

ATTACHMENT "C"

RESOLUTION NO. _____

A RESOLUTION OF THE IMPERIAL COUNTY BOARD OF SUPERVISORS CERTIFICATION OF THE FINAL PROJECT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE WISTER SOLAR ENERGY FACILITY PROJECT

WHEREAS, a Final Project EIR SCH 2019110140 and Candidate CEQA Findings have been prepared in accordance with the requirements of the California Environmental Quality Act, the State CEQA Guidelines, and the County's Rules to Implement CEQA, as amended for the Wister Solar Energy Facility Project which consists of two Conditional Use Permits (the "Project"); and,

WHEREAS, the Board of Supervisors of the County of Imperial has been delegated with the responsibility for the Project for approvals and certifications; and,

WHEREAS, the FEIR has been provided in a timely manner to public agencies; and

WHEREAS, timely public notice of the Board of Supervisors hearing on the Project application has been given, and the Board of Supervisors has considered evidence presented by the Imperial County Planning & Development Services Department and other interested parties at that public hearing held with respect to this item on January __, 2021; and,

WHEREAS, the Final Project EIR includes analysis of various alternatives as required by CEQA, including a Conditional Use Permit, the Preferred Project, and

NOW THEREFORE, the Board of Supervisors of the County of Imperial DOES HEREBY RESOLVE as follows:

SECTION 1. The Board of Supervisors independently has reviewed and considered the proposed Final Environmental Impact Report (FEIR), Mitigation Monitoring and Reporting Program (MM&RP), and Candidate CEQA Findings prior to making a decision to approving the proposed FEIR and Findings of Fact. The Board of Supervisors finds and determines that the Environmental Impact Report is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects, based upon the following findings and determinations.

SECTION 2. That in accordance with, CEQA, State Planning and Zoning law and the County of Imperial Land Use Ordinance, the following findings for the recommendation for approval and certification of the FEIR, MM&RP and Findings of Fact have been made as follows:

1. That the Final Project EIR **SCH# 2010110140**, Candidate CEQA Findings for the Wister Solar Energy Facility ("Project") have been prepared in accordance with the requirements of the California Environmental Quality Act, the State CEQA Guidelines, and the County's

Rules to Implement CEQA, as amended, and such findings are incorporated by reference herein

2. That the County independently has reviewed, analyzed, and considered the Final Project EIR, the environmental impacts therein identified for this Project, the Candidate CEQA Findings, and the Mitigation Monitoring and Reporting Program, and the entire Record of Proceedings prior to approval of this project.
3. That the Final Project EIR and the Candidate CEQA Findings reflect the independent judgment of the County.
4. That the Candidate CEQA Findings are supported by substantial evidence and backed by information provided to the County by experts, including but not limited to the County staff and the EIR preparer, on whom the County relies.
5. That the County accept as its own, incorporate as if set forth in full herein, and make each and every one of the findings contained in the Candidate CEQA Findings, including feasibility of mitigation measures pursuant to Public Resources Code 21081(a)/CEQA Guidelines 15091, and the infeasibility of project alternatives.
6. That the Mitigation Monitoring and Reporting Program is designed to ensure that during project implementation, the Developer and any other responsible parties implement the Project components and comply with feasible mitigation measures identified in the CEQA Findings, the Project entitlements, and the Mitigation Monitoring and Reporting Program and that these measures are fully enforceable through permit conditions, agreements, and/or other measures, such as their inclusion in the Mitigation Monitoring and Reporting Program.
7. That the Project will not individually or cumulative have an unmitigated adverse effect on fish and wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
8. That the Record of Proceedings consists of the Final Project EIR (and all its technical reports and addendums thereto); the County staff reports; the CEQA Findings; the Mitigation Monitoring and Reporting Program; the various Project entitlements and documents referenced therein; all final reports, applications, memoranda, maps, letters, and other planning documents prepared and/or utilized by the EIR planning/environmental consultant; all final reports, memoranda, maps, letters, and other planning documents prepared and/or utilized by the County staff; all documents submitted by members of the public and public agencies in connection with the Final Project EIR; minutes and transcripts of all public meetings and public hearings; all written and verbal public testimony presented during a noticed public hearing for the proposed project which such testimony was taken and any and all other materials which constitute the record of proceeding pursuant to Public Resources Code section 21167.6(e); and matters of common knowledge to the County staff, Planning Commission, and Board of Supervisors, including, but not limited to the County General Plan, the County Zoning Ordinance, and County policies, which may be found at the Clerk's Office located at 940 Main Street,

Suite 209, El Centro, CA, 92243 during regular business hours, and the Imperial County Planning & Development Services Department at 801 Main Street, El Centro, CA 92243.

9. That the County does hereby recommend that the Board of Supervisors of the County of Imperial certify the Final Project EIR.

NOW, THEREFORE, based on the above findings, the Board of Supervisors of the County of Imperial **DOES HEREBY CERTIFY** the Final Project EIR **SCH# 2019110140**, Candidate CEQA Findings, for the Wister Solar Energy Facility ("Project").

Luis A. Plancarte, Chair
Imperial County Board of Supervisors

I hereby certify that the preceding resolution was taken by the Board of Supervisors at a meeting conducted on January __, 2021B by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Blanca Acosta, Clerk of the Board of Supervisors