4.10 LAND USE/PLANNING

This section provides information regarding current land use, land use designations, and land use policies within and in the vicinity of the study area. Section 15125(d) of the California Environmental Quality Act (CEQA) Guidelines states that "[t]he EIR shall discuss any inconsistencies between the projects and applicable general plans and regional plans." This section fulfills this requirement for the projects. In this context, this section reviews the land use assumptions, designations, and policies of the Imperial County (County) General Plan and other applicable federal, state, and local requirements, which governs land use within the study area and evaluates the projects' potential to conflict with policies adopted for the purpose of avoiding or mitigating significant environmental effects. Where appropriate, mitigation is applied and the resulting level of impact identified.

4.10.1 Environmental Setting

As discussed in Chapter 2.0 of this Environmental Impact Report (EIR), the study area is located on 4,228 acres of privately-owned land, approximately two miles west of the City of Calexico and eight miles southwest of the City of El Centro, California. The study area is located in an unincorporated area of the County, and is designated as Agriculture under the County's General Plan (as amended through 2008) (see Figure 4.10-1). The U.S./Mexico border is located immediately south and adjacent to the study area. Much of the study area is currently under agricultural production, consisting of annual crops, with some grazing land and scattered rural residential and commercial structures. The surrounding region resembles a highly modified landscape, which up until the early 1930s, generally consisted of a desert landscape; similar to areas further west. With the completion of several water conveyance facilities, including the All American Canal which was authorized by the 1928 Boulder Canyon Project Act and completed in the mid-1930s, irrigