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Response to Comment Letter #20: Edie Harmon

Comment 20-1: Thank you for your comments on the Imperial County General Plan *Renewable Energy and Transmission Element* Update Draft PEIR. We have provided responses to your specific comments below. The locations of existing and proposed renewable energy facilities are presented on Figure 3.2-1 – Cumulative Projects of the Draft of PEIR. Table 3.2-1 has been updated to reflect the most recent data on past, present, and reasonable foreseeable projects within Imperial County.

Comment 20-2: This comment states that “specific concerns raised in various letters have not been adequately addressed”, but does not identify any actual specific concerns raised in various letters that were not adequately addressed. The comment letters submitted on the Notice of Preparation (NOP) located at the path you provided were used them to determine the scope of the environmental analysis for the Draft PEIR.

Comment 20-3: The Baseline Environmental Inventory Report was updated and finalized in January 2015 per comments received on the document. These updates to the Baseline Environmental Inventory Report were also presented in the “Regulatory Setting” and “Existing Environmental Setting” sections of the Draft PEIR. A reference to the Baseline Inventory Report has been added to Section 4.0 which states the following:

“...The ‘Regulatory Setting’ and ‘Existing Environmental Setting’ sections of each environmental category was based on the updated Baseline Environmental Inventory Report, which was updated based on comments submitted to the County and additional research conducted for the proposed Project (ICPDS 2015c).”

Comment 20-4: It is important to point out that the NOP process, as defined in Section 15082 of the California Environmental Quality Act (CEQA) Guidelines, is intended for scoping the environmental issues to be studied in the Draft PEIR. All the comments and exhibits you have submitted were utilized in that “scoping” process. Although not all of your comments were included in Draft PEIR Appendix A, all the comments and exhibits you have submitted were reviewed, considered, and will become part of the Administrative Record for the project.

Comment 20-5: See response to comment 20-4 above.

Comment 20-6: See response to comment 20-4 above.

Comment 20-7: As described in response to comment 20-3 above, the Baseline Environmental Inventory Report was updated and finalized in January 2015 per comments received on the document. These updates to the Baseline Environmental Inventory Report were also presented in the “Regulatory Setting” and “Existing Environmental Setting” sections of the Draft PEIR.

Comment 20-8: In implementing the environmental process under the CEQA, the County of Imperial takes seriously its mandate to implement the law’s requirements and overall objectives. In the case of what was included in Draft PEIR, Appendix A, the Notice of Preparation legal mandate was followed in accordance with the requirements of the CEQA Guidelines. Consequently, your comments submitted on the Notice of Preparation on August 22, 2014 were included within Appendix A of the DPEIR.

Regarding comments on the Baseline Environmental Inventory Report, it had previously been determined that these comments would not be included in the Notice of Preparation process, but used

to identify baseline environmental factors for analysis. However, comments on the Baseline Environmental Inventory Report submitted by the Center for Biological Diversity were inadvertently included in Appendix A of the DPEIR because they were resubmitted as an “attachment” to their comments on the Notice of Preparation. At no time was there an attempt to favor one group over another regarding environmental comments. As required by CEQA, the PEIR focus was, and will continue to be, to identify the existing and future environmental issues, determine potential significant impacts, develop appropriate mitigation measures and study a reasonable range of alternatives.

As described in response to comment 20-3, a reference to the Baseline Inventory Report was added to Section 4.0 of the Final PEIR.

Comment 20-9: See response to comment 20-11 below.

Comment 20-10: See response to comment 20-11 below.

Comment 20-11: As described in response to comment 20-3 above, the Baseline Environmental Inventory Report was updated and finalized in January 2015 per comments received on the document. These updates to the Baseline Environmental Inventory Report were also presented in the “Regulatory Setting” and “Existing Environmental Setting” sections of the Draft PEIR.

Comment 20-12: The goals and objectives of the proposed Project will benefit the residents of Imperial County. Development of future renewable energy facilities under the proposed Project would generate new jobs and tax revenues for the County, would contribute to the restoration of the Salton Sea and is considered best for public and resource values.

Comment 20-13: The statement that the proposed Project is incompatible with California Public Utilities Code 454.5(b)(9)(C) is incorrect. Utility scale renewable energy facilities analyzed under the proposed Project are necessary because smaller distributive generation facilities such as rooftop solar would not be capable of generating the amount of energy needed to meet project goals and objectives. Distributed generation involves the development of a large number of geographically distributed small solar PV systems within existing developed areas, typically on the rooftops of residential and other facilities. Distributed generation is generally available for use on-site and does not deliver electricity to the grid as a utility-scale solar facility does or contain an energy storage component. Because distributive generation does not deliver electricity to the grid and does not contain an energy storage component, a distributive generation alternative would not in fact conflict with California Public Utilities Code 454.5(b)(9)(C) because it would not be reliable or feasible.

Comment 20-14: See response to comment 20-13 above.

Comment 20-15: See response to comment 20-13 above.

Comment 20-16: As described in response to comment 20-12 above, the goals and objectives of the proposed Project will benefit the residents of Imperial County.

Comment 20-17: The benefits that would result from the proposed Project would affect all residents within Imperial County, including low-income and minority populations. Furthermore, in accordance with the Mitigation Measure AG-1c presented in the Draft PEIR, future renewable energy facilities developed under the proposed Project would need to prepare an Economic Impact Analysis (EIA), Fiscal Impact Analysis (FIA), Employment (Jobs) Impact Analysis (JIA) analyzing potential impacts on

agricultural resources. These benefits would also address possible or perceived socioeconomic impacts associated with future renewable energy projects, such as loss of agricultural jobs. Future Development Agreements may require the County to grant the funds only to applicants with programs that can demonstrate they are likely to generate an equal number of agricultural jobs when combined with job creation from the future renewable energy facility and other recipients of the future renewable energy project's benefit fees.

The proposed Project was developed to meet future energy needs of the State of California based on approved State population growth forecasts.

Comment 20-18: The County does not have any control over the rates that the Imperial Irrigation District charges for electrical service. As described in response to comment 20-12 above, the goals and objectives of the proposed Project will benefit the residents of Imperial County. Development of future renewable energy facilities under the proposed Project would generate new jobs and tax revenues for the County.

Comment 20-19: Comment noted.

Comment 20-20: Table 3.2-1 has been updated to reflect the most recent data on past, present, and reasonable foreseeable projects within Imperial County. As described in the Draft PEIR, any future project would be implemented on a "project-by-project" basis based on County approval of individual renewable energy projects. Consequently, specific acreage impacts to environmental resources cannot be evaluated at this time. Therefore, the cumulative impact analysis for each environmental category has been conducted at the programmatic level. This comment does not identify and specific inadequacies with the cumulative impact analysis.

Comment 20-21: Comment noted.

Comment 20-22: The following similar language to that cited on page 2-1 of the Draft PEIR is presented in the last paragraph of Section A: Preface of the Element update:

"...New transmission lines will be needed to accommodate increased demand for power delivery due to both local and regional demand, system delivery requirements in southern California's service area, the need to improve overall system reliability and to support the development of expanded renewable energy power production and exportation..."

Comment 20-23: This comment does not identify any specific inadequacies with the project objectives presented in Section 2.2 of the Draft PEIR. The goals and objectives of the proposed Project will benefit the residents of Imperial County. Development of future renewable energy facilities under the proposed Project would generate new jobs and tax revenues for the County.

