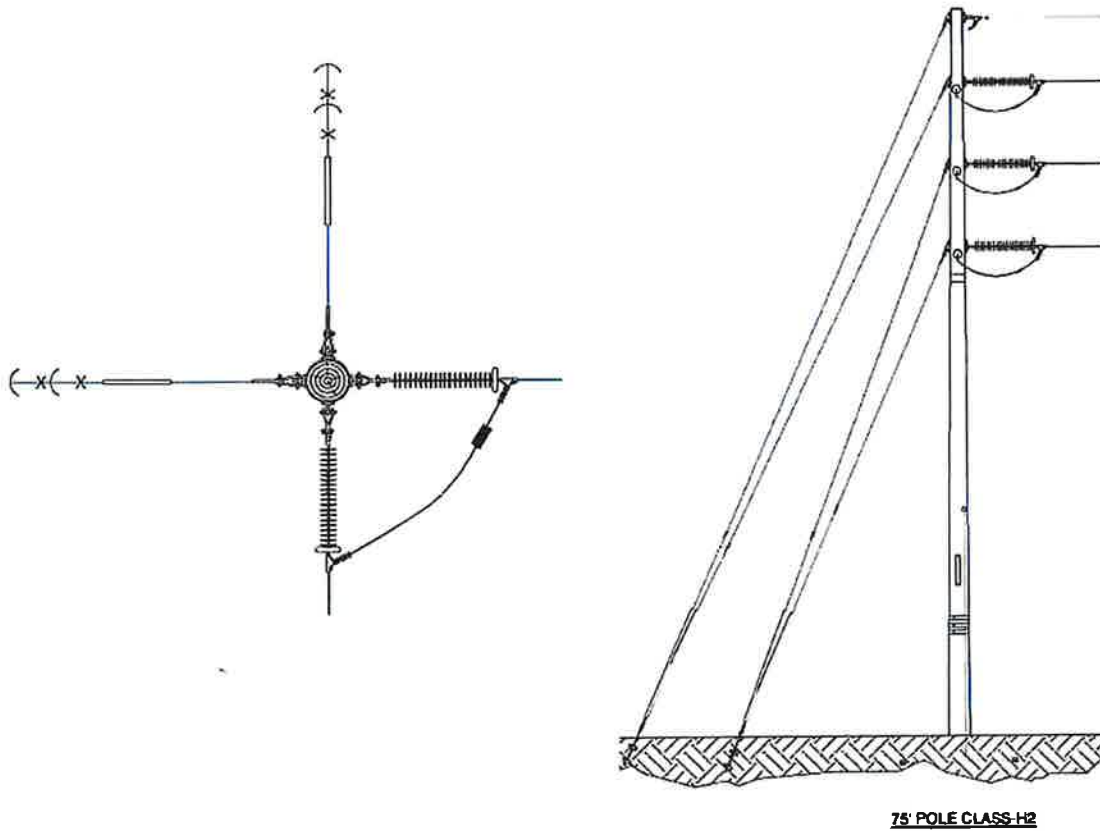


Figure 2-8. Representative Example of Deadend Double Circuit Pole Structure



2.3.6 Site Access

The solar energy facility site would include one primary access driveway, proposed via State Route (SR) 78 from the north and west, and across the IID aqueduct, via county roadways (Garvey Road and Andre Road). This driveway would be provided with a minimum of 30-foot double swing gates with "Knox Box" for keyed entry. Internal to the solar energy facility site, up to 30-foot-wide roads would be provided between the PV arrays, as well as around the perimeter of the solar energy facility site yet inside the perimeter security fence to provide access to all areas of the site for maintenance and emergency vehicles.

2.3.7 Fire Protection/Fire Suppression

Fire protection systems for battery systems would be designed in accordance with California Fire Code and would take into consideration the recommendations of the National Fire Protection Association (NFPA) 855.

