CHAPTER 1.0
INTRODUCTION

1.1 PURPOSE OF THE DOCUMENT

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 (State CEQA Guidelines Section 15378[a]). The Drew Solar Project ("Project" or "proposed Project") is located in 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 EIR under CEQA and is responsible for conducting the environmental review and certifying the EIR. Likewise, consistent with the requirements of CEQA, the County will use the EIR as a decision-making tool to assist with its determination whether to approve, modify, or deny the Project. The County will rely on the EIR to comply with CEQA when acting on the Project. The Project includes: General Plan Amendment (GPA#17-0006); a Zone Change (ZC#17-0007); issue six CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034, CUP#17-0035 and CUP#18-0001); Parcel Map (#02478); a Variance (V#17-0003); a Development Agreement and up to five Lot Tie Agreements. The EIR is also intended to be relied upon, consistent with CEQA and the CEQA Guidelines, by all responsible agencies in connection with the approvals discussed in Section 1.6.2 below.

The Drew Solar Project EIR (State Clearinghouse Number [SCH. No.] 2018051036) is a public document for a renewable energy project, specifically a solar generation facility. The EIR describes the existing environment, identifies and evaluates the environmental impacts of the Project, recommends mitigation measures to reduce or avoid the Project's potentially significant environmental impacts, and evaluates a reasonable range of Project alternatives in accordance with the provisions set forth in CEQA and the CEQA Guidelines.

1.2 PROJECT BACKGROUND AND DEFINITIONS

1.2.1 PROJECT BACKGROUND

For the last two decades, California has emerged as a leader in promoting policies designed to renewable energy generation and use. The California Legislature has enacted laws, including a Renewable Portfolio Standard ("RPS") applicable to retail sellers of electricity, intended to promote the development of utility-scale renewable generation. These efforts dovetail with State, regional, and local commitments to reduce emissions of greenhouse gases through energy efficiency measures, renewable energy storage, and reduced dependence on fossil fuel generation. State, regional al local laws, regulations, and polices applicable to renewable energy sector are discussed in Section 1.7 and in greater detail in Section 4.5 (Greenhouse Gases).

The Applicant is proposing to construct, operate and eventually decommission a solar generation and energy storage facility on approximately 855 gross and 762.8 net farmable acres (inclusive of solar field, energy storage, project substation(s), roads, retention basins, O&M buildings and two Gen-Tie lines), collectively "Project", located in southern Imperial County, California. A fundamental challenge posed by solar energy is that peak supply does not consistently coincide with peak demand times (e.g., 5:00 p.m. – 9:00 p.m.). Energy storage is a rapidly developing technology that can help balance supply and demand by capturing and storing renewable energy generated during daylight hours for peak evening demand. Energy storage, where available, reduces reliance on fossil fuels and furthers California's RPS policies by providing for better integration of locally-sourced solar and wind generation and RPS requirements.

The Project will use PV technology to convert sunlight directly into direct current (DC) electricity. The process starts with photovoltaic cells that make up photovoltaic modules (environmentally sealed collections of photovoltaic cells). PV modules are generally non-reflective. Groups of photovoltaic modules are wired together to form a PV array. The DC produced by the array is collected at inverters (power conversion devices) where the DC is converted to AC. The voltage of the electricity is increased by a transformer at each power conversion station to a medium voltage level (typically 34.5 kilovolts (kV)). Medium voltage electric lines (underground and/or overhead) are used to collect the electricity from each medium voltage transformer and transmit it to the facility substation(s), where the voltage is further increased by a high voltage transformer to match the electric grid for export to the point of interconnection at the Drew Road Switchyard. Disconnect switches, fuses, circuit breakers, and other miscellaneous equipment will be installed throughout the system for electrical protection and operations and maintenance purposes.

On December 28, 2017, January 8, 2018, July 5, 2018, July 31, 2018, August 28, 2018, January 22, 2019, and April 8, 2019 the Applicant submitted the following applications to ICPDS Department.

- Amendment (GPA#17-0006) to the Imperial County General Plan for amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project Site;
- Zone Change (ZC#17-0007) to add the RE Overlay Zone to the Project Site;
- Parcel Map (PM#02478) to fix the existing inconsistency with the legal and physical boundary of the SW ¼ Section of the Project Site (APNs: 052-170-039-000 and 052-170-067-000), including APN 052-170-030 to the north of the Project Site as part of the Parcel Map;
- Five CUPs (CUP#17-0031, CUP#17-0032, CUP#17-0033, CUP#17-0034 and CUP#17-0035) to develop solar energy generating systems including potential energy storage on lands zoned A-2, A-2-R, and A-3 per Title 9, Division 5: Zoning Areas Established, Chapter 8, Sections 90508.02 and 90509.02;
- One CUP (CUP#18-0001) to develop energy storage as a component of solar on lands zoned A-2 and A-3 per Title 9, Division 5: Zoning Areas Established, Chapter 8, Sections 90508.02 and 90509.02 (A-2 & A-3). Said energy storage would be removed at the time of removal of associated solar facility;
- Variance (V#17-0003) for power pole structures that are over 120 feet in height in the Project Area including the existing Drew Switchyard. With approval of the Variance, the proposed structures could be up to 180 feet in height; and
- Up to five Lot Tie Agreements to hold some or all of the parcels that are part of the Project together as a single parcel in order to reduce/eliminate the setbacks for interior property lines of parcels that are part of the Project and adjacent to one another.
- A Development Agreement between the County and the Applicant to enable and control a phased build-out of the Project that is capable of meeting changing market demands by authorizing initiation of the CUP or CUPs anytime within a 10-year period. Pursuant to the terms of the Development Agreement, thereafter, the CUPs would be valid for the remaining period of 40 years from the date of the CUP approval. The requested Development Agreement would provide flexibility to allow the start of construction to commence for up to 10 years after the CUPs are approved.

This EIR analyzes the potential environmental impacts of the Project to fulfill the requirements of the California Environmental Quality Act (CEQA).

A Notice of Preparation (NOP) for the Drew Solar Project Draft EIR was issued by the ICPDS Department on May 17, 2018. The NOP is included in **Appendix A** of this EIR.

1.2.2 DEFINITION OF KEY TERMS

Key terms used in describing the Project and throughout the analysis include:

CUP(s) – refers to an individual CUP (i.e. CUP#17-0031), multiple CUPs (i.e. CUP#17-0031, CUP#17-0032 and CUP#17-0033) or all CUPs (CUP#17-0031 thru CUP#17-0034 and CUP#18-0001) as appropriate.

Full Build-out Scenario – refers to the development of facilities described in all six Project CUPs (including five CUPs for solar energy generating systems and one CUP to develop energy storage as a component of solar on lands zoned A-2 and A-3), two Gen-Tie lines, improvements to the Drew Switchyard and other off-site ancillary facilities proposed for development as part of the Project.

Phased CUP Scenario – refers to the development scenario where the Project is constructed in phases by individual CUP (i.e. CUP#17-0031) or a group of CUPs (i.e. CUP#17-0031, CUP#17-0035 and CUP#18-0001) as appropriate to accommodate market demand. This scenario also refers to the two Gen-Tie lines, electrical collector line, energy storage as a component of solar on lands zoned A-2 and A-,3 and other off-site ancillary facilities proposed for development as part of the Project.