Comment 20-24: The goals and objectives of the proposed Project will benefit the residents of Imperial County. Development of future renewable energy facilities under the proposed Project would generate new jobs and tax revenues for the County. The following similar language to that cited on page 2-1 of the Draft PEIR is presented in the last paragraph of Section A: Preface of the Element update:

"...New transmission lines will be needed to accommodate increased demand for power delivery due to both local and regional demand, system delivery requirements in

southern California's service area, the need to improve overall system reliability and to support the development of expanded renewable energy power production and exportation..."

Comment 20-25: Comment noted. The proposed Project has a substantially smaller amount of agricultural land within the proposed overlay zone compared to the Development Focus Areas (DFAs) presented in the Desert Renewable Energy Conservation Plan (DRECP).

Comment 20-26: The proposed Project analyzes potential environmental impacts associated with future renewable energy facilities that may be developed within the proposed overlay zones. The Ocotillo Wind Energy Project is an existing and approved project, and therefore, does not require analysis under the PEIR.

This comment does not identify how the Draft PEIR "...ignores repeated County approvals necessary for the conversion of agricultural lands to industrial scale solar projects in Imperial County..." As described in Section 4.2.4 of the Draft PEIR, implementation of mitigation measures AG-1a through AG-3 would reduce impacts to a level less than significant.

Comment 20-27: Comment noted.

Comment 20-28: Objective 1.1 of the Element update has been revised to state the following"

"Objective 1.1: The County of Imperial supports the overall goals and objectives of the Desert Renewable Energy Conservation Plan to ~~plan for, encourage, and facilitate~~ provide a balance between the ~~full~~ development of ~~all~~ renewable energy resources while preserving sensitive environmental resources within its jurisdiction."

Comment 20-29: Comment noted.

Comment 20-30: Please see response to comment 20-28 above for the revised text of Objective 1.1.

Comment 20-31: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-32: Comment noted.

Comment 20-33: Decisions on the number of air quality monitoring stations and their locations are made by the Imperial County Air Pollution Control District (ICAPCD). As described in the Draft PEIR, the proposed Project would reduce all impacts related to air quality to a level less than significant.

Comment 20-34: The County does not have any control over the rates that the Imperial Irrigation District charges for electrical service. As described in response to comment 20-12 above, the goals and objectives of the proposed Project will benefit the residents of Imperial County.

Comment 20-35: Any large future distributive generation facility would be designated as "distributive generation."

Comment 20-36: Comment noted.

Comment 20-37: As described in response to comment 20-20, Table 3.2-1 has been updated to reflect the most recent data on past, present, and reasonable foreseeable projects within Imperial County. The locations of existing and proposed renewable energy facilities are presented on Figure 3.2-1 – Cumulative Projects of the Draft of PEIR. As described in the Draft PEIR, the proposed Project would be implemented on a “project-by-project” basis based on County approval of individual renewable energy projects. Consequently, specific acreage impacts to environmental resources cannot be evaluated at this time. Therefore, the cumulative impact analysis for each environmental category has been conducted at the programmatic level.

Comment 20-38: Comment noted. There were no direct links identified between future renewable energy facilities and public health issues in the Draft PEIR. Please see Sections 4.3 Air Quality and 4.8 Hazards and Hazardous Materials of the Draft PEIR.

Comment 20-39: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-40: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-41: Cases of Valley Fever are tracked by the Imperial County Public Health Department. Potential impacts associated with asthma and Valley Fever were analyzed in Section 4.3.4 of the Draft PEIR. This section has been slightly revised to include allergies as well, and states the following:

“...Implementation of mitigation measure AQ-1a described above would minimize dust generated during project construction and reduce impacts related to asthma and allergies to a level less than significant. The incidence rate of Valley Fever in Imperial County is low (4.8 cases per 100,000 population in 2012), and the County’s average annual incidence rate is low as well (1.1 to 2.0 per 100,000 population). Furthermore, none of the documented cases of Valley Fever have been linked to construction of existing renewable energy facilities that were developed in Imperial County. Therefore, the potential for the proposed Project to result in new cases of Valley Fever is very low and would be reduced to a level less than significant through implementation of dust control measures described in mitigation measure AQ-1a. Implementation of mitigation measure AQ-1a combined with the 0.5-mile buffer around all urban areas for the overlay zones would also prevent disproportionate concentrations of low-income and/or minority populations from being exposed to pollutant concentrations or high levels of PM₁₀ and PM_{2.5} during construction and operation of the proposed Project...”

Comment 20-42: Potential impacts related to air quality, and how they relate to human health, were analyzed in Section 4.3.4 of the Draft PEIR (see response to comment 20-41 above). It was determined that implementation of mitigation measures AQ-1a through AQ-2b would reduce impacts to a level less than significant. Potential impacts on agricultural resources, including agriculture-serving businesses are analyzed in Section 4.2.4 of the Draft PEIR. It was determined that implementation of mitigation measures AG-1a through AG-3 would reduce impacts to a level less than significant. Therefore, no changes to Appendix D of the Element update are warranted.

Comment 20-43: Comment noted. This phrase is included in the existing Title 9, Land Use ordinance.

Comment 20-44: Air quality monitoring data presented in the Draft PEIR was based on the most recently available data when the impact analysis was conducted. Please contact ICAPCD regarding the emissions levels in 2011.

Comment 20-45: Decisions on the number of air quality monitoring stations and their locations are made by ICAPCD. As described in the Draft PEIR, the proposed Project would reduce all impacts related to air quality to a level less than significant.

Comment 20-46: Funding for air quality monitoring stations is managed by ICAPCD. Potential impacts associated with land use are presented in Section 4.10 of the Draft PEIR, which determined that all impacts related to land use could be mitigated to a level less than significant. As described in response to comment 20-41 above, the Draft PEIR determined that:

“...[i]mplementation of mitigation measure AQ-1a combined with the 0.5-mile buffer around all urban areas for the overlay zones would also prevent disproportionate concentrations of low-income and/or minority populations from being exposed to pollutant concentrations or high levels of PM₁₀ and PM_{2.5} during construction and operation of the proposed Project...”

Comment 20-47: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-48: Mitigation Measure AQ-1a states the following:

“...each project proponent shall submit a Dust Control Plan to the ICAPCD for approval identifying all sources of PM₁₀ emissions and associated mitigation measures during the construction and operational phases of their future renewable energy project...”

As the regional authority governing issues related to air quality, ICAPCD has the most up to date information regarding dust suppression measures, and would not approve dust control plans for future renewable energy facilities if they do not meet their standards.

Comment 20-49: See response to comment 20-48 above.

Comment 20-50: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements. As described in Section 4.3.4 of the Draft PEIR, implementation of mitigation measures AQ-1a through AQ-2b would reduce impacts to a level less than significant

Comment 20-51: Please see response to comment 20-41 above for a discussion of how the Draft PEIR determined that impacts related to Valley Fever would be reduced to a level less than significant.

Comment 20-52: Funding for air quality monitoring stations is managed by ICAPCD. Decisions on the number of air quality monitoring stations and their locations are made by ICAPCD. As described in the Draft PEIR, the proposed Project would reduce all impacts related to air quality to a level less than significant.

Comment 20-53: Please see response to comment 20-41 above for a discussion of how the Draft PEIR determined that impacts related to asthma, allergies, and valley fever would be reduced to a level less than significant.

Comment 20-54: Please see response to comment 20-41 above for a discussion of how the Draft PEIR determined that impacts related to valley fever would be reduced to a level less than significant.

Comment 20-55: Please see response to comment 20-41 above for a discussion of how the Draft PEIR determined that impacts related to valley fever would be reduced to a level less than significant.

Comment 20-56: The Baseline Environmental Inventory Report was updated and finalized in January 2015 per comments received on the document. These updates to the Baseline Environmental Inventory Report were also presented in the “Regulatory Setting” and “Existing Environmental Setting” sections of the Draft PEIR. A reference to the Baseline Inventory Report has been added to Section 4.0 which states the following:

“...The ‘Regulatory Setting’ and ‘Existing Environmental Setting’ sections of each environmental category was based on the updated Baseline Environmental Inventory Report, which was updated based on comments submitted to the County and additional research conducted for the proposed Project (ICPDS 2015c)...”

Comment 20-57: Page numbers have been added to the text citations of the 2014 Draft DRECP EIR/EIS that were included in the Draft PEIR. Please see the Final PEIR for these page numbers.

Comment 20-58: The page numbers for this citation of the DRECP EIR/EIS have been added to the Final PEIR showing that this information came from pages III.7-65:72 of the Draft CRECP EIR/EIS. We have also attached these seven pages to the end of this response to comment letter.

Comment 20-59: The Baseline Environmental Inventory Report was updated and finalized in January 2015 per comments received on the document. These updates to the Baseline Environmental Inventory Report were also presented in the “Regulatory Setting” and “Existing Environmental Setting” sections of the Draft PEIR. A reference to the Baseline Inventory Report has been added to Section 4.0 which states the following:

“...The ‘Regulatory Setting’ and ‘Existing Environmental Setting’ sections of each environmental category was based on the updated Baseline Environmental Inventory Report, which was updated based on comments submitted to the County and additional research conducted for the proposed Project (ICPDS 2015c)...”

The existing conditions data presented in Baseline Inventory Report and Draft PEIR that was based on information presented in the Draft DRECP EIR/EIS was utilized because it presents a scientifically accurate description of existing resources present within Imperial County. This data represents results of the latest scientific studies conducted by the Federal and State agencies who prepared the Draft DRECP EIR/EIS who have access to the most recent information regarding biological resources.

Comment 20-60: Figure 4.4-1 accurately presents the locations of existing vegetation communities within Imperial County. The legend is presented separately due to the large number of vegetation communities present within Imperial County.

Comment 20-61: Reference locations have been added to Figure 4.4-1.

Comment 20-62: The existing environmental setting is accurate and based on the most recent biological resources data that was available at when the impact analysis was conducted.

As described in the Draft PEIR, the proposed Project would be implemented on a “project-by-project” basis based on County approval of individual renewable energy projects. Consequently, specific impacts to biological resources and corresponding mitigation measures cannot be evaluated at this time. Future renewable energy facilities developed under the proposed Project would have to conduct a site-specific biological survey during the project’s required environmental review phase.

Comment 20-63: All biological surveys conducted previously in the County have been done so consistent with applicable regulatory requirements and have accurately identified existing biological resources.

Comment 20-64: See response to comment 20-63 above.

Comment 20-65: All biological surveys conducted previously in the County have been done so consistent with applicable regulatory requirements and have accurately identified existing biological resources.

Comment 20-66: The Draft PEIR provides a thorough discussion of existing biological resources throughout Section 4.4. Furthermore, this comment does not identify and specific inadequacies with the existing conditions discussion of biological resources.

Comment 20-67: The Draft PEIR provides a thorough discussion of existing biological resources throughout Section 4.4 and provides a framework for future analysis to be conducted for future renewable energy facilities developed under the proposed Project. Furthermore, this comment does not identify any specific inadequacies with the existing conditions discussion of biological resources.

Comment 20-68: The Draft PEIR provides a thorough discussion of existing avian species, including those within the vicinity of the Salton Sea and Wildlife Refuge. As described in the Draft PEIR, the proposed Project would be implemented on a “project-by-project” basis based on County approval of individual renewable energy projects. Consequently, specific impacts to sensitive species and corresponding mitigation measures cannot be evaluated at this time. Future renewable energy facilities developed under the proposed Project would have to evaluate potential impacts to sensitive species, including avian species within the vicinity of the Salton Sea and Wildlife Refuge, during the project’s required environmental review phase. Implementation of the biological mitigation measures presented in the Final PEIR and any additional mitigation measures that may be required based on site-specific characteristics identified during the environmental review phase would reduce impacts related to avian species, including those within the vicinity of the Salton Sea and Wildlife Refuge, to a level less than significant.

Comment 20-69: The *California Essential Habitat Connectivity Project* (Spencer et al. 2010) sponsored by the California Departments of Transportation (Caltrans) and California Department of Fish and Wildlife (CDFW) developed a statewide map to provide a relatively “top-down, broadbrush” depiction of essential connectivity areas, with the intent that finer resolution mapping and analysis would later be performed using finer resolution and “bottom-up” (e.g., species-based) modeling and analyses, such as the *California Desert Connectivity Project*.

In 2009, SC Wildlands brought together regional ecologists to conduct a formal evaluation of 47 linkages associated with the California deserts. The evaluation known as the *California Desert Connectivity Project* was designed to assess potential animal movement areas (i.e., linkages) between targeted Landscape Blocks (i.e., large contiguous areas that are relatively free from human disturbances). Landscape Blocks include BLM Wilderness Areas and Areas of Critical Environmental Concern (ACEC), national and state parks, federal and state wildlife refuges, private conservation reserves, and military reservations. This process identified some 23 linkages that were each defined by a pair of Landscape Blocks that should remain connected.

It should be noted that the Draft PEIR presents a programmatic analysis of environmental impacts that provides a framework for future analysis to be conducted for future renewable energy facilities developed under the proposed Project. As a programmatic evaluation, the Draft PEIR does not evaluate site-specific issues associated with individual renewable energy projects. While the RETE RE Overlay Zone may overlap with portions of Landscape Blocks or identified linkages, individual siting considerations to these areas would be addressed on a “project-by-project” basis at the individual project level. Consequently, specific impacts to wildlife movement and wildlife linkages and corresponding site-specific mitigation measures cannot be evaluated at this time. However, implementation of mitigation Measure BIO-4 and any additional mitigation measures that may be required based on site-specific characteristics identified during the environmental review phase would reduce impacts on wildlife movement and wildlife linkages to a level less than significant.

Comment 20-70: The portions of the proposed Overlay Zone Map located within the flat-tailed horned lizard (FTHL) East Mesa Management Area (MA) have been changed to the “Proposed Development Focus Areas on Land Managed by BLM” category, which was developed to identify land under the jurisdiction of BLM that may be utilized for development of renewable energy facilities. Similarly, some portions of the Ocotillo Wells Research Area (RA) that were originally included in the proposed Overlay Zone Map have also been changed to the “Proposed Development Focus Areas on Land Managed by BLM” category. Areas subject to this category are Federally-managed lands that were included in the 2014 Draft DRECP and EIR/EIS that were not excluded by the constraints analysis conducted by the County. The locations of the “Proposed Development Focus Areas on Land Managed by BLM” are shown in red on Figure 2.2-2 of the Final PEIR. The areas shown on Figure 2.2-2 of the Final PEIR are not subject to the proposed Project and the map is being provided for “informational purposes” only. Consequently, land within the FTHL MA and some land within the FTHL RA are no longer subject to the proposed Project.