Fire suppression agents such as Novec 1230 or FM 2000, or water may be used as a suppressant. In addition, fire prevention methods would be implemented to reduce potential fire risk, including voltage, current, and temperature alarms. Energy storage equipment would comply with Underwriters Laboratory (UL)-95401 and test methods associated with UL-9540A. The project would include lithium-ion batteries. For lithium-ion batteries storage, a system would be used that would contain the fire event and encourage suppression through cooling, isolation, and containment. Suppressing a lithium-ion (secondary) battery is best accomplished by cooling the burning material. A gaseous fire suppressant agent (e.g., 3M™ Novec™ 1230 Fire Protection Fluid or similar) and an automatic fire extinguishing system with sound and light alarms would be used for lithium-ion batteries.

To mitigate potential hazards, redundant separate methods of failure detection would be implemented. These would include alarms from the Battery Management System (BMS), including voltage, current, and temperature alarms. Detection methods for off gas detection would be implemented, as applicable. These are in addition to other potential protective measures such as ventilation, overcurrent protection, battery controls maintaining batteries within designated parameters, temperature and humidity controls, smoke detection, and maintenance in accordance with manufacturer guidelines. Remote alarms would be installed for operations personnel as well as emergency response teams in addition to exterior hazard lighting. In addition, an Incidence Response Plan would be implemented. Additionally, the project applicant would contribute its proportionate share for purchase of any fire-suppression equipment, if determined warranted by the County Fire Department for the proposed project.

2.4 Project Construction

Construction activities would primarily involve demolition and grubbing; grading of the project area to establish access roads and pads for electrical equipment (inverters and step-up transformers); trenching for underground electrical collection lines; the installation of solar equipment and security fencing; and the offsite infrastructure work required for the IID gen-tie transmission line route. Stormwater management facilities would be constructed internally within the solar energy facility site and would consist of basins and infiltration areas. Construction is estimated to take 12 to 18 months and would begin in 2023. A temporary, portable construction supply container would be located at the solar energy facility site at the beginning of construction and removed at the end of construction.

Dust generated during construction would be controlled by watering and, as necessary, the use of other dust suppression methods and materials accepted by the Imperial County Air Pollution Control District (ICAPCD).

The number of on-site construction workers for the solar energy facility is not expected to exceed 150 workers at any one time. The number of on-site construction workers for the BESS and the substation is not expected to exceed 100 workers at any one time.

2.4.1 Water Use

The proposed project would require approximately 550-acre feet (AF) of water for dust suppression and site grading during construction of the arrays, BESS area, and onsite substation. Water for construction (primarily dust control) would be obtained from local IID irrigation canals or laterals in conformance with IID construction water acquisition requirements. Water would be picked up from a nearby lateral canal and delivered to the construction location by a water truck that would be capable of carrying approximately 4,000 gallons per load.

Potable water would be brought to the project site for drinking and domestic needs.

2.5 Operations and Maintenance

Once construction is completed, the facility would be remotely operated, controlled and monitored and with no requirement for daily on-site employees. Security personnel may conduct unscheduled security rounds and would be dispatched to the project site in response to a fence breach or other alarm.

Up to two to three people would be contracted (part time) to perform all routine and emergency operational and maintenance activities. Such activities include inspections, equipment servicing, site and landscape clearing, and periodic washing of the PV modules if needed (up to two times per year) to maintain power generation efficiency. Vegetation growing on the solar energy facility site would periodically (approximately every 3 months) be removed manually and/or treated with herbicides.

2.5.1 Water Use

Periodic washing of the PV modules is not expected to be necessary but could be needed to remove dust to maintain power generation efficiency. The amount of water needed for this purpose is conservatively estimated at 10 AF per washing, with up to two washings per year, or a total of up to 20 AF per year. This water would be water purchased from the IID.

2.6 Restoration of the Project Site

Electricity generated by the facility could be sold under the terms of a PPA with a power purchaser (i.e., utility service provider). At the end of the PPA term, the owner of the facility may choose to enter into a subsequent PPA, update technology and re-commission, or decommission and remove the generating facility and its components. Upon decommissioning, the site could be converted to other uses in accordance with applicable land use regulations in effect at that time. A collection and recycling program will be executed to promote recycling of project components and minimize disposal in landfills. All permits related to decommissioning would be obtained, where required.

Project decommissioning may include the following activities:

- The facility would be disconnected from the utility power grid.
- Project components would be dismantled and removed using conventional construction equipment and recycled or disposed of safely.
- PV panel support steel and support posts would be removed and recycled off-site by an approved metals recycler.
- All compacted surfaces within the project site and temporary on-site haul roads would be de-compacted.
- Electrical and electronic devices, including inverters, transformers, panels, support structures, lighting fixtures, and their protective shelters would be recycled off-site by an approved recycler.
- All concrete used for the underground distribution system would be recycled off-site by a concrete recycler or crushed on-site and used as fill material.
- Fencing would be removed and recycled off-site by an approved metals recycler.
- Gravel roads would be removed; filter fabric would be bundled and disposed of in accordance with all applicable regulations. Road areas would be backfilled and restored to their natural contour.
- Soil erosion and sedimentation control measures would be re-implemented during the decommissioning period and until the site is stabilized.

2.7 Required Project Approvals

2.7.1 Imperial County

The following are the primary discretionary approvals required for implementation of the project:

1. **General Plan Amendment #22-001.** An amendment to the County's General Plan, Renewable Energy and Transmission Element is required to implement the proposed project. CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. As shown in the project site is located outside of the RE Overlay Zone. Therefore, the applicant is requesting a General Plan Amendment to include/classify the project site (APN No. 034-160-002) into the RE Overlay Zone. No change in the underlying General Plan land use (Agriculture) is proposed.
2. **Zone Change #22-0001.** The project site is currently zoned Open Space/Preservation (S-2). The applicant is requesting a Zone Change to include/classify the project site (APN No. 034-160-002) into the RE Overlay Zone to allow for solar and battery storage development.
3. **Approval of CUP #22-0005.** Implementation of the project would require the approval of a CUP by the County to allow for the construction and operation of the proposed solar energy facility with an integrated BESS. The project site is located on one privately-owned legal parcel zoned Open Space/Preservation (S-2). Pursuant to Title 9, Division 5, Chapter 19, the following uses are permitted in the S-2 zone subject to approval of a CUP from Imperial County:

d) Communication Towers: including radio, television, cellular, digital, along with the necessary support equipment such as receivers, transmitters, antennas, satellite dishes, relays, etc.

i) Major facilities relating to the generation and transmission of electrical energy provide[d] such facilities are not under State or Federal law, to [be] approved exclusively by an agency, or agencies of the State or Federal government, and provided such facilities shall be approved subsequent to coordination review of the Imperial Irrigation District for electrical matters. Such uses shall include but be limited to the following:

- *Electrical generation plants*
- *Facilities for the transmission of electrical energy (100-200 kV)*
- *Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)*

4. **Certification of the EIR.** After the required public review for the Draft EIR, the County will respond to written comments, edit the document, and produce a Final EIR to be certified by the Planning Commission and Board of Supervisors prior to making a decision on approval or denial of the project.

Subsequent ministerial approvals may include, but are not limited to:

- Grading and clearing permits
- Building permits
- Reclamation plan
- Encroachment permits
- Transportation permit(s)

2.7.2 Discretionary Actions and Approvals by Other Agencies

Responsible Agencies are those agencies that have discretionary approval over one or more actions involved with development of the project. Trustee Agencies are state agencies that have discretionary approval or jurisdiction by law over natural resources affected by a project. These agencies may include, but are not limited to the following:

- California RWQCB – Notice of Intent for General Construction Permit
- ICAPCD – Fugitive Dust Control Plan, Rule 801 Compliance
- CDFW (Trustee Agency) – ESA Compliance, Section 1600 Streambed Alteration Agreement
- USFWS – ESA Compliance
- IID – Water Supply Agreement
- Bureau of Land Management – Right-of-way grant for the off-site gen-tie line to be located on federal lands under the jurisdiction of the BLM

ATTACHMENT C

APPLICATIONS

Attachment B.

**Application documents, General Plan
Amendment, Zone Change & CUP**

January 18, 2022

Imperial County Planning and Development Services Dept.
801 W. Main St.
El Centro, Ca. 92243

ATTN: Director Jim Minnick

RE: General Plan Amendment request for VEGA 6 Solar SES project

Mr. Minnick:

In accordance to our discussion and your request, the applicant for the Solar project titled VEGA 6 SES LLC, located west of Westmorland on APN 034-160-002 is requesting an amendment to your General Plan for the development of this project.

We have submitted an application for a Change of Zone and a Conditional Use Permit. We have been advised by your staff that this also requires an amendment to General Plan.

Attached is the Zone Change Application and this letter constitutes a request to amend the General Plan to allow this parcel to be within your Renewable Energy Zone.

The project in question is an 80 MW/160 MW battery project located adjacent to BLM land and is currently zoned S 2.

Thank you for your consideration.

Sincerely, 

Jurg Heuberger,
Consultant for Titan Solar II, LLC

RECEIVED

JAN 20 2022

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

EEC ORIGINAL PKG

CHANGE OF ZONE

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black & blue) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME Vega 6 SES Solar LLC	EMAIL ADDRESS c/o jurgheuberger@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 750 W Main St., El Centro, Ca	ZIP CODE 92243	PHONE NUMBER 760-996-0313 c/o jurg heuberger
3. ENGINEER'S NAME NA	CA. LICENSE NO. NA	EMAIL ADDRESS NA
4. MAILING ADDRESS (Street / P O Box, City, State) NA	ZIP CODE	PHONE NUMBER

5. ASSESSOR'S PARCEL NO. 034-160-002	ZONING (existing) S-2	ZONING (proposed) S-2-RE
6. PROPERTY (site) ADDRESS Pending		SIZE OF PROPERTY (In acres or square foot)
7. GENERAL LOCATION (i.e. city, town, cross street) West of Westmorland near Garvey Rd (see location maps)		
8. LEGAL DESCRIPTION E 1/2 of Sec. 26, T 13 S, R 12 E		

8. DESCRIBE CURRENT USE ON / OF PROPERTY (list and describe in detail) new solar PV project with battery system for 80MW/160MW (300MWhr)
9. PLEASE STATE REASON FOR PROPOSED USE (be specific) develop a renewable energy generation project to further the goals of Ca. renewable portfolio
10. DESCRIBE SURROUNDING PROPERTY USES three sides are BLM land with the west side being private AG land

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY
CERTIFY THAT THE INFORMATION SHOWN OR STATED
HEREIN IS TRUE AND CORRECT.

jurg Heuberger / Ziad Alywan

Jan. 4, 2022

Print Name

Date

Signature

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN
- B. PRELIMINARY TITLE REPORT (6 months or newer)
- C. FEE
- D. OTHER

APPLICATION RECEIVED BY:

APPLICATION DEEMED COMPLETE BY:

APPLICATION REJECTED BY:

TENTATIVE HEARING BY:

FINAL ACTION:

☐

APPROVED

☐

DENIED

DATE

DATE

DATE

DATE

DATE

REVIEW / APPROVAL BY
OTHER DEPT'S required.

☐ P. W.

☐ E. H. S.

☐ A. P. C. D.

☐ O. E. S.

☐

☐

ZC #

22-0001

EEC ORIGINAL PKG

CHANGE OF ZONE

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

APPLICANT MUST COMPLETE ALL NUMBERED (1-10) SPACES (Print Name & Address)

1. PROPERTY OWNER'S NAME Vega 6 SES Solar LLC		EMAIL ADDRESS c/o jurgheuberger@gmail.com	
2. MAILING ADDRESS (Street / P O Box, City, State) 750 W Main St., El Centro, Ca		ZIP CODE 92243	PHONE NUMBER 760-996-0313 c/o jurg heuberger
3. ENGINEER'S NAME NA	CA. LICENSE NO. NA	EMAIL ADDRESS NA	
4. MAILING ADDRESS (Street / P O Box, City, State) NA		ZIP CODE	PHONE NUMBER
5. ASSESSOR'S PARCEL NO. 034-160-002	ZONING (existing) S-2	ZONING (proposed) S-2-RE	
6. PROPERTY (site) ADDRESS Pending		SIZE OF PROPERTY (in acres or square foot) 3.20A	
7. GENERAL LOCATION (i.e. city, town, cross street) West of Westmorland near Garvey Rd (see location maps)			
8. LEGAL DESCRIPTION E 1/2 of Sec. 26, T 13 S, R 12 E			
8. DESCRIBE CURRENT USE ON / OF PROPERTY (list and describe in detail) new solar PV project with battery system for 80MW/160MW (300MWhr)			
9. PLEASE STATE REASON FOR PROPOSED USE (be specific) develop a renewable energy generation project to further the goals of Ca. renewable portfolio			
10. DESCRIBE SURROUNDING PROPERTY USES three sides are BLM land with the west side being private AG land			

I, the undersigned, being the owner of the above described property, hereby certify that the information provided herein is true and correct.

Jurg Heuberger / Ziad Aliwan

April 4, 2022

Print Name

Date

Ziad Aliwan
Signature

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN
- B. PRELIMINARY TITLE REPORT (6 months or newer)
- C. FEE
- D. OTHER

APPLICANT'S SIGNATURE	DATE	APPLICANT'S ADDRESS
APPLICANT'S MAILING ADDRESS	DATE	APPLICANT'S PHONE NUMBER
APPLICANT'S BUSINESS ADDRESS	DATE	APPLICANT'S FAX NUMBER
APPLICANT'S BUSINESS PHONE NUMBER	DATE	APPLICANT'S E-MAIL ADDRESS
APPLICANT'S E-MAIL ADDRESS	DATE	APPLICANT'S WEBSITE

ZC #

EEC ORIGINAL PKG

IMPERIAL COUNTY PLANNING & DEVELOPMENT SERVICES GENERAL INDEMNIFICATION AGREEMENT

USE 6 ZONE CHANGE

As part of this application, applicant and real party in interest, if different, agree to defend, indemnify, hold harmless, and release the County of Imperial ("County"), its agents, officers, attorneys, and employees (including consultants) from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, or expert witness fees that may be asserted by any person or entity, including the applicant, arising out of or in connection with the approval of this application, whether or not there is concurrent negligence on the part of the County, its agents, officers, attorneys, or employees (including consultants).

If any claim, action, or proceeding is brought against the County, its agents, officers, attorneys, or employees (including consultants), to attack, set aside, void, or annul the approval of the application or adoption of the environmental document which accompanies it, then the following procedures shall apply:

1. The Planning Director shall promptly notify the County Board of Supervisors of any claim, action or proceeding brought by an applicant challenging the County's action. The County, its agents, attorneys and employees (including consultants) shall fully cooperate in the defense of that action.
2. The County shall have the final determination on how to best defend the case and will consult with applicant regularly regarding status and the plan for defense. The County will also consult and discuss with applicant the counsel to be used by County to defend it, either with in-house counsel, or by retaining outside counsel provided that the County shall have the final decision on the counsel retained to defend it. Applicant shall be fully responsible for all costs incurred. Applicant shall be entitled to provide his or her own counsel to defend the case, and said independent counsel shall work with County Counsel to provide a joint defense.

Executed at JAN 16, 2022 California on EL CENTRO, 2022

APPLICANT

Name: Ziad Alaywa
By: Ziad Alaywa
Title: Managing Member
Mailing Address:

604 Sutter St, STE 250
Folsom, CA 95630

REAL PARTY IN INTEREST (If different from Applicant)

Name: _____
By: _____
Title: _____
Mailing Address:

ACCEPTED/RECEIVED BY _____ Date _____

PROJECT ID NO _____ APN _____

S:\FORMS _LISTS\General Indemnification FORM 041516.doc

MAIN OFFICE: 801 Main Street El Centro, CA 92243 (442) 265-1736 FAX: (442) 265-1735 E-MAIL: planning@co.imperial.ca.us

EEC ORIGINAL PKG

PLANNING & DEVELOPMENT SERVICES

Administration / Building & Safety / Planning / Parks & Recreation

Imperial County



RECEIVED

JAN 20 2022

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

NOTICE TO APPLICANT

SUBJECT: PAYMENT OF FEES

Dear Applicant:

Pursuant to County Codified Ordinance Division 9, Chapter 1, Section 90901.02, all Land Use Applications must be submitted with their appropriate application fee. Failure to comply will cause application to be rejected.

Please note that once the Department application is received and accepted, a "time track" billing will commence immediately. Therefore, should you decide to cancel or withdraw your project at any time, the amount of time incurred against your project will be billed and deducted from your payment. As a consequence, if you request a refund pursuant to County Ordinance, your refund, if any, will be the actual amount paid minus all costs incurred against the project.

Please note there will be no exceptions to this policy. Thank you for your attention.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jim Minnick".

Jim Minnick, Director
Planning & Development Services

RECEIVED BY:

[Signature] DATE: 1-10-22
VEGA L ZC/LUP

CONDITIONAL USE PERMIT

I.C. PLANNING & DEVELOPMENT SERVICES DEPT.
801 Main Street, El Centro, CA 92243 (760) 482-4236

- APPLICANT MUST COMPLETE ALL NUMBERED (black) SPACES - Please type or print -

1. PROPERTY OWNER'S NAME (VEGA 6 SES, LLC)	EMAIL ADDRESS c/o jurgheuberger@gmail.com (all correspondence or phone)	
2. MAILING ADDRESS (Street / P O Box, City, State) 750 W Main St., El Centro, Ca	ZIP CODE 92243	PHONE NUMBER c/o 760-996-0313 (jurg heuberger)
3. APPLICANT'S NAME Apex Energy Solutions, LLC	EMAIL ADDRESS c/o jurgheuberger@gmail.com	
4. MAILING ADDRESS (Street / P O Box, City, State) 750 W. Main St., El Centro, Ca	ZIP CODE 92243	PHONE NUMBER c/o 760-996-0313
4. ENGINEER'S NAME N A	CA. LICENSE NO. N A	EMAIL ADDRESS N A
5. MAILING ADDRESS (Street / P O Box, City, State) N A	ZIP CODE	PHONE NUMBER

6. ASSESSOR'S PARCEL NO. 034-160-002	SIZE OF PROPERTY (in acres or square foot) 320 AC	ZONING (existing) S-2 open space)
7. PROPERTY (site) ADDRESS pending		
8. GENERAL LOCATION (i.e. city, town, cross street) west of Westmorland near Garvey Rd. (See location map)		
9. LEGAL DESCRIPTION E 1/2 Sec. 26, T 13S, R 12 E		

PLEASE PROVIDE CLEAR & CONCISE INFORMATION (ATTACH SEPARATE SHEET IF NEEDED)

10. DESCRIBE PROPOSED USE OF PROPERTY (list and describe in detail) This application is for a new solar project consisting of PV array with a capacity of ³⁰ 76MW AC and a battery system with a capacity of ⁸⁰ 76MWH (300MWH)	
11. DESCRIBE CURRENT USE OF PROPERTY	vacant ag/open space land
12. DESCRIBE PROPOSED SEWER SYSTEM	N A
13. DESCRIBE PROPOSED WATER SYSTEM	NA
14. DESCRIBE PROPOSED FIRE PROTECTION SYSTEM	(on site storage pond/tanks)
15. IS PROPOSED USE A BUSINESS? ☒ Yes ☐ No	IF YES, HOW MANY EMPLOYEES WILL BE AT THIS SITE? see project description

I / WE THE LEGAL OWNER (S) OF THE ABOVE PROPERTY
CERTIFY THAT THE INFORMATION SHOWN OR STATED HEREIN
IS TRUE AND CORRECT.

Jurg Heuberger
Print Name
Signature
Ziad Alywan
Print Name
Signature

Dec 4, 2021
Date
Dec 4, 2021
Date

REQUIRED SUPPORT DOCUMENTS

- A. SITE PLAN
- B. FEE
- C. OTHER
- D. OTHER

APPLICATION RECEIVED BY:	DATE	REVIEW / APPROVAL BY OTHER DEPT'S required ☐ P W ☐ E H S ☐ A. P. C. D ☐ O E S ☐
APPLICATION DEEMED COMPLETE BY:	DATE	
APPLICATION REJECTED BY:	DATE	
TENTATIVE HEARING BY:	DATE	
FINAL ACTION: ☐ APPROVED ☐ DENIED	DATE	

CUP #

EEC ORIGINAL PKG

Notice of Preparation**Appendix A**

To: Office of Planning & Research
(Agency)