Project – refers to construction, operation, and decommissioning of the solar field site parcels, two Gen-Tie lines, Drew Switchyard, energy storage as a component of solar on lands zoned A-2 and A-3, and other on-site and off-site ancillary features as described in the Project Description under either the Phased CUP Scenario or Full Build-out Scenario with up to approximately 762.8 acres of disturbance.

Project Site – refers individually or collectively to the six parcels (052-170-039-000, 052-170-067-000, 052-170-031-000, 052-170-032-000, 052-170-056-000, and 052-170-037-000) on which the Project is proposed.

Project Area – refers to the area encompassed by all six CUPs as well as two Gen-Tie lines and other off-site ancillary facilities.

Gen-Tie Lines – refers to the two generation interconnection (Gen-Tie) lines proposed to extend south across State Route 98 to connect the Project to the Drew Switchyard. Both gen-tie lines may be underground or one may be underground and one above-ground.

Solar Energy Center – refers to the area developed within each CUP with PV panels, inverters and pad mounted transformers, substation and switchyard, energy storage, O&M building, etc.

Solar Field Site Parcels – refers to the six parcels (052-170-039-000, 052-170-067-000, 052-170-031-000, 052-170-032-000, 052-170-056-000, and 052-170-037-000) which are currently fields where the PV panels and associated solar equipment are proposed for development as CUP#17-0031 thru CUP#17-0035 and energy storage as a component of solar on lands zoned A-2 and A-3 as CUP#18-0001. This does not include improvements in the Drew Switchyard.

Solar Energy Generation Component. This component includes the construction, operation, and decommissioning of the five proposed solar energy generation parcels generation phases including the solar generating and collecting equipment, Operation and Maintenance building(s) and associated parking, on-site roads, driveways on County roads and SR 98, improvements to County roads, project electrical facilities crossing IID canal/drain rights-of-way, connections to IID canals for raw water service, raw water/fire water storage, water filtration buildings and equipment, treated water storage, storm water retention basins and connection to IID drains, equipment control buildings, septic systems,

perimeter fencing, connections to IID electrical distribution system, connections to dry utility distribution facilities, substation(s), and supporting transmission and Gen-Tie facilities. This component could be built out under either the Full Build-out Scenario or Phased Build-out Scenario.

Energy Storage Component. This component includes the proposed construction, operation, and decommissioning/reclamation of energy storage as a component of solar on lands zoned A-2 and A-3. Per County requirements, energy storage could be constructed at a ratio of 2 MW of storage for every one MW of solar generation capacity.

Drew Switchyard and Gen-Tie Lines Component. This component includes the construction, operation and decommissioning of required improvements at the existing Drew Switchyard facility and supporting transmission and the two Gen-Tie lines extending from the south end of the Project site across SR 98 into the Drew Switchyard located on APN 052-190-039-000 in order to accommodate the Project's proposed utilization of the facility. The two Gen-Tie lines are proposed to extend approximately 400 feet south from the Project site across Drew Road and SR 98. One gen-tie is for solar generation and one is for energy storage. Both gen-tie lines may be underground or one may be underground and one above-ground. The Project may bore under SR 98 to connect to the Drew Switchyard or a new pole may be constructed on the existing Centinela Solar Project on APN 052-190-041-000 and its line cutover into the new bay constructed by Drew Solar in the existing Drew Switchyard in order to minimize power line crossings. This component could be built out under either the Full Build-out Scenario or the Phased Build-out Scenario. Therefore, phased-buildout is not analyzed separately for this component.

1.3 PROJECT OVERVIEW

The Project is a proposal to build an approximately 100-mega-watt (MW) alternating current (AC) solar generation and storage facility using photovoltaic (PV) technology. The entire Project is located on land owned by the Imperial Irrigation District (IID). The Project's two generation interconnection (Gen-Tie) transmission lines are proposed from the south end of the Project site extending south across Drew Road and State Route (SR) 98 connecting to the existing Drew Switchyard located on APN 052-190-039-000. Both gen-tie lines may be underground or one may be underground and one above-ground.

The Proposed Project consists of a photovoltaic (PV) solar facility capable of producing approximately 100 MWAC on approximately 855 gross and 762.8 net farmable acres. The ultimate energy output is dependent on several variables, including off-take arrangements and the evolving efficiency of PV panels, so it is possible that the Project could generate more or less than 100 MW. The Project may be constructed at one time over approximately 18 months, or it may be built out over an approximately 10-year period. A conceptual phasing configuration is shown in Figure 2.0-3 in Chapter 2.0. A Site Plan is provided in Figure 2.0-4 in Chapter 2.0. The Applicant is requesting that a Conditional Use Permit (CUP) be issued for each of the five phases of the Project as well as an additional sixth CUP for energy storage in the southwesterly portion of the Project Area. Project phasing allows utilities greater flexibility in obtaining renewable energy to meet ratepayer needs by allowing utilities to procure smaller energy quantities phased over time.

The Applicant has filed an application for a General Plan Amendment (GPA) for amendment of the Renewable Energy & Transmission Element to create an Island Overlay for the Project site; a Zone Change to add the RE Overlay to the Project site, a Variance, six CUPs and a Parcel Map. Each of the six CUPs may include an Operations and Maintenance (O&M) building or buildings. The Project may also include additional auxiliary facilities such as raw water/fire water storage, treated water storage, evaporation ponds, storm water retention basins, water filtration buildings and equipment, and equipment control buildings, septic system(s) and parking. The Project will also include electric and vehicular crossings of

State facilities, IID facilities and County facilities. The Project crossings will not interfere with the purpose of these Agencies' facilities (e.g., where a drain flows, the Project crossing will still allow the drain to flow). Each phase of the Project may have its own energy storage component as well as energy storage being housed within the inverters.

1.3.1 PROJECT LOCATION

The proposed Project site is located on six parcels (APNs 052-170-039-000, 052-170-067-000, 052-170-031-000, 052-170-032-000, 052-170-056-000, and 052-170-037-000) approximately 6.5 miles southwest of the City of El Centro, California and 7.5 miles directly west of Calexico, California. The geographic center of the Project roughly corresponds with 32° 41' 13" North and 115° 40' 8" West, at an elevation of 19 feet below sea level. The Project site is generally located south of Kubler Road, east of the Westside Main Canal, north of SR 98, and west of Pulliam Road.

1.4 UNDERLYING PURPOSE AND OBJECTIVES OF THE PROPOSED PROJECT

Respond to Applicant's request to construct, operate, and eventually decommission a solar generation and storage facility that will produce the most energy from the sun at the lowest possible cost thus maximizing use of agricultural lands for renewable generation, help the State of California meet demand for clean, renewable electricity generation, and support the diversification of the economic base in Imperial County while encouraging technological innovation.

1.4.1 UNDERLYING PURPOSE

Construct and a operate a solar generation facility that will help meet the increasing demand for clean, renewable electrical power and provide economic investment and diversification of the economic base in Imperial County.

1.4.2 STATEMENT OF OBJECTIVES

The following is a list of key public benefits that are fundamental to the Project's objectives:

- To create significant lease revenue for Imperial Irrigation District ("IID") as the property owner, a public agency, which will benefit the citizens of Imperial County.
- To support the Imperial County General Plan renewable energy policies and objectives.
- To locate the Project at a location along the existing transmission system which has available capacity to deliver electricity to major load centers in California.
- To meet the terms and requirements of any Power Purchase Agreement (PPA) and Large Generator Interconnection Agreement ("LGIA") that the Applicant has or may enter into and that require it to be interconnected directly to the CAISO grid at the existing Drew Switchyard.
- To deploy a technology that is safe, readily available, efficient, and environmentally responsible.
- To generate power, and store energy in an efficient manner and at a cost that is competitive in the renewable market on sites controlled by the applicant.
- To provide an additional source of renewable energy to assist the State of California in achieving and exceeding the RPS.
- To maximize local construction jobs for a variety of trades thereby helping maximize the reduction of unemployment in the construction sector.
- To locate the Project in an area that ranks among the highest in solar resource potential in the nation, as measured by the CEC.

- To minimize potential impacts to aesthetics, health and safety and other potential environmental impacts:
  - o Locating the Project on disturbed land.
  - o Grouping or collocating the Project's proposed electrical interconnection facilities with existing or proposed electrical interconnection facilities (consistent with County conditions on similar solar generation projects), to the extent that such grouping/collocation can be accommodated.
  - o Utilizing existing infrastructure (switchyards, transmission lines, roads, and water sources) where feasible to locate the project proximate to existing electric interconnection and transmission systems in Imperial County with capacity to deliver electricity to major load centers in California.
- To diversify Imperial County's economic base.
- To provide tax revenue through sales, use and property taxes generated by development within Imperial County.

1.5 REVIEW & CERTIFICATION PROCESS

1.5.1 NOTICE OF PREPARATION

The County prepared an Initial Study (CEQA Guidelines Section 15063b (1)(A)) and subsequently published and circulated for public review and comment a Notice of Preparation (NOP) of an EIR (SCH. No. 2018051036) from May 17, 2018 through June 21, 2018 (further discussed in subsection 1.8.1). The NOP was distributed to city, county, state and federal agencies, other public agencies, and various interested private organizations and individuals to define the scope of the EIR. The NOP was also published in the Imperial Valley Press on May 16, 2018. 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 EIR. A public scoping meeting was held on May 24, 2018, at the Board of Supervisors meeting room. No members of the public were in attendance and no public comments were received at the public scoping meeting.

A. DRAFT EIR

The Draft EIR includes a detailed description of the proposed Project, description of the environmental setting, identification of project impacts and mitigation measures for impacts found to be significant. An analysis of Project alternatives as well as a discussion of cumulative impacts and other CEQA required considerations are also provided. Upon completion of the Draft EIR, a Notice of Completion (NOC) will be filed with the California State Office of Planning and Research (OPR) by the County of Imperial. The NOC signals the start of the public review period for the Draft EIR (CEQA Guidelines Section 15085).

B. PUBLIC NOTICE/PUBLIC REVIEW

The Draft EIR public review and comment period should be no less than 30 days and no longer than 60 days. In the case of the proposed Project, the review period will be 50 days (45-day minimum per CEQA, plus five days per County of Imperial Guidelines).

On May 13, 2019 a Notice of Completion (NOC) was filed with the State Clearinghouse for the Draft EIR, initiating the 50-day public review period of the Draft EIR document and associated technical appendices. Concurrent with filing the NOC, the County is also required to provide notice to the public, agencies, organization and other interested parties of the availability of the Draft EIR for review and comment. A

Notice of Availability (NOA) was published on May 13, 2019 in the Imperial Valley Press newspaper. In addition, the NOA was posted on the County's website and at local libraries. Public comment on the Draft EIR will be accepted in written form. Details on where to send questions or comments are provided in subsection 1.9, below. The public review and comment period closes on July 1, 2019.

C. Response to Comments/Final EIR

A Final EIR will be prepared following the public review and comment period for the Draft EIR. The Final EIR will include the County's written responses to comments on the Draft EIR received during the public review and comment period.

D. Certification of the EIR

The Final EIR will be independently reviewed and considered by the County in connection with the County's action on the Project. If the County determines to approve the Project and the Final EIR is deemed "adequate and complete," the County may certify the EIR at a public hearing. In general, the rule of adequacy holds that the EIR can be certified if it demonstrates a good faith effort at full disclosure of environmental information and provides sufficient analysis to allow decisions to be made regarding the project in terms of its environmental consequences.

Written findings would accompany a decision to approve or conditionally approve the project (CEQA Guidelines Section 15091). Likewise, a statement of overriding considerations would be prepared if necessary (CEQA Guidelines Section 15093). A Mitigation Monitoring and Reporting Program (MMRP), as described below, would also be adopted for mitigation measures that have been incorporated into or imposed upon the Project to reduce or avoid significant effects on the environment.

E. Mitigation Monitoring and Reporting Program

The County must adopt a Mitigation Monitoring and Reporting Program (MMRP) for mitigation measures that have been incorporated into or imposed upon the Project to reduce or avoid significant effects on the environment (CEQA Guidelines Section 15097). This program will be designed to ensure that these measures are carried out during project construction and operation.

The specific reporting or monitoring program required by CEQA is not required to be included in the EIR. However, any mitigation measures adopted by the County as part of the certified Final EIR will be considered as conditions of approval for the project and will be included in the MMRP to ensure and verify compliance.

1.6 AGENCY ROLES AND RESPONSIBILITIES

1.6.1 Imperial County

Lands on which Project is proposed are zoned A-2 - General Agriculture; A-2-R – General Agricultural/Rural Zone; and A-3 – Heavy Agricultural. The application for the proposed Project requests approval of a General Plan Amendment (GPA), a Zone Change and a Conditional Use Permit (CUP) in association with the proposed solar use. The Imperial County Code of Ordinances Title 9, Division 5 (Zoning Areas Established), identifies permitted uses within various zones as well as uses requiring a CUP.

Imperial County Code Section 90508.0 addresses uses in the A-2 and A-2-R zone. Per Section 90508.02, the following uses are permitted subject to approval of a CUP from Imperial County: solar energy electrical generator, electrical power generating plant, major facilities relating to the generation and transmission of electrical energy, and resource extraction and energy development.

Imperial County Code Section 90509.02 addresses uses in the A-3 zone. Per Section 90509.02, the following uses are permitted subject to approval of a CUP from Imperial County: solar energy plants; and Major facilities relating to the generation and transmission of electrical energy, provided such facilities are not, under state or federal law, to be approved exclusively by an agency or agencies of the state and/or federal governments and provided that such facilities shall be approved subsequent to coordination and review with the Imperial Irrigation District for electrical matters.

The proposed Project may require the following County authorizations:

- Certification of the EIR
- Adoption of a project MMRP
- Approval of CEQA Findings pursuant to CEQA Guidelines Section 15091
- Approval of Project Site Plan
- General Plan Amendment
- Zone Change
- Variance
- Conditional Use Permits
- Parcel Map
- Lot Tie Agreements
- Development Agreement
- Grading Permits
- Construction Traffic Control Plan
- Building Permits
- Occupancy Permits

1.6.2 OTHER AGENCY REVIEWS AND/OR CONSULTATIONS

The Project would require permits and approvals from various federal, state and local regulatory agencies. The agencies, potential permits and approvals are identified below.

A. FEDERAL

UNITED STATES ARMY CORPS OF ENGINEERS

The United States Army Corps of Engineers (USACE) possesses jurisdiction over waters of the United States and jurisdictional wetlands pursuant to the federal Clean Water Act. The USACE regulates the discharge of dredge/fill material into such waters, including ditches and drains that could be jurisdictional. A Jurisdictional Delineation Report was conducted for the Project site on December 5, 2017 (included in **Appendix L** of this EIR).

UNITED STATES FISH AND WILDLIFE SERVICE

The United States Fish and Wildlife Service (USFWS) is responsible for oversight of the Federal Endangered Species Act (ESA) and the Migratory Bird Treaty Act (MBTA). Biological surveys of the area were conducted to determine if critical habitat and federally listed species are present or are expected to occur in the Project area (**Appendix L**).

B. STATE

CALIFORNIA DEPARTMENT OF TRANSPORTATION

The California Department of Transportation (Caltrans) manages and oversees the road rights-of-way owned by the State. The Project proposes a driveway for access from SR 98 and proposes to cross SR 98 with two Gen-Tie lines, all of which requires Encroachment Permit approval from Caltrans before construction of the aforementioned improvements inside the SR 98 right-of-way. Both gen-tie lines may be underground or one may be underground and one above-ground.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

The California Department of Fish and Wildlife (CDFW) is responsible for overseeing the California Endangered Species Act, approving Streambed Alteration Agreements (Section 1602 of the California Fish and Game Code), and enforcing the California Native Plant Protection Act. The CDFW would take action associated with any activity where a listed candidate, threatened or endangered species under California Endangered Species Act (CESA) may be present in the Project area and a state agency is acting as lead agency for CEQA compliance. CDFW would also consider issuance of a Section 2081 incidental take permit for state-only listed species and a Section 2081.1 consistency determination for the effects on species that are both state and federally listed.

A Biological Technical Report (Dudek 2018c) and a Burrowing Owl Survey (Dudek 2018d) were prepared for the proposed Project (Both reports are included in **Appendix L** of this EIR). The Applicant will consult with CDFW prior to the start of Project construction. CDFW will review the Project for potential effects on State listed species and determine the extent of its jurisdiction under Section 1602 Streambed Alteration Agreement for impacts on drainages from construction, if applicable.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (RWQCB), COLORADO RIVER BASIN REGION 7

The California Regional Water Quality Control Board (RWQCB), Colorado River Basin Region 7 is responsible for regulating water quality. Construction of the Project would be covered under General Permit for Discharges of Storm Water Associated with Construction Activity (NPDES No. CAS000002) (Construction General Permit Order 2010-2014-DWQ, effective February 14, 2011). The permit requires the Applicant to file a public Notice of Intent (NOI) to discharge stormwater and to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP).

CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)

The California Department of Toxic Substances Control (DTSC) oversees toxic substances procedures and remediation. If the Project is required to submit a Hazardous Materials Management Plan, a Spill Containment, Countermeasure, and Control (SPCC) Plan and/or Hazardous Materials Transportation Plans, DTSC would be responsible for review of these documents.

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY

The California Environmental Protection Agency (CalEPA) oversees various aspects of environmental protection throughout the State. CalEPA will be among the agencies that will be noticed during the public review period and have the opportunity to comment on the Project.

CALIFORNIA NATIVE AMERICAN HERITAGE COMMISSION

The California Native American Heritage Commission (NAHC) strives for the preservation and protection of Native American human remains and associated grave goods. The NAHC recommended that the County of Imperial consult with the appropriate California Native American Tribes. The County has performed the necessary consultation.

CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

The California Occupational Safety and Health Administration (CalOSHA) is responsible for protecting workers and the public from safety hazards. CalOSHA will review the Hazardous Materials Management Plan or Program, as applicable.

C. LOCAL

IMPERIAL IRRIGATION DISTRICT

The Imperial Irrigation District (IID) owns and operates the raw water canal system, drainage system and electrical grid in Imperial and Coachella Valleys. IID is responsible for maintaining its water and energy facilities so that it may service its customers. The Project must obtain rights from IID for the Project to encroach into IID canal, drain and electrical rights-of-way. The Project must obtain approval from IID for water service from IID canals and electrical service from the IID electrical distribution system and obtain backfeed and station service agreements with IID.

IMPERIAL COUNTY DEPARTMENT OF PUBLIC WORKS

The Imperial County Department of Public Works (ICDPW) manages and oversees the road rights-of-way owned by Imperial County and regulates the approval of project storm water design within the unincorporated Imperial County. The Project proposes driveways for access form Drew Road, Pulliam Road and Kubler Road, which require ICDPW Encroachment Permit approval. The Project must also obtain approval of grading and civil improvement plans and traffic control plans from ICPDW.

IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

The Imperial County Air Pollution Control District (ICAPCD) is responsible for enforcing air emission requirements to protect public health in the County. These requirements apply to various activities including construction, and operational activities associated with various land uses. The Project will prepare a Dust Control Plan to comply with Rule 801 of Imperial County's Rules and Regulations for Construction and Earthmoving Activities. The Project would also be subject to the ICAPCD's Rule 310 Operational and Development Fees.

IMPERIAL COUNTY FIRE DEPARTMENT

The Imperial County Fire Department would provide fire protection service to the Project. The Department received a copy of the NOP and was consulted during preparation of this EIR. The Department will review the Project including the final design of the proposed fire safety system and to ensure adequacy of emergency access and circulation.

IMPERIAL COUNTY SHERIFF'S OFFICE

The Imperial County Sheriff's Office would provide law enforcement service to the Project, as necessary. The Office received a copy of the NOP and will review the Project, including the final design, for adequate emergency access. The Office was also consulted for input during preparation of this EIR.

1.7 RELATIONSHIP TO STATUTES, REGULATIONS AND OTHER PLANS

1.7.1 STATE

A. RENEWABLES PORTFOLIO STANDARD PROGRAM

The California RPS program was established in 2002 by Senate Bill (SB) 1078 (Sher, 2002) with the initial requirement that 20% of electricity retail sales must be served by renewable resources by 2017. The program was accelerated in 2006 under SB 107 (Simitian, 2006), which requires that the 20% mandate be met by 2010. In April 2011, SB 2 (1X) (Simitian) was signed into law, which codified a 33% RPS requirement to be achieved by 2020. In 2015, SB 350 (de León, 2015) was signed into law, which mandated a 50% RPS by December 31, 2030. SB 350 include interim annual RPS targets with three-year compliance periods. In addition, SB 350 requires 65% of RPS procurement must be derived from long-term contacts of 10 or more years. In 2018, SB 200 (de León, 2018) was signed into law, which again increases the RPS to 60% by 2030 and requires all state's electricity to come from carbon-free resources by 2045. SB 100 became effective on January 1, 2019.

The California Public Utilities Commission (CPUC) implements and administers RPS compliance rules for California's retail sellers of electricity, which include large and small investor-owned utilities (IOU), public owned utilities (POUs), electric service providers (ESP) and community choice aggregators (CCA). The California Energy Commission (CEC) is responsible for the certification of electrical generation facilities as eligible renewable energy resources and adopting regulations for the enforcement of RPS procurement requirements of POUs.

B. California Global Warming Solutions Act of 2006, Assembly Bill (AB) 32

This California Global Warming Solutions Act of 2006 "AB 32" (Statutes 2006; Chapter 488; Health and Safety Code Sections 38500 et. seq) requires the California Air Resources Board (CARB) to prepare and approve a Scoping Plan for achieving the maximum technologically feasible and cost-effective reductions in green-house gas (GHG) emissions from sources or categories of sources of GHGs by 2020, and update the Scoping Plan every five years; maintain and continue reductions in emissions of GHG beyond 2020; identify the statewide level of GHG emissions in 1990 to serve as the emissions limit to be achieved by 2020; identify and adopt regulations for discrete early actions that could be enforceable on or before January 1, 2010; adopt a regulation that establishes a system of market-based declining annual aggregate emission limits for sources or categories of sources that emit GHG emissions; convene an Environmental Justice Advisory Committee to advise CARB in developing and updating the Scoping Plan and any other pertinent matter in implementing AB 32; and appoint an Economic and Technology Advancement Advisory Committee to provide recommendations for technologies, research and GHG emission reduction measures.

C. Senate Bill 32 (2016 Pavley)

Senate Bill 32 expanded upon the requirements of the California Global Warming Solutions Act of 2006 by requiring the California Air Resources Board to ensure that statewide GHG emissions are reduced to 50% below the 1990 level by 2030.

D. Title 17 California Code of Regulations (CCR)

Title 17 CCR, Subchapter 20, Article 2, Sections 95100 et seq. are CARB regulations that implement mandatory GHG emissions reporting as part of the California Global Warming Solutions Act of 2006.

E. California Endangered Species Act

The California Endangered Species Act (CESA) is codified beginning at Fish and Game Code Section 2050. This Section prohibits "take" of any species listed as an endangered or threatened species. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

CESA allows for take incidental to otherwise lawful activity through take authorization issued by CDFW. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species. Early consultation is also helpful in developing appropriate mitigation to offset losses of listed species populations and their essential habitats. The Applicant will consult with the CDFW regarding any issues arising under CESA.

F. California Lake and Streambed Program

The CDFW is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. The California Lake and Streambed Program (Fish and Game Code Sections 1601 to 1603) requires an entity to notify CDFW prior to constructing any project that would divert, obstruct or change the natural flow, bed, channel, or bank of any river, stream, or lake. CDFW is required to propose reasonable project changes and/or mitigation to protect the resource in cases where an existing fish or

wildlife resource may be substantially adversely affected. Changes or mitigations are formalized in a Streambed Alteration Agreement between CDFW, the County and the Project owner.

1.7.2 LOCAL

A. IMPERIAL COUNTY GENERAL PLAN AND LAND USE ORDINANCE

The Imperial County General Plan provides guidance on future growth in the County. Any development within the jurisdiction of the County must be consistent with the General Plan and the Land Use Ordinance (Title 9, Division 2).

B. IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

The ICAPCD will review the proposed Project for consistency with the ICAPCD CEQA Air Quality Handbook, the 1991 Air Quality Attainment Plan, and the State Implementation Plan for PM_{10} in the Imperial Valley.

1.8 PUBLIC PARTICIPATION OPPORTUNITIES/ COMMENTS AND COORDINATION

Imperial County conducted a scoping process to fulfill the intent and requirements of CEQA Guidelines Section 15082 (described in detail under subsection 1.8.2, below), including a scoping meeting held on May 24, 2018 at the Board of Supervisors meeting room to gather input from the public. No members of the public attended the meeting and no public comments were received.

1.8.1 NOTICE OF PREPARATION

The Notice of Preparation (NOP) for the Drew Solar Project EIR was issued by the Imperial County Department of Planning and Development Services on May 17, 2018. Seven letters were received in response to the NOP from various agencies and individuals. A list of the letter writers and summary of the areas of concern or issue raised in these letters is summarized in **Table 1.0-1**. The NOP and written comments received during the public review period for the NOP are included on the attached CD of Technical Appendices as **Appendix A** of this EIR.

TABLE 1.0-1
SUMMARY OF NOP COMMENTS

Agency/Individual	Issue Noted or Area of Controversy
Scott Morgan, Director State Clearinghouse	NOP routed to responsible agencies for comment. 30-day response period.
Gayle Totton, M.A. Ph.D. Associate Governmental Analyst Native American Heritage Commission	• Lead agency will need to determine if there are historical resources within the area of potential effect. • Both SB 18 and AB 52 have tribal consultation requirements. • NAHC recommends that lead agencies consult with all California Native American tribes that are traditionally and culturally affiliated with the geographic area of the Project. • NAHC provides recommendations for Cultural Resources Assessments. *The above issues are addressed in Section 4.7, Cultural Resources & Tribal Cultural Resources.*

TABLE 1.0-1
SUMMARY OF NOP COMMENTS

Agency/Individual	Issue Noted or Area of Controversy
Sheila Sannadan, Legal Assistant Adams Broadwell Joseph & Cardozo	Public Records Act Request for Drew Solar Project on behalf of California Unions for Reliable Energy.
Jacob Armstrong, Branch Chief Local Development and Intergovernmental Review Branch California Department of Transportation	• Notes that a focused traffic analysis may be required. • Access points off of SR 98 are allowed only if applicant can demonstrate that there are no other reasonable alternatives. • A Traffic Management Plan may be required prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices.* • Modifications to existing drainage an increase in runoff to State facilities will not be allowed. • Glint and Glare Analysis documenting potential impacts to motorists on SR-98 should be prepared and provided to Caltrans. • Traffic control for utility work associated with construction of Gen-Tie lines extending south across Drew Road and SR-98 may require traffic control in accordance with Caltrans Standard Plans and the California Manual on Uniform Traffic Control Devices. • Special permits may be required from Caltrans to move or operate a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. • Work within Caltrans Right-of-Way will require discretionary review, approval and an encroachment permit. *The above issues are addressed as appropriate in Section 4.1 Aesthetics and 4.3 Transportation.*
Axel Salas, APC Environmental Coordinator Imperial County Air Pollution Control District	• Notes that current status of criteria pollutants and references Section 6 of the CEQA Handbook for details on preparing an Air Quality Analysis. • Notes that renewable energy projects tend to cause high levels of NOx emissions and PM10 during construction. • Requests that a Tier I Preliminary analysis be conducted to assess the level of significance of potential impacts. • A Construction Equipment List should be provided to the APCD in Excel format.