The remaining portions of the proposed Overlay Zone Map located within the FTHL RA have been changed to the Geothermal category. Therefore, geothermal will be the only renewable energy technology that will be allowed to be developed within the boundaries of the FTHL RA. Furthermore, Mitigation Measure BIO-1b has been revised to document potential sensitive species surveys that may be required as follows:

“BIO-1b: Conduct Surveys for Special Status Animal Species. As a requirement of an application for a future renewable energy facility, surveys for special status animal species shall be conducted by qualified and agency-approved biologists to determine the presence or absence of sensitive animal species within the footprint of a future renewable energy project. Required surveys for special status animal species may include, but are not limited to, American badgers, burrowing owl, flat-tailed horned lizard, golden eagle, mountain plover, prairie falcons, Swainson’s hawk, and Yuma

Ridgway's rail, among others. Any special status mammal, reptile, and amphibian species detected during surveys shall be passively relocated to areas outside the construction zone and prevented from reentering the future project area with the installation of silt fencing or other exclusion fencing. All fencing shall be periodically monitored and maintained for the duration of construction. Passive relocation shall only be done in the nonbreeding season in accordance with guidelines and consultations with resource agencies. This Depending on which special status species are present within the project boundaries, passive relocation measures may include covering or excavating all burrows or dens and installing one-way doors into occupied burrows. This would allow any animals inside to leave the burrow but would exclude any animals from reentering the burrow. The burrows shall then be excavated and filled in to prevent their reuse. Other types of relocation measures may be required, depending on which special status species are present within the project boundaries.

"If direct impacts to special status species cannot be avoided, an agency-approved biologist shall prepare a species-specific Mitigation and Monitoring Plan that would detail the approved, site-specific methodology proposed to minimize and mitigate impacts to each species. Passive relocation, destruction of burrows, construction of artificial burrows, etc. shall be completed only upon prior approval by and in cooperation with CDFW and/or USFWS."

Consequently, future geothermal energy facilities developed within the boundaries of the FTHL RA would be required to conduct FTHL surveys and develop appropriate mitigation, which may include a species-specific Mitigation and Monitoring Plan if direct impacts to the FTHL cannot be avoided. A species-specific Mitigation and Monitoring Plan would require prior approval by and in cooperation with CDFW and/or USFWS.

Comment 20-71: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-72: See response to comment 20-71 above.

Comment 20-73: Comment noted.

Comment 20-74: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-75: All mitigation and monitoring activities for other projects have been effective and done consistent with applicable regulatory requirements.

Comment 20-76: As described in response to comment 20-70 above, the portions of the proposed Overlay Zone Map located within the FTHL MA have been changed to the "Proposed Development Focus Areas on Land Managed by BLM" category and are no longer subject to the proposed Project. The remaining portions of the proposed Overlay Zone Map located within the FTHL RA have been changed to the Geothermal category. Therefore, geothermal will be the only renewable energy technology that will be allowed to be developed within the boundaries of the FTHL RA. Future geothermal energy facilities developed within the boundaries of the FTHL RA would be required to conduct FTHL surveys and develop appropriate mitigation, which may include a species-specific Mitigation and Monitoring Plan if

direct impacts to the FTHL cannot be avoided. A species-specific Mitigation and Monitoring Plan would require prior approval by and in cooperation with CDFW and/or USFWS.

Comment 20-77: “Off-site replacement of removed habitats” refers to the process of cultivating impacted habitat types at other locations as mitigation for impacts associated with future renewable energy facilities developed under the proposed Project. This in-kind restoration would provide adequate replacement for habitats converted to renewable energy uses and reduce impacts to a level less than significant.

Comment 20-78: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-79: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-80: The *Conservation and Open Space Element* is currently being updated by the County of Imperial as well. The existing conditions data presented in the Draft PEIR has also been utilized in the County update of the *Conservation and Open Space Element* of the General Plan.

Comment 20-81: Development of future renewable energy facilities associated with the proposed Project would be consistent with the Imperial County General Plan and Land Use Ordinance. Existing case law states that:

“...because policies in a general plan reflect a range of competing interests, the governmental agency must be allowed to weigh and balance the plan’s policies when applying them, and [the agency] has broad discretion to construe its policies in light of the plan’s purpose...” (*Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552).

“...An action, program, or project is consistent with the general plan if, considering all its aspects, it will further the objectives and policies of the general plan and not obstruct their attainment. State law does not require perfect conformity between a proposed project and the applicable general plan ...[because] it is nearly impossible for a project to be in perfect conformity with each and every policy set forth in the applicable plan ... It is enough that the proposed project will be compatible with the objectives, policies, general land uses and programs specified in the applicable plan...” (Id. [internal quotations and citations omitted]).

Therefore, the County has the authority to interpret the meaning of its General Plan and determine whether the proposed Project would be consistent. Projects often times often implicate a variety of goals, policies, and objectives within the County’s General Plan that must, in some instances, be balanced against each other.

Comment 20-82: See response to comment 20-81 above.

Comment 20-83: The County has engaged the public regarding the proposed Project through a robust community outreach program. The County held seven (7) community meetings in Niland, Calipatria, Brawley, El Centro, Salton City, Ocotillo and Calexico to allow the public to provide their input on the proposed Project. The County also held four (4) stakeholder’s meetings with the Technical Advisory

Group (TAG) to allow those interested in the proposed Project to provide their input. Meetings were also held with local Native American Tribes, the NAVFAC staff and a citizen group focused on environmental justice. The County Planning & Development Services Department acting as the CEQA Lead Agency distributed the “Notice of Preparation (NOP)” for the preparation of the PEIR through the State Clearinghouse for review and comment. The NOP was publicly noticed in English in the IV Press on July 20, 2014 and in Spanish in the Adelante newspaper on July 18, 2014. The NOP was circulated by the State Clearinghouse from Monday, July 21 through August 22, 2014. The County also held an “Informational Item” at the Environmental Evaluation Committee meeting and a public “Scoping Meeting” on August 14, 2014. The purpose of the two public hearings was to allow the public to provide input on the proposed Project. The proposed draft Renewable Energy Overlay Zone Map was available for public review at these two meetings.

Comment 20-84: As described in the Draft PEIR, the proposed Project would be implemented on a “project-by-project” basis based on County approval of individual renewable energy projects. Consequently, specific impacts to sensitive species and corresponding mitigation measures cannot be evaluated at this time. However, it should also be noted that the County of Imperial has worked in partnership with the Imperial Irrigation District to develop the Salton Sea Restoration & Renewable Energy Initiative. This initiative will utilize funds generated by development of future renewable energy facilities at the Salton Sea to help finance activities for habitat restoration and air quality management. Future renewable energy facilities sited on exposed lakebeds of the Salton Sea would serve a dual purpose of producing renewable energy while doubling as groundcover to mitigate air emissions. The Salton Sea Authority is responsible for leading the planning and implementation of future renewable energy facilities at the Salton Sea with support from the State of California.