P.O. Box 3044, 1400 Tenth Street, Room 212
(Address)

Sacramento, CA 95812-3044

Subject: Notice of Preparation of a Draft Environmental Impact Report**Lead Agency:****Consulting Firm (If applicable):**

Agency Name	<u>Imperial County, Planning & Dev Svcs.</u>	Firm Name	<u>HDR</u>
Street Address	<u>801 Main Street</u>	Street Address	<u>591 Camino de la Reina, Suite 300</u>
City/State/Zip	<u>El Centro, CA 92243</u>	City/State/Zip	<u>San Diego, CA 92108</u>
Contact	<u>David Black</u>	Contact	<u>Tim Gnibus</u>

The County of Imperial will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. We need to know the views of your agency as to the scope and content of the Environmental Information, which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but ***not later than 35 days*** after receipt of this notice.

Please send your response to Imperial County Planning & Development Services, Attn: David Black at the address shown above. We will need the name for a contact person in your agency.

Project Title: VEGA SES 6 Solar and Battery Storage Project

Project Location: The solar energy facility site is located on approximately 320 acres of privately-owned vacant land on a single parcel (Assessor Parcel No. [APN] 034-160-002) in the unincorporated area of Imperial County, CA. The site is located approximately 6 miles south of the southern-most edge of the Salton Sea; 10 miles west of the City of Brawley; and approximately 5 miles southwest of the community of Westmorland. The solar energy facility site is located directly south of Andre Road and 0.50 mile west of the Westside Main Canal. The solar energy facility site is bound by undeveloped Open Space/Bureau of Land Management (BLM) land to the west and south, and active agricultural land to the north and east. The Westside Main Canal travels southeast to northwest and is located northeast and east of the solar energy facility site.

The proposed project includes an approximately 4-mile electrical generator intertie (gen-tie) transmission line that would connect to the Imperial Irrigation District's (IID) existing 161 kilovolt (kV) "L" Line. The entire gen-tie route would be on federal lands managed by the BLM within the California Desert Conservation Area planning area. The gen-tie route begins at the northwest corner of the solar facility site, heads west approximately 0.5 miles on BLM land, then north for approximately 1 mile, and then west for 2.5 miles along Garvey Road where it would connect to IID's 161 kV "L" Line.

Project Description (brief): The project applicant, Apex Energy Solutions, LLC, proposes to construct and operate an 80 megawatt (MW) photovoltaic (PV) solar facility with an integrated 160 MW battery energy storage system (BESS) on approximately 320 acres of privately-owned land. The proposed project would be comprised of solar PV

arrays panels, an on-site substation, BESS, gen tie-line, inverters, transformers, underground electrical cables, and access roads.

The County Land Use Ordinance, Division 17, includes the Renewable Energy (RE) Overlay Zone, which authorizes the development and operation of renewable energy projects with an approved conditional use permit (CUP). CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. The entire project site (APN 034-160-002) is located outside of the RE Overlay Zone.

Implementation of the project requires an amendment to the County's General Plan Renewable Energy and Transmission Element, Zone Change, and approval of a CUP, as described below:

- **General Plan Amendment:** The applicant is requesting a General Plan Amendment to include/classify the project parcel (APN 034-160-002) into the RE Overlay Zone. No change in the underlying General Plan land use (Agriculture) is proposed.
- **Zone Change:** The project site is currently zoned Open Space/Preservation (S-2). The applicant is requesting a Zone Change to classify the project parcel (APN 034-160-002) into the RE Overlay Zone to allow for solar and battery storage development.
- **Conditional Use Permit:** Implementation of the project would require the approval of a CUP by the County to allow for the construction and operation of the proposed solar energy facility with an integrated battery storage system on land zoned S-2.
- **Water Supply Assessment:** Implementation of the project would require the approval of the Water Supply Assessment.

As previously mentioned above, the proposed gen-tie line would be located entirely on BLM land. The project applicant has filed a right-of-way (ROW) grant application with the BLM for a permit to construct, operate, and maintain the gen-tie line. The proposed ROW would be 60-feet-wide. Construction of the gen-tie line would result in approximately 24.5 acres of disturbed area.