TABLE 1.0-1
SUMMARY OF NOP COMMENTS

Agency/Individual	Issue Noted or Area of Controversy
Axel Salas, APC Environmental Coordinator Imperial County Air Pollution Control District	• An Operational Dust Control Plan is required to detail how dust emissions will be controlled and maintained during the operational phase of the project. • Compliance with Regulation VIII is required for all construction activities as well as notification 10 days prior to the commencement of all construction activities. *The above issues are addressed in Section 4.4, Air Quality.*
Monique Wilber, Conservation Program Support Supervisor California Department of Conservation	• Notes that the conversion of agricultural land represents a permanent reduction and significant impact to the State's agricultural land resources. • All mitigation measures that are potentially feasible should be included in the DEIR. • The Department advocates the use of permanent agricultural conservation easements on land of at least equal quality and size as mitigation for the loss of agricultural land. • Recommends items for discussion in the Agricultural Resources Section of the DEIR including the type of farmland converted, impacts on current and future agricultural operations, incremental and cumulative impacts on agricultural land and proposed mitigation. *The above issues are addressed in Section 4.9, Agricultural Resources.*
Donald Vargas, Compliance Administrator II Imperial Irrigation District	• Refers to letter previously submitted on January 19, 2018. • The Applicant should contact IID for temporary construction electrical service and permanent electrical service to the on-site substation and battery storage facility. • A circuit study may be required before IID can commit to serve the project. • The following IID water facilities may be impacted: Westside Main Canal; Wormwood Canal; Wormwood Lateral 1; Woodbine Lateral 7; Mount Signal Drain; Mount Signal Drain No. 1A; Mount Signal Drain No. 1; Carr Drain; and Carpenter Drain. • Notes that a comprehensive IID hydraulic drain system analysis will be required.

TABLE 1.0-1
SUMMARY OF NOP COMMENTS

Agency/Individual	Issue Noted or Area of Controversy
Donald Vargas, Compliance Administrator II Imperial Irrigation District	• To avoid impacts to IID water facilities, County of Imperial grading, drainage and fencing plans should be submitted to the IID Water Engineering Section. • The IID South End Division would be contacted to obtain construction water. • The Applicant will be required to secure a Water Supply Agreement with the IID Water Department. • IID canal or drain banks may not be used to access the Project site. • Abandonment of easements must be approved by IID. • Construction on IID property requires and encroachment permit. IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. • New, relocated modified or reconstructed IID facilities need to be included as part of the Project's CEQA documentation. Mitigation is the responsibility of the Applicant. • IID suggests electrical service be included under the Environmental Factor titled "Utilities/Service Systems" of the checklist. *The above issues are addressed in Section 4.13, Public Services and Utilities*
Stephan C. Volker	• Urges County to maintain renewable energy overlay boundaries that exclude the Project site. • Contends that transmission and storage use are forbidden by the Imperial County General Plan Land Use Element. • Asserts that the Imperial County General Plan forbids the proposed solar energy generation, storage and transmission uses (lands designated as "Agriculture" can only be used for Agricultural uses). • Asserts that the proposed zoning change is forbidden by the Imperial County General Plan Land Use Element (M-2 zoning is incompatible with the Agricultural land use designation). [*Note: The Applicant is no longer pursing a Zone Change to M-2*]. • States that the proposed Project contravenes the Imperial County General Plan Agricultural Element

TABLE 1.0-1
SUMMARY OF NOP COMMENTS

Agency/Individual	Issue Noted or Area of Controversy
	• States that the EIR must provide a full and accurate Project Description • States that the EIR must analyze the full range of project impacts (fire, agricultural, greenhouse gases, biological resource and land use and planning). • States that the Project must analyze a full range of Alternatives. *These issues are discussed as appropriate throughout the EIR including Section 4.2 Land Use, Section 4.9, Agricultural Resources and Section 5.0 Alternatives.*

1.8.2 SCOPING MEETING

In keeping with the provisions of CEQA Guidelines Section 15083 Early Public Consultation, a public scoping meeting was held for the proposed Project to solicit input on the scope and content of the EIR. The scoping meeting conducted by Imperial County as the lead agency and took place on May 24, 2018 at 6 p.m. at the Board of Supervisors meeting room. No members of the public attended the meeting and no comments were received.

The County also sent the NOP to responsible agencies (e.g., Imperial County Sheriff's Office) to provide input on the Project during the 30-day comment period (May 17 – June 21, 2018). The County also sent AB 52 and SB 18 letters requesting consultation to tribes known to have an interest in the area. The Campo Band of Mission Indians requested consultation under AB 52 and the Augustine Band of Cahuilla Indians responded to the request to consult under SB 18.

1.8.3 AIRPORT LAND USE COMMISSION MEETING

The Project was presented to the ALUC at a meeting on June 24, 2018. The Project was found to be consistent with the ALUCP.

1.9 AVAILABILITY OF REPORTS

This Draft EIR, appendices, and documents incorporated by reference are available for public review at the Imperial County Planning and Development Services Department, 801 Main Street, El Centro, California, 92243. Copies are also available for review at the City of El Centro Public Library, 1140 North Imperial Avenue, California. Documents at these locations may be reviewed during regular business hours. This document is available for review online at the ICPDSD website: http://www.icpds.com.

All comments on the Draft EIR should be directed to:
Diana Robinson, Planner III - DianaRobinson@co.imperial.ca.us
Imperial County Planning & Development Services
801 Main Street, El Centro, CA 92243

Comments received during the public scoping meeting were reviewed and addressed in this Draft EIR. The Draft EIR will be reviewed by the Imperial County Planning Commission and Board of Supervisors as part of the procedure to adopt the EIR. Additional information on this process may be obtained by contacting the ICPDSD at (442) 265-1736.

1.10 STRUCTURE OF THIS EIR

1.10.1 DRAFT EIR

The structure of this Draft EIR is identified in the Table of Contents and further explained in the beginning of Chapter 4.0, Environmental Analysis. The Draft EIR is organized into nine Chapters and the Executive Summary.

Executive Summary. This chapter provides a summary of the proposed Project, including a summary of Project impacts, mitigation measures, and alternatives to the proposed Project.

Chapter 1.0 - **Introduction.** This chapter explains the purpose of the document; provides a summary of the background, terminology and overview of the proposed Project; identifies the purpose and objectives of the Project; explains the review and certification process; identifies agencies responsible for review and/or consultation regarding the Project; explains the Project's relationship to statutes, regulations and other plans; identifies public participation opportunities and summarizes comments received on the NOP; provides information regarding the availability of reports; and, outlines the structure of the document.

Chapter 2.0 - **Project Description**. This chapter provides a detailed description of the proposed Project and its various components; identifies the Project's location and land ownership; specifies the General Plan and zoning designations; provides details regarding the Project's construction, operation, and decommissioning/reclamation; identifies alternatives under consideration; and, explains the intended uses of the EIR and authorizing actions.

Chapter 3.0 – Introduction to the Environmental Analysis and Assumptions Used. This chapter introduces the environmental impacts analyses and general assumptions used in the Project-specific and cumulative analyses contained in Sections 4.1 thru 4.14. It also describes the approach used in the General Plan consistency analysis.

Chapter 4.0 – Environmental Analysis. This chapter provides a brief overview of the thirteen resource areas determined for inclusion in the EIR by the Initial Study. This chapter also orients the reader to the order of the sections and format of the analysis.

Section 4.1 – Aesthetics. This section examines the potential change in aesthetic character measured against the existing setting and visual conditions of the Project site and surrounding area. Project visibility, scale, and potential glare are considered relative to the existing aesthetic context. This section includes findings of the Glare Study prepared for the Project.