In order to provide further guidance for future project proponents to evaluate potential impacts to sensitive species, Mitigation Measure BIO-1f has been revised as follows:

“BIO-1f: Additional Project Mitigation: Additional biological mitigation may be required based on the renewable energy technology to be developed at specific project locations. Project proponents for future renewable energy facilities would be required to evaluate how specific renewable energy facilities may impact sensitive species and how to mitigate impacts through site design and/or mitigation and monitoring activities. Such mitigation may include, but is not limited to, developing strategies to reduce impacts to avian species related to a possible ‘lake-effect’ associated with solar energy facilities and strategies to reduce the possibility for bird-strikes associated with wind energy facilities, if warranted. Project-specific mitigation and monitoring for future renewable energy facilities may include, but would not be limited to, a Bird and Bat Conservation Strategy based on the type of renewable energy technology to be utilized for a future renewable project.”

Implementation of Mitigation Measure BIO-1a through BIO-4 and any additional mitigation measures that may be required based on site-specific characteristics identified during the environmental review phase would reduce impacts on biological resources at the Salton Sea to a level less than significant.

Comment 20-85: Thank you for providing this information.

Comment 20-86: The Draft PEIR presents a programmatic analysis of environmental impacts that provides a framework for future analysis to be conducted for future renewable energy facilities

developed under the proposed Project. As a programmatic evaluation, the Draft PEIR does not evaluate site-specific issues associated with individual renewable energy projects. A variety of location-specific factors (e.g., aquifer characteristics such as whether it is confined or unconfined, storage capacity, groundwater movement, specific yield) would vary considerably from site to site, especially over the Countywide area. In addition, the variations in project size and design would greatly determine the magnitude of the impacts from a given project. The combined effects of these location-specific and project-specific factors cannot be fully anticipated or addressed in a programmatic analysis; such effects must be evaluated at the individual project level.

The Colorado River HR is underlain by some 64 groundwater basins/subbasins covering approximately 8.68 million acres, or 26 percent of the HR. Since the Draft PEIR represents a programmatic-level evaluation, specific discussions of groundwater basins (such as the Ocotillo-Coyote Wells Groundwater Basin) at the individual basin/subbasin level is beyond the scope of analysis required for a programmatic level evaluation. Therefore, information on groundwater resources within the County is presented for Colorado River Basin RWQCB major planning areas, which are based on economic and hydrologic characteristics.

Future renewable energy facilities developed under the proposed Project would be required to analyze project-specific impacts and develop mitigation measures to reduce impacts to the Ocotillo-Coyote Wells and other groundwater basins, to a level less than significant. Furthermore, additional mitigation beyond what is presented in the Final PEIR for groundwater resources may be required if they are warranted by project-specific site characteristics.

Comment 20-87: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable State and federal regulatory requirements.

Comment 20-88: The Draft PEIR did not refer to the DRECP with respect to the specific issue discussed in this comment.

Comment 20-89: All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-90: As described in response to comment 20-81, projects often times implicate a variety of goals, policies, and objectives within the County's General Plan that must, in some instances, be balanced against each other. Consequently, the General Plan cautions against its Goals and Policies being interpreted as doctrine:

“...Imperial County's Goals and Objectives are intended to serve as long-term principles and policy statements representing ideals which have been determined by the citizens as being desirable and deserving of community time and resources to achieve. The Goals and Objectives, therefore, are important guidelines for agricultural land use decision making. It is recognized, however, that other social, economic, environmental, and legal considerations are involved in land use decisions and that these Goals and Objectives, and those of other General Plan Elements, should be used as guidelines but not doctrines...(General Plan *Agricultural Element*, page 29 [Section III.A Preface]).”

With respect to specific policies implicated by the proposed Project, the County General Plan actively promotes both development of renewable energy and opportunities for economic growth. For example,

Goal I of the proposed Project provides that the County “[s]upport the safe and orderly development of renewable energy while providing for the protection of environmental resources...” In addition to the goals and objectives presented in the proposed Project, the General Plan also recognizes the need for the County to promote diverse economic uses. For example, Goal 2 of the *Land Use Element* states that the County should:

“...[d]iversify employment and economic opportunities in the County while preserving agricultural activity,” and Goal 3, Objective 3.2 of the *Land Use Element* recognizes the need to “[p]reserve agricultural and natural resources while promoting diverse economic growth through sound land use planning...(General Plan, *Land Use Element*, page 38).”

Therefore, while there is no question that promoting and preserving agricultural uses is an important part of the County’s vision, it is by no means the sole policy, goal, or objective of the County General Plan, thus requiring the County’s decision-makers to balance various interests when making land use decisions.

The Imperial County General Plan contemplates the use of agricultural lands for other uses, and specifically provides that the evaluation and approval of those uses will occur through the implementation of zoning and the conditional use permit (CUP) review process. Specifically, the *Land Use Element* provides that “[e]lectrical and other energy generating facilities are heavy industrial uses, except geothermal, hydroelectric, wind and solar facilities may be regulated differently than other types of power plants by implementing zoning...(General Plan, *Land Use Element*, page 46).” Further, the Land Use Compatibility Matrix in the General Plan provides that industrial uses are permissible on lands zoned A-2 with a CUP (General Plan, *Land Use Element*, Table 4, page 64). Therefore, pursuant to the General Plan, future renewable energy facilities developed under the proposed Project could be developed on agricultural land and not conflict with the General Plan.

Furthermore, while the *Land Use Element* provides that agriculture is the principal and dominant use for agriculture-designated lands, it expressly allows non-agricultural uses on agricultural land provided the project proponent demonstrates that the non-agricultural use (1) “does not conflict with agricultural operations and will not result in the premature elimination of such agricultural operations” and (2) meets the requirement that “no use should be permitted which would have a significant adverse effect on agricultural production” (General Plan, *Land Use Element*, page 48 [Section IV.C.I]).

The County has established a permitting process which ensures that the potential effects of using Agriculture-designated lands for renewable energy projects are thoroughly considered. Sections 90508.01 and 90508.02 of the County’s Land Use Ordinance identify the permitted and conditional uses within the A-2, A-2-R and A-3 zoning designations. The discretionary and conditional nature of a CUP process also triggers review under CEQA. Lastly, it is important to note that utility scale solar developments and transmission lines may be allowed pursuant to the General Plan and Board of Supervisors’ Implementing Policies.

Therefore, the County would be within its discretion to approve future renewable energy facilities developed under the proposed Project on agricultural lands and remain consistent with the various policies, goals, and objectives of the Imperial County General Plan promoting renewable energy, economic diversity, and agricultural resources.

Comment 20-91: As described in response to comment 20-81, projects often times implicate a variety of goals, policies, and objectives within the County's General Plan that must, in some instances, be balanced against each other. All mitigation and monitoring activities for the Ocotillo Wind project have been effective and done consistent with applicable regulatory requirements.

Comment 20-92: Figure 4.10-1 accurately depicts the proposed overlay zone to existing land uses within the County to show what uses underlay the proposed Project.

Comment 20-93: This comment may be referring to existing, approved, and/or constructed renewable energy facilities (solar, geothermal, wind, bio-mass, bio-fuel, etc.).

Comment 20-94: Please see response to comment 20-90 above.

Comment 20-95: The Reclamation and Decommissioning Plan is an appropriate mitigation for a temporary non-agricultural use, as it addresses the specific impact to the soil of the area taken out of agricultural use. If the applicant did not perform the restoration work, then the County would use the separate security instrument to perform the restoration work. This assures that the lands will actually be restored to the proper level for continued agricultural use and reduce impacts associated with temporary conversion of agricultural resources to a level less than significant.

