

1.0 – INTRODUCTION

This Final Programmatic Environmental Impact Report (Final PEIR) has been prepared in compliance with the California Environmental Quality Act (CEQA) Public Resources Code Section 21000 *et seq.*, the CEQA Guidelines (Section 15000 *et seq.*) as promulgated by the California Resources Agency, and the Governor’s Office of Planning and Research. The County of Imperial (County) is the lead agency for the environmental review of the *Renewable Energy and Transmission Element* update (proposed Project) and has the principal responsibility for approving the proposed Project. This Final PEIR assesses the expected environmental impacts resulting from approval of the proposed Project and associated impacts from subsequent development of future renewable energy facilities and responds to comments received on the Draft Programmatic Environmental Impact Report (Draft PEIR).

1.1 BACKGROUND AND PURPOSE

The County has updated the existing 2006 Geothermal/Alternative Energy and Transmission Element and associated implementing ordinances. This seventh (7th) eElement update was initiated by a Grant, REN-12-005, the County received from the California Energy Commission’s Renewable Energy and Conservation Planning Grant Program. While the existing eElement primarily focused on geothermal renewable energy resources, the eElement update presents a broader focus that takes into account additional forms of renewable energy, including wind, solar, deep solar ponds, biofuel, bio-mass, algae production, concentrated solar-thermal power, and concentrated photovoltaics. Consequently, the new element has been retitled as the *Renewable Energy and Transmission Element* update (proposed Project).

The California Environmental Quality Act (CEQA) requires State and local public agencies to prepare an Environmental Impact Report (EIR) prior to approving any project that may have a significant effect on the environment. According to CEQA, a “project” is defined as the whole of an action that has the potential to result in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines, Section 15378[a]). The proposed Project is located within Imperial County and meets the definition of a “project” as defined by CEQA.

The County of Imperial is the lead agency for the preparation of this Final PEIR under CEQA and is responsible for conducting the environmental review and certifying the Final PEIR. Likewise, consistent with the requirements of CEQA, the County will use the PEIR as a decision-making tool to assist with its determination whether to approve, modify, or deny the proposed Project.

1.2 TYPE OF DOCUMENT

This EIR has been prepared as a Programmatic EIR (PEIR) pursuant to CEQA Guidelines, Section 15168. The CEQA Guidelines allow a PEIR to be prepared for “...a series of actions that can be characterized as one large project and are related either:

- (1) Geographically,
- (2) As logical parts in the chain of contemplated actions,
- (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or

- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways...”

Completion of the PEIR will allow future individual renewable energy projects to “tier” off this environmental document. The CEQA Guidelines define tiering as “...the coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report (Section §21068.5)...”

Future renewable energy projects developed per the proposed Project would need to be reviewed in the context of this PEIR to determine if additional environmental documentation would be required. If the subsequent renewable energy project would have environmental effects not addressed in the PEIR, additional environmental review would be required. If additional impacts are not identified and no new mitigation measures would be required, the subsequent renewable energy project could be approved without additional environmental documentation. If an EIR were required for a subsequent renewable energy project, the EIR should implement the applicable mitigation measures developed in the PEIR and focus its analysis on specific environmental impacts that were not previously addressed.

1.2.1 Environmental Review Process

The following is an overview of the environmental review process for the proposed Project that led to the preparation of this Final PEIR.

Notice of Preparation and Initial Study

The County prepared an Initial Study and subsequently issued a Notice of Preparation (NOP) for the preparation of environmental document on July 21, 2014. The NOP was distributed to city, County, State, and federal agencies; military bases; local Native American Tribes; other public agencies; and various interested private organizations and individuals to define the scope of the environmental document. The purpose of the NOP was to identify public agency and public concerns regarding the potential impacts of the proposed Project and the scope and content of environmental issues to be addressed in the environmental document. Circulation of the NOP for public comment ended on August 22, 2014. The NOP, Initial Study, and comments received from agencies and various interested private organizations and individuals were presented in Appendix A of the Draft PEIR.

Draft PEIR

The Draft PEIR was released for public and agency review from January 6, 2015, through February 25, 2015. The public review period lasted 50 days (45 days minimum per the CEQA guidelines, plus 5 additional days). On January 6, 2015, a Notice of Completion (NOC) for the Draft PEIR was filed with the Office of Planning & Research/State Clearinghouse, initiating the 50-day public review period. Concurrent with filing the NOC, the County filed a Notice of Availability (NOA) to inform the public, agencies, organizations, and other interested parties of the availability of the Draft PEIR. The NOA was published on January 6, 2015, in both regional and local newspapers, posted at the County’s website, published in Spanish newspaper and on television, and made available in local libraries.

Final PEIR

Following the close of the public review period, the County received 22 individual comment letters from agencies, non-profit groups, attorneys, members of the public, and developers regarding the Draft PEIR. This document responds to the written comments received as required by CEQA. This document also contains minor edits to the Draft PEIR, which are included in Section 4.0 (Revisions to the Draft PEIR) and the final mitigation monitoring and reporting program for the project. This document constitutes the Final PEIR.

Certification of the Final PEIR/Project Considerations

Imperial County will review and consider the Final PEIR. If the County finds that the Final PEIR is “adequate and complete,” the County may certify the Final PEIR at a public hearing. The rule of adequacy generally holds that the EIR can be certified if: (1) it shows a good faith effort at full disclosure of environmental information; and (2) provides sufficient analysis to allow decisions to be made regarding the project in contemplation of its environmental consequences.

Upon review and consideration of the Final PEIR, the County may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with State CEQA Guidelines Section 15091 and Section 15093. Public Resources Code Section 21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The final mitigation monitoring and reporting program for the project is provided in this document as Section 5.0.

1.3 INTENDED USE OF THE PEIR

As the Lead Agency for this project, The County would use this PEIR to evaluate development of future renewable energy facilities per the proposed Project. The County will consider the findings of the Final PEIR, in light of the entire administrative record, before certifying the Final PEIR document and taking legislative action on the project. In addition, the project will be subject to various federal and State laws, some of which could require regulatory action or approval by other government agencies.

1.4 FINAL PEIR ORGANIZATION AND SCOPE

The Final PEIR is organized in the following manner:

Chapter 1.0: Introduction: This chapter explains the purpose and intended uses of the document and provides a summary of the background, terminology, and overview of the proposed Project.

Chapter 2.0: Executive Summary: This chapter provides a summary of the proposed Project, including a summary matrix of Project impacts and mitigation measures.

Chapter 3.0: Comments and Response to Comments on the Draft PEIR: This chapter provides a list of the agencies, non-profit groups, attorneys, members of the public, and developers who provided comments on the Draft PEIR, copies of written comments (coded for reference) and the responses to those written comments made on the Draft PEIR.

Chapter 4.0: Revisions to the Draft PEIR: This chapter consists of revisions to the Draft PEIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or content of the analysis or mitigation measures.

Chapter 5.0: Final Mitigation Monitoring and Reporting Program: This chapter consists of the final mitigation monitoring and reporting program for the project.