Section 4.2 – Land Use. This section focuses on the potential impacts on, and conflicts with, land use that may result from development of the proposed Project. This section also evaluates the consistency of the Project with the County of Imperial General Plan, zoning, and other applicable plans or documents. It also analyzes the proposed GPA, Zone Change, Variance and CUPs.

Section 4.3 – Transportation. This section identifies existing traffic volumes and roadway segment levels of service along surrounding roadways as well as segments of SR 98 and Interstate 8. The analysis examines potential impacts on surrounding intersections, project driveways, roadway, State Route and Interstate segments during construction and operation. This section is based on a Traffic Impact Analysis prepared for the proposed Project.

Section 4.4 – Air Quality. This section describes existing air quality in the region. It also addresses the requirements of the ICAPCD and analyzes local and regional air quality impacts associated with Project implementation including short-term construction impact (grading, etc.), as well as long-term operational emissions. This section is based on construction, operational and decommissioning air pollutant emissions identified in the Air Quality and Greenhouse Gas Analysis prepared for the proposed Project.

Section 4.5 – Greenhouse Gases. This section describes the existing setting and regulatory conditions of the County of Imperial and surrounding area in terms of Greenhouse Gases (GHGs) and climate change. Potential increases in GHG emissions or factors that would affect climate change as a result of implementation of the proposed Project are discussed. This section is based on CO2 emissions modeled for construction, operation and decommissioning of the proposed Project.

Section 4.6 – Geology and Soils. This section describes the current setting of the Project seismically and geologically. Engineering constraints and general soil suitability for the proposed Project are discussed. The potential for paleontological resources is also assessed. This section is based on a Preliminary Geotechnical Report and the Phase I Environmental Assessment prepared for the Project.

Section 4.7 – Cultural Resources & Tribal Cultural Resources. This section describes the setting of the Project site with regard to cultural and historic resources. The analysis is based on the findings of a cultural resource survey conducted for the Project and correspondence with tribes contacted in accordance with the requirements of SB 18 and AB 52. Potential resources are assessed for significance and potential for damage as a result of implementing the proposed Project. Correspondence with the Tribes is also discussed in this section of the EIR.

Section 4.8 – Noise. This section explains noise terminology and describes the existing noise setting of the Project site and surrounding area. The discussion includes an analysis and potential Project noise impacts resulting from construction, operation, and decommissioning/reclamation.

Section 4.9 – Agricultural Resources. This section describes the agricultural setting of the County, Project area, and past agricultural activities on a portion of the Project site. The analysis focuses on potential impacts of the conversion of land that has been historically farmed using the results of the Land Evaluation and Site Assessment model.

Section 4.10 – Hazardous and Hazardous Materials. This section examines the potential presence of hazardous materials based on and historical agricultural operations conducted on the Project site. Potential impacts and mitigation measures are identified. This section is based on the Phase I Environmental Assessment prepared for the Project site.

Section 4.11 – Hydrology and Water Quality. This section describes the current drainage of the Project site and assesses potential impacts of the proposed Project on hydrology, storm drainage, and water quality. The analysis discusses drainage patterns, storm drainage runoff, potential flooding impacts and proposed stormwater retention based on the conceptual drainage study and storm water quality analysis prepared for the Project.

Section 4.12 – Biological Resources. This section describes the existing and potential biological resources on and in the vicinity of the Project site. Potential impacts to plants and wildlife including listed, proposed, candidate threatened and endangered species are examined. This section is based on the findings of the Biological Resources Report, Burrowing Owl Survey and Jurisdictional Wetland Delineation prepared for the Project.

Section 4.13 – Public Services and Utilities. This section discusses public services and utilities that would serve the Project site. Public services include fire protection and law enforcement. Public utilities include water service, wastewater service, solid waste, electricity, and telecommunications (telephone/internet). The use of IID water as the water supply is also discussed based on the Water Supply Assessment prepared for the Project. This section is based on consultation with appropriate service providers and information provided by the Applicant.

Section 4.14 – Energy. This chapter provides a discussion of energy usage and conservation, associated with construction, operation and reclamation of the proposed Project.

Chapter 5.0 – Alternatives. This chapter qualitatively analyzes impacts associated with alternatives to the proposed Project relative to impacts resulting from the proposed Project. A summary matrix of impacts for each issue area is included to facilitate comparison of each alternative relative to the proposed Project (greater, same, worse).

Chapter 6.0 – Other CEQA Required Considerations. This chapter provides a discussion of socio-economic impacts, significant and unavoidable environmental effects, growth-inducing impacts, significant irreversible environmental changes, and mandatory findings of significance.

Chapter 7.0 – EIR Preparers. This chapter lists all the individuals involved in the preparation of the EIR.

Chapter 8.0 – References. This chapter lists the data references used in preparing the EIR as well as the individuals and agencies consulted and cited in the text.

1.10.2 APPENDICES

The supporting documentation (NOP, Initial Study and Comment Letters, AB 52 and SB 18 Letters) and technical reports for aesthetics (Glare Study); agricultural resources (LESA Model); air quality (Air Quality and Greenhouse Gas Analysis); biological resources (Biological Resources Report, Burrowing Owl Survey and Jurisdictional Wetland Delineation); cultural resources (Cultural Inventory Report); geology/soils (Preliminary Geotechnical Report); greenhouse gas emissions (Air Quality and Greenhouse Gas Analysis); hazards and hazardous materials (Phase I Environmental Site Assessment); hydrology and water quality (Conceptual Drainage Study and Storm Water Quality Analysis); noise (Noise Analysis); and, transportation (Draft Traffic Analysis) are provided on the CD attached to this Draft EIR. These documents and reports are referenced throughout this EIR. Incorporation by reference is permitted by Section 15150 of the CEQA Guidelines. Other documents, reference sources, and individuals cited in the preparation of this Draft EIR are identified in Chapter 8.0, References. The baseline physical conditions as analyzed in these reports are the conditions that existed at the time of the issuance of the NOP for the EIR (CEQA Guideline Section 15125 (a)).

1.11 ISSUES TO BE ADDRESSED

The issues evaluated in this EIR include the physical, biological, cultural, and other resources that have the potential to be affected by activities related to the proposed Project. The issues were identified through the preparation of an Initial Study:

- Aesthetics
- Land Use
- Transportation
- Air Quality
- Greenhouse Gases
- Geology and Soils
- Cultural Resources & Tribal Cultural Resources
- Noise
- Agricultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Biological Resources
- Public Services and Utilities
- Energy

1.12 ISSUES SCOPED OUT FROM FURTHER ENVIRONMENTAL REVIEW

The Initial Study for the proposed Drew Solar Project prepared by the County of Imperial concluded that the Project would not cause significant impacts related to various topics addressed in the CEQA

Environmental Checklist (included in **Appendix A** of this EIR). Therefore, these topics are not addressed further in this EIR. The reasons for concluding that no significant impacts would occur related to these topics are disclosed in the Initial Study, which was distributed with the NOP from May 17 thru June 21, 2018. CEQA Environmental Checklist topics not addressed in this EIR, and the rationale for exclusion, are identified below:

Aesthetics

- *Substantially damage scenic resources, including, but limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

The Project site includes six parcels owned by the Imperial Irrigation District (IID). The site is in agricultural production and does not contain any scenic resources including trees, rock outcroppings or historic buildings. Likewise, SR 98 is not a Scenic Highway. Therefore, no impact is anticipated and impacts to resources within a state scenic highway will not be further discussed in the EIR.