Project Applicant: Apex Energy Solutions, LLC.

Date 07/01/2022

Signature



Title

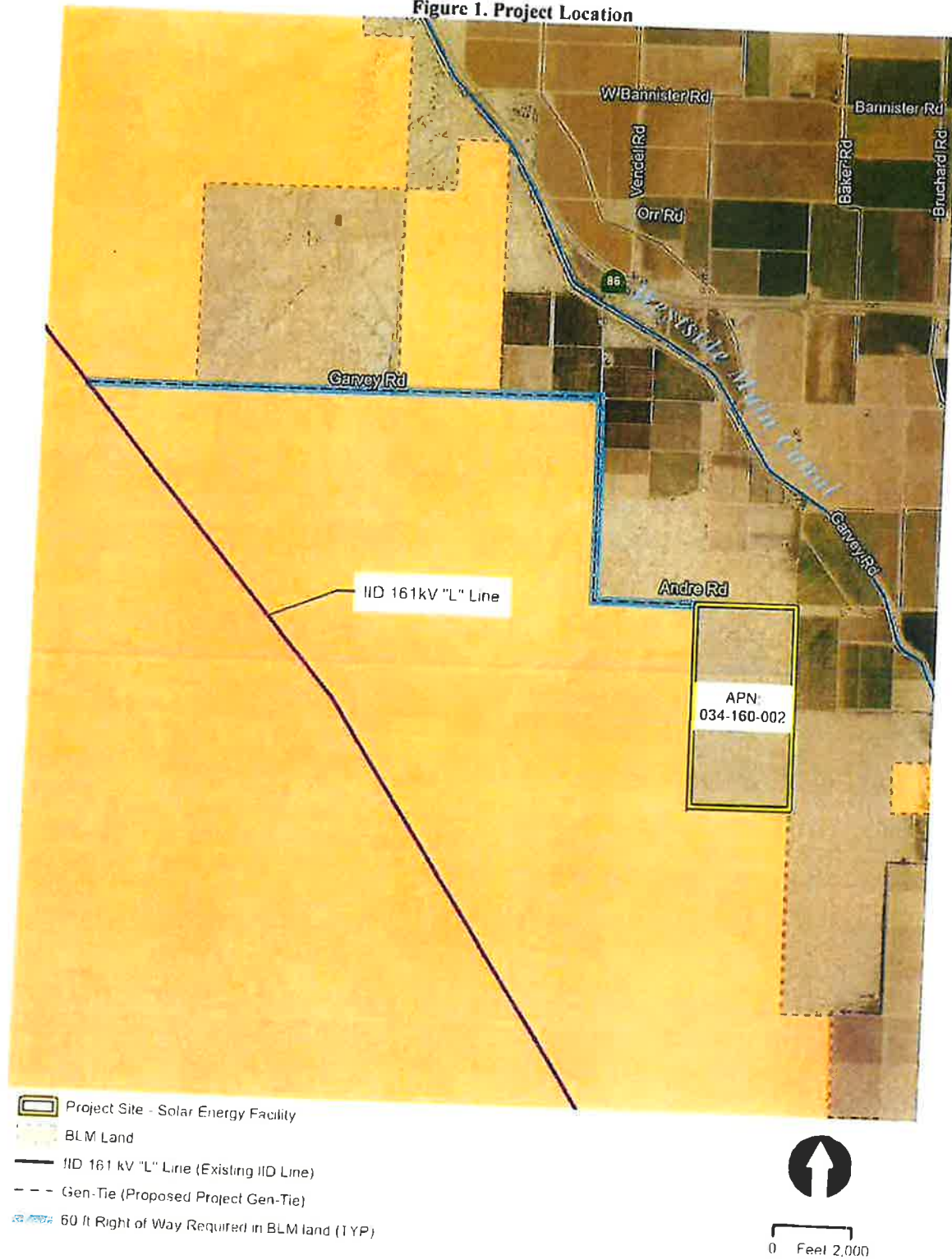
Assistant Director

Telephone

442-265-1736

Reference: California Administrative Code, Title 14, (CEQA Guidelines) Section 15082(a), 15103, 15375.

Figure 1. Project Location



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