Comment 20-96: Implementation of mitigation measure AG-1a: Payment of Agricultural and Other Benefit Fees includes measures to reduce impacts on fertile and marginal agricultural land and displaced agricultural workers to a level less than significant. Impacts on prime farmland from future renewable energy facilities would be reduce to a level of significance by one of the four options:

- "...Option 1: The project proponent of a future renewable energy facility shall procure Agricultural Conservation Easements on a "two-to-one" basis on land of equal size, of equal quality farmland, outside of the development footprint. The Conservation Easement shall meet the State Department of Conservation's regulations and shall be recorded prior to issuance of any grading or building permits; or
- Option 2: The project proponent of a future renewable energy facility shall pay an "Agricultural In-Lieu Mitigation Fee" in the amount of 30 percent of the fair market value per acre for the total acres of the proposed site based on five comparable sales of land used for agricultural purposes as of the effective date of the permit, including program costs on a cost recovery/time and material basis. The Agricultural In-Lieu Mitigation Fee, will be placed in a trust account administered by the Imperial County Agricultural Commissioner's office and will be used for such purposes as the acquisition, stewardship, preservation, and enhancement of agricultural lands within Imperial County; or
- Option 3: The project proponent of a future renewable energy facility and County enter into an enforceable Public Benefit Agreement or Development Agreement that includes an Agricultural Benefit Fee payment that ~~is~~ (1) is consistent with Board Resolution 2012-005; and (2) ~~the Agricultural Benefit Fee must be held by the County in a restricted account to be used by the County only for such purposes as the stewardship, preservation, and enhancement of agricultural lands within Imperial County, and to implement the goals and objectives of the Agricultural Benefit program, as specified in~~

the Development Agreement, including addressing the mitigation of agricultural job loss on the local economy; the future renewable energy project and other recipients of the future renewable energy project's Agricultural Benefit Fee funds; or emphasis on creation of jobs in the agricultural sector of local economy for the purpose of off-setting jobs displaced by the future renewable energy project-; or

- Option 4: The project proponent of a future renewable energy facility must revise their ~~Renewable Energy~~ Conditional Use Permit Application/Site Plan to avoid Prime Farmland..."

Furthermore, mitigation measures AG-1a provides direction for how mitigation fees would need to be used. The following uses would benefit displaced agricultural workers:

"...The Agricultural Business Development Category, such as funding for agricultural commodity processing plants and energy plants that use agricultural products, which was identified as the greatest job creator category would receive 50 percent of the funds;

The Research & Development Category, such as funding for development of new high-yield or water-efficient crops, new water conservation techniques, new technology to improve yields in existing crops, and partial funding for an endowment to support an agricultural research specialist, would receive 20% of the funds. Improved water conservation and efficient crop production keeps more farmland in production during drought cycles therefore supports job creation and maintenance;

The Agricultural Stewardship Category, such as programs that bring fields back into production, implement soil reclamation, and improve existing fields to improve crop yields, would receive 20%. Increase production of crops again leads to more agricultural jobs to prepare and harvest the fields; and

The Education/Scholarship Category, such as matching funds for scholarships awarded by agricultural organizations for agricultural studies, student loans, Future Farmers of America and 4-H loans, would receive 10%. Training the next generation of farmers to continue and expand farming operations will also support agricultural job creation..."

Future renewable energy projects would also need to provide other benefits as identified in Resolution 2012-05 and detailed in the Economic Impact Analysis (EIA), Fiscal Impact Analysis (FIA), Employment (Jobs) Impact Analysis (JIA) prepared pursuant to mitigation measure AG-1c. These benefits would also address possible or perceived socioeconomic impacts associated with future renewable energy projects, such as loss of agricultural jobs. Future Development Agreements may require the County to grant the funds only to applicants with programs that can demonstrate they are likely to generate an equal number of agricultural jobs when combined with job creation from the future renewable energy facility and other recipients of the future renewable energy project's benefit fees.

Comment 20-97: Comment noted.

Comment 20-98: As a programmatic evaluation, the Draft PEIR does not provide a discussion of groundwater basins (such as the Ocotillo-Coyote Wells Groundwater Basin) at the individual

basin/subbasin level. Information on groundwater resources within the County is presented for Colorado River Basin RWQCB major planning areas, which are based on economic and hydrologic characteristics. Please see response to comment 20-86 for more detailed discussion regarding this comment.

Comment 20-99: The Habitat 2000 Specific Plan has been withdrawn for a number of years.

Comment 20-100: Please see response to comment 20-81 for a discussion of how projects often times often implicate a variety of goals, policies, and objectives within the County's General Plan that must, in some instances, be balanced against each other. The photovoltaic project that was proposed in the Ocotillo-No Mirage Community Area Plan has been withdrawn.

Comment 20-101: The photovoltaic project that was proposed in the Ocotillo-No Mirage Community Area Plan has been withdrawn.

Comment 20-102: The photovoltaic project that was proposed in the Ocotillo-No Mirage Community Area Plan has been withdrawn. The Wind Zero project has been withdrawn and will not be developed.

Comment 20-103: The Wind Zero project has been withdrawn and will not be developed.

Comment 20-104: The goals and objectives of the proposed Project will benefit the residents of Imperial County. Development of future renewable energy facilities under the proposed Project would generate new jobs and tax revenues for the County, and would contribute to the restoration of the Salton Sea.

Comment 20-105: Vegetation displaced by future renewable energy facilities developed under the proposed Project would not result in a substantial increase in atmospheric greenhouse gas. Furthermore, Section 4.7.4 of the Draft PEIR describes how the proposed Project would reduce greenhouse gas emissions by stating the following:

“...Electricity generated by future renewable energy facilities developed under the proposed Project would displace GHG emissions currently produced by carbon-based fuels. Using the conservative estimate of GHG emissions for marginal power plants developed by the CPUC, future solar and wind facilities would eliminate a minimum of 830 pounds CO₂e per MWh. Similarly, future geothermal energy facilities developed under the proposed Project would displace approximately 520 pounds CO₂e per MWh. The displacement of CO₂e for geothermal production would be reduced by 310 pounds CO₂e per MWh due to the CO₂ that occurs naturally in geothermal steam released by operations at a geothermal plant (DRECP EIR/EIS 2014, IV.3-9). Consequently, displacement of power currently produced by carbon-based fuels by development of future renewable energy facilities would offset GHG emissions generated during construction, operation, and decommissioning of future renewable energy facilities and reduce impacts to a level less than significant. No mitigation measures would be required...”

A distributive generation alternative was not developed for the proposed Project because it would not meet the goals and objectives of the Element update. While the County supports development of distributive generation facilities such as rooftop solar, a project alternative focused solely on distributive generation would not be capable of generating the amount of energy needed to meet project goals and objectives. Distributed generation involves the development of a large number of geographically

distributed small solar PV systems within existing developed areas, typically on the rooftops of residential and other facilities. Distributed generation is generally available for use on-site and does not deliver electricity to the grid as a utility-scale solar facility does or contain an energy storage component. Because distributive generation does not deliver electricity to the grid and does not contain an energy storage component, a distributive generation alternative would not meet the goals and objectives of the Element update.

Comment 20-106: The County afforded the public 50 days to review the Draft PEIR, which is longer than the 45-day review period mandated by CEQA.

Comment 20-107: Thank you for your comments on the Imperial County General Plan, *Renewable Energy and Transmission Element Update*, and Draft PEIR.