Agriculture and Forestry Resources

- *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 511 04(g))?*

Based on the Imperial County General Plan, Conservation and Open Space Element, mixed chaparral, pinyon-juniper habitats, and the montane hardwood-conifer forest are located in restricted areas of the County. Mixed chaparral and pinyon-juniper habitats are located in the extreme southwestern corner of the County and montane hardwood-conifer forest is in the extreme northwestern corner of Imperial County. Thus, there are no existing forest lands, timberlands, or timberland zoned Timberland Production either on or near the Project site that would conflict with existing zoning. This issue will not be discussed further in the EIR.

- *Result in the loss of forest land or conversion of forest land to non-forest use?*

There are no existing forest lands either on-site or in the immediate vicinity of 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.

Geology and Soils

- *Landslides*

The site exhibits a generally flat topography and no landslides exist within or near the site. Based on the topography across the site, the potential for landsliding is considered negligible (LandMark 2018). Thus, no impact is identified for this issue area and it will not be further discussed in the EIR.

Hazards and Hazardous Materials

- *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

The Project site is not located within one-quarter mile of an existing school. No impact would occur.

- *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?*

An Agency Database Record Search was undertaken of available compiled agency database records as part of the Phase I Environmental Assessment (LandMark 2018). Based on the information available, the

Project site is not located on a hazardous materials list pursuant to California Government Code Section 65962.5. No impact is identified for this issue area.

- *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?*

The Project site is not located within two miles of a public airport or a private airstrip. The Johnson Brothers Airport is approximately 5.75 miles east of the Project site and the Naval Air Facility El Centro is approximately 8 miles to the north. Based on the distance of the project site from these air facilities, no safety hazard or excessive noise exposure would occur for Project construction or operation workers. Thus, no impact is identified for this issue.

- *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

As identified in the Seismic and Public Safety Element of the County of Imperial General Plan (County of Imperial, n.d.), the "Imperial County Emergency Plan" addressed the County's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations. The proposed circulation plan for the Project site will be required to provide emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize flood, seismic, and fire hazard. Thus, the proposed Project would not impair the implementation of, or physically interfere with, any adopted emergency response plans or emergency evacuation plans. No impact is identified for this issue area.

- *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*

The Project site is not characterized as an urban/wildland interface. According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (CDF 2000), the Project site does not fall into an area characterized as either: (1) a wildland area that may contain substantial forest fire risk and hazard; or (2) a very high fire hazard severity zone. Thus, the Project site would not expose people or structures, either directly or indirectly, to significant risk of loss injury or death involving wildland fire. No impact is identified for this issue area.

Land Use

- *Physically divide an established community?*

The Drew Solar Project is located in Imperial County, California, approximately 6.5 miles southwest of the city of El Centro and 7.5 miles directly west of Calexico. The project represents an expansion of existing solar uses currently developed in the area. Thus, no impact is identified with regard to dividing an established community.

Mineral Resources

- *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?*
- *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?*

The Project site has been used for agriculture since the 1930's. According to the Conservation and Open Space Element of the County of Imperial General Plan (County of Imperial 2008), no known mineral resources occur within the Project parcels nor are there any mapped mineral resources within the boundary of the site. Thus, no impact is identified with regard to mineral resources.

Noise

- *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?*

The Project site is not located within two miles of a public airport or a private airstrip. Thus, the Project site would not be exposed to excessive aircraft noise. As a solar facility, the Project is industrial in nature and therefore is not a noise sensitive land use. No impacts are identified with regard to airport noise and this issue will not be further discussed in the EIR.

Population and Housing

- *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)?*

The Project does not propose the development of new housing on the Project site nor does it propose construction or extension of new roads (aside from internal access roads). The Project is a solar energy generation and storage facility that would not induce growth. No impact would occur for this issue.

- *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The proposed Project site is currently agricultural land with no residential structures within its boundaries. As a result, development of the proposed solar energy generation and storage project would not displace substantial numbers of existing housing or people requiring construction of replacement housing elsewhere. No impact would occur for these issues.

Public Services

- *Schools, Parks and Other Public Facilities*

The proposed Project would not result in a substantial increase in population because it neither includes a residential component nor would it generate the need for new housing to accommodate workforce population. Based on the nature of the project as a solar facility, no increase in schools, parks, or other public facilities are anticipated. As such, the proposed Project would not have an adverse physical effect on the environment resulting from construction of a new school, park or other public facility. Therefore, no impact is identified for this issue area.

Recreation

- *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?*

The proposed Project is a solar facility and would not create a demand for recreation or parks in the County. Thus, no impact is identified for these issues and recreation will not be discussed further the EIR.

- *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?*

The proposed Project is a solar facility and does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, no impact to recreational facilities would occur and this issue will not be discussed further the EIR.

Utilities and Service Systems

- *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?*

The Project will generate wastewater from sanitary facilities such as sinks and toilets in the O&M building(s). This waste stream will be sent to an onsite sanitary waste septic system and leach field to be installed in compliance with standards established by Imperial County Environmental Health Services. Thus, no impact to a wastewater provider would occur.

Wildfire

- *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

As identified in the Seismic and Public Safety Element of the County of Imperial General Plan (County of Imperial, n.d.), the "Imperial County Emergency Plan" addressed the County's planned response to extraordinary emergency situations associated with natural disasters such as wildfire. The proposed circulation plan for the Project site will be required to provide emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize fire hazard. The Applicant is proposing to develop and implement a Fire Prevention and Response Plan (FPRP) during construction, operation, and maintenance of the Project. Thus, the proposed Project would not impair the implementation of, or physically interfere with, any adopted emergency response plans or emergency evacuation plans. No impact is identified for this issue area.

- *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?*

According to the Draft Fire Hazard Severity Zones in the Local Responsibility Area Map prepared by the California Department of Forestry and Fire Protection in 2007 (CDF 2007), the following APNs are designated to as a Moderate Fire Hazard Severity Zone (052-170-031, 052-170-032, 052-170-056, 052-170-0370; one parcel is designated Other Unzoned (052-170-067). The Project Area is flat and does not have permanent occupants, only maintenance workers. The nearest high fire hazard severity zones are approximately 20 miles to the west.

- *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?*

The proposed Project includes installation and maintenance of transmission lines, battery storage and PV modules. During operation, batteries would be housed in buildings or storage containers with proper temperature monitoring and fire suppression systems. The PV modules and ancillary equipment are constructed of fire-resistant material. Additionally, routine weed abatement and landscape maintenance will occur. As such, the Project represents a negligible increase in fire potential. Water for fire protection will be stored in a 10,000-gallon tank onsite. Thus, installation of the proposed Project is not anticipated to have an impact with regard to exacerbating a fire risk that may result in temporary or ongoing impacts to the environment. No impact would occur with regard to this issue.

- *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?*

As previously noted, the topography of the Project Area is flat and potential for wildfire is not high. As a result, there is no threat of downslope or downstream flooding or landslides. Thus, no impact would occur with regard to this issue.

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