Comment 20-108: This list of citations of the exhibits presented in your comment letter will be included in the public record for the proposed Project. The exhibits you provided were considered in the response to comments provided above. We also received the CD you provided to the County. The documents included on the CD you provided were considered in the response to comments provided above and are included as a part of the public record for the proposed Project. For ease of review, we have collected the documents submitted on your CD in Appendix A: Attachments to Comment Letters Received on the Draft PEIR. Hard copies of the documents included on the CD submitted with the Edie Harmon comment letter are available at the County of Imperial Planning & Development Services Department and County of Imperial Library.

21 – Donna Tisdale

COMMENTS ON THE DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT (PEIR) FOR RENEWABLE ENERGY AND TRANSMISSION ELEMENT (RETE) (SCH #2014071062)

DATE: 2-25-15

TO: Jim Minnick, Director, Planning and Development Services, 801 Main Street, El Centro, CA 92243
VIA jimminnick@co.imperial.ca.us

FROM: Donna Tisdale; PO Box 1275, Boulevard, CA 91905; 619-766-4170 tisdale.donna@gmail.com

These very limited and incomplete comments are submitted as an individual and on behalf of our public benefit non-profit group, Backcountry Against Dumps, in addition to those filed by Volker Law.

In addition, we incorporate by reference the RETE DPEIR comments filed by Edie Harmon and Carolyn Allen throughout the review process, including comments on the inadequate Baseline Environmental Studies. Our comments on the directly connected DRECP – PDEIR/EIS, upon which the RETE-DEIR is largely reliant, are being provided and incorporated here by reference.

Comment
21-1

I am an Imperial Valley farmland owner and member of a multi-generational farming family that has been growing and processing crops in Imperial County for over 6 decades. Our family moved to Imperial County after being displaced from farming in Orange County due to incompatible urban land development patterns, after farming there for over 6 decades. Overall, my extended family has been farming in California for over 120 years.

Comment
21-2

Backcountry Against Dumps' basic mission is to conduct research and to help inform and defend rural communities and resources, public health and safety, rural quality of life and community character from unsafe and incompatible facilities and projects. I am the co-founder and President of our Board.

THE RETE & DRAFT PEIR ARE INADEQUATE AND MUST BE REVISED AND RECIRCULATED FOR PUBLIC COMMENT; THE SAME IS TRUE FOR THE DRECP DRAFT PEIR-EIS UPON WHICH THE RETE PEIR IS LARGELY BASED; THE USEPA'S FEBRUARY 23RD COMMENT LETTER RATES THE DRECP¹ AS – EC-2: ENVIRONMENTAL CONCERNS –INSUFFICIENT INFORMATION². WE SHARE THEIR STATED CONCERNS INCLUDING THOSE REGARDING IMPACTS, PROBLEMS, AND MANAGEMENT ISSUES ARISING FROM EXISTING PROJECTS SUCH AS OCOTILLO WIND THAT WAS SPECIFICALLY IDENTIFIED AT PAGE 14 OF EPA'S LETTER. WE ALSO SUPPORT COMITE CIVICO DE VALLE'S COMMENTS FILED ON 2-25-15.

Comment
21-3

Comment
21-4

RENEWABLE ENERGY AND TRANSMISSION ELEMENT (RETE)³:

Table ES-1: We strongly disagree that adverse impacts related to the conversion of productive farm land can be mitigated to anything less than significant and cumulatively considerable. Especially when added to the amount acreage included in IID's farmland following program that is needed to comply to with water conservation and farm-to-city water transfer mandates; in addition to continuing encroachment

Comment
21-5

¹ <http://www.drecp.org/draftdrecp/>

² http://drecp.org/draftdrecp/comments/US_EPA_comments_2015-02-23.pdf

³ <ftp://ftp.co.imperial.ca.us/icpds/eir/cec/draft-renewable-transmission-element.pdf>

into farm land and agriculture related industries / operations by growing cities and commercial-industrial uses. We further believe that proposed future reclamation of converted farm land will not be economically or technically feasible due to soil erosion and adverse impacts to soil quality and farm ability related to contamination and/or sterilization of the soil.

Comment
21-5
(continued)

Comment
21-6

I. A. Preface

- States that the RETE is needed to support the development of expanded renewable energy power production and exportation.
- However, to my knowledge, there has been no publicly noticed Board of Supervisors hearing or directive made in support of such a major expansion and/or exportation of renewable energy beyond that for the Salton Sea Restoration & Renewable Energy Initiative⁴

Comment
21-7

B. Purpose of the Renewable Energy and Transmission Element

- Basing the development projections on forecasts obtained from the renewable energy industry, regional utilities, and the Desert Renewable Energy Conservation Plan (DRECP) unnecessarily skew the results and bias the RETE documents to support questionable and unnecessary regional goals and political agendas at the expense of disproportionate and cumulatively considerable impacts to a wide variety of local resources and communities representing major Environmental Justice violations.
- IID's Strategic Transmission Expansion Plan (STEP)⁵ proposes to support 2,200-4,100 MW of renewable energy exportation⁶ at an estimated cost of \$431 million to \$1.7 billion.
- It is unclear how or if the RETE complies with or supports IID's STEP plan.
- The DRECP Transmission Appendix K discloses the potential for 1 or 2 new 500kV lines heading west between SDG&E's Imperial Valley Substation and urban San Diego that differ from the STEP plans.
- The STEP plan alternatively proposes a new 500kV line from SDG&E's Imperial Valley Substation that heads west for a short distance and then to the north.

Comment
21-8

Comment
21-9

Comment
21-10

Comment
21-11

C. Benefits of Renewable Energy and Transmission Development

- The list of alleged fiscal benefits is unsupported by the record for the RETE, the PEIR, and /or the related DRECP.
- Claims of increased tax and other revenues does not account for any of the lost taxes and revenues related to conversion of existing and potential uses of the same properties.
- Current and proposed Solar-conversion of productive farmland does and will harm the farming industry and support businesses and related employment.
- While alleged benefits are counted, none of the real world RETE/DRECP related adverse environmental and financial impacts have been recognized, taken into account, or analyzed—despite numerous existing utility scale solar, wind, and transmission projects that could be analyzed.

Comment
21-12

Comment
21-13

⁴ <http://www.iid.com/Modules/ShowDocument.aspx?documentid=8892>

⁵ http://ivres.ivedc.com/media/managed/speakerpresentations/Stills_Carl_IID.pdf

⁶ <http://www.iid.com/Modules/ShowDocument.aspx?documentid=8596>

- There are enough existing renewable energy projects now in Imperial County those actual adverse economic impacts can be quantified and disclosed for public review and comment. Comment 21-13 (continued)
- An honest and independent accounting of those impacts must be made and provided in a revised and re-circulated EIR. Comment 21-14
- Claims of improvements to reduce costs of electricity are not realized through long-term Power Purchase Agreements that instead lock in high energy costs and the required expensive grid improvements which are then recovered from ratepayers through ever increasing rates in one of the poorest Counties in the State. Comment 21-15
- Conversion of productive farmland and recreation lands that support tourism into renewable energy projects/transmission corridors/zones actually threatens the short and long-term economic viability of Imperial County's critical agriculture economy and related support businesses and employment that can generate adverse local, regional, national and international supplies of food and fiber impacts that must be accounted for and honestly analyzed. Comment 21-16
- There is no evidence/support in the record that the RETE will actually result in reduced reliance on or displacement of fossil fueled energy or that renewable energy does not add to the green house gas effect through the removal of carbon sequestering crops and undisturbed desert soils. Comment 21-17
- Contributions towards meeting California's Renewables Portfolio Standards is a political goal that can be met through truly distributed point-of-use renewable energy generation at new and existing structures, facilities, and solar parking lot shades covers. Comment 21-18
- No explanation or evidence is provided in the record to support the claim that RETE (and DRECP) actually minimizes impacts to local communities, agriculture and sensitive environmental resources. The exact opposite appears to be true. Comment 21-19
- County-wide industrial solar conversion of agricultural and desert lands can impact Imperial County's "albedo", resulting in forced climate changes and weather patterns with unintended and unknown consequences. Comment 21-20
- According to the Encyclopedia of Earth, *"The proportion of absorbed, emitted, and reflected incoming solar radiation steers the Earth's climate system causing fluctuations in temperature, winds, ocean currents, and precipitation. The climate system remains in equilibrium as long as the amount of absorbed solar radiation is in balance with the amount of terrestrial radiation emitted back to space. Earth's albedo values are very important in shaping local and global climates through the radiation budget, determined as the difference between the amount of absorbed shortwave radiation (input) and the outgoing longwave radiation (output)."* Comment 21-21
- Imperial Valley press recently reported that Simbol Materials locked their Brawley office doors and let 40 employees go at their Hudson Ranch geothermal brine mining project for lithium and other metals⁷, despite increased reliance on lithium-ion batteries for energy storage, and a reliance on imported lithium.
- The number of failed projects and over-stated job promises has not been accounted for in the RETE or DRECP documents.

II EXISTING CONDITIONS AND TRENDS:

⁷ <http://archive.desertsun.com/article/20140222/BUSINESS0302/302220055/Simbol-Materials-lithium-extraction-Salton-Sea> ; <http://thinkgeoenergy.com/archives/18968>

Existing Renewable Energy Generation Facilities and Electrical Transmission Corridors:

- The May 2014 presentation⁸ on the RETE stated that almost 22,000 acres of Imperial County farmland had already been impacted through the approval of 2,272 MW of industrial solar conversion / generating capacity (26 EIRs; 7 MNDs; 2 NDs and 1 TBD) which is inconsistent with information on Comment 21-22
- There are inconsistencies on these figures throughout the RETE documents. Comment 21-23
- Maps of currently existing and approved projects within Imperial County must be included. Such maps are posted on ICPDS website and should have been referenced for transparency. Comment 21-24

Issues Relating to Renewable Energy Development and Transmission Corridors:

- Alleged Benefits of Electrical Transmission and Joint Use Corridors in Imperial County does not include increased reliability of California's electrical system Comment 21-25
- It does not reduce potential land conflicts between and among renewable energy developers, agriculture, environmental resources and local landowners. Comment 21-26
- While it may increase some certainty as to the future location and siting of electrical transmission facilities it increases adverse impacts and uncertainty to non-participating property owners whose farming operations, quality of life, health and safety and property values will be degraded. Comment 21-27
- California law requires that DFAs and Transmission Corridors must be disclosed by anyone attempting to sell their property, regardless of whether or not any specific projects have yet been proposed. Comment 21-28
- Imperial County agricultural fields, drains, canals, ditch banks and the Salton Sea all represent significant benefits for a wide variety of resident and migratory avian and other species as reported⁹ and commented upon by others. Comment 21-29
- Conversion of such is not necessary or in the best interest Imperial Valley residents and resources.

III.GOALS AND OBJECTIVES

Goals and Objectives

- Project Objectives are flawed, growth inducing, in violation of CEQA, and do not fully reflect changes reached by a consensus during Technical Advisory Group (TAG) meetings. Comment 21-30
- Objectives based on supporting the development and expansion of renewable energy power production *to accommodate future growth in California and to improve overall system reliability* inappropriately places the alleged needs of California over the long-term sustainability, safety, over all appeal, and livability of Imperial County. Comment 21-31
- Using development projections from vested and biased renewable industry, regional utilities, and the fatally flawed DRECP, distort and drastically inflate any real need that may exist for Imperial County residents and businesses that could be met with much less invasive, destructive

⁸ <http://icpds.com/CMS/Media/Word-May-1-Imperial-County-ReEn-Community-Meetings.pdf>

⁹ <http://ca.audubon.org/newsroom/press-releases/2013/imperial-valley-agricultural-fields-becoming-increasingly-important-rar>

and expensive point-of-use alternatives on new and existing structures, parking lot shade covers, and on contaminated brown fields.

- Using “system reliability” as an objective is disingenuous because intermittent solar and wind energy can actually destabilize the grid and require extensive back-up energy and or experimental and highly flammable battery Energy Storage Systems (ESS).
- California state energy loading order places energy conservation and efficiency first, followed by demand response and renewable distributed generation. The stated intent of the loading order is to develop and operate California’s electricity system in the best, long-term interest of consumers, ratepayers and taxpayers.

Comment
21-31
(continued)

Comment
21-32

Comment
21-33

Relationship to Other General Plan Elements

- The CEC funded Conservation and Open Space Element update was recently noticed. However, due to so many other competing project comment deadlines, it has been difficult to find the time to review and comment as desired.

Comment
21-34

Figures-- fail to document locations of towns as needed to assist the public’s understanding of local and cumulatively considerable impacts:

- **Figure 2: Potential Wind Power Resource Areas** does demonstrate the generally poor and limited wind resources located in the County but FAILS to include any disclaimers or boundaries of wind resource areas, most of which are located within the Jacumba Wilderness Area, and other protected lands.
- Actual production rates from the Pattern Energy’s controversial Ocotillo Express Wind project should have been procured, analyzed and addressed in the DPEIR.
- **Figure 4 Existing and Proposed Energy Transmission System:** Fails to include the 1-2 new 500kV lines proposed for various DRECP alternatives between Imperial Valley and San Diego, basically in the same areas impacted by SDG&E’s existing 500kV Sunrise Powerlink and 500kV Southwest Powerlink, as documented by the DRECP’s Transmission Appendix K. In December 2014, SDG&E announced that their Sunrise Powerlink has reached 1,000 MW¹⁰, and that seven of the ten Imperial Valley solar projects they had contracted with were now delivering that energy. Therefore, Sunrise Powerlink should not be counted on for additional capacity.
- **Figure 2.4-1 Overlay Zone Map** shows 267,141 acres included in energy overlay zones, including farm land, adjacent to communities (difficult to determine how close due to lack of town locations), undisturbed desert lands (including part of the withdrawn Sterling Imperial Valley Solar project footprint near Plaster City), and impacting the Salton Sea and other sensitive lands and resources.
- **Figure 2.4-2** Fails to include the real potential for one or two new 500kV lines from SDG&E’s Imperial Valley Substation to San Diego as disclosed in the DRECP Appendix K

Comment
21-35

Comment
21-36

Comment
21-37

Comment
21-38

Comment
21-39

Table 5.4-1: Comparative Analysis between the Proposed Project and Alternatives

- We strongly disagree that any of the listed Environmental Issue Areas can be mitigated to less than a significant impact for the Proposed Project, the DRECP Preferred Alternatives.

Comment
21-40

¹⁰ <http://www.eoearth.org/view/article/152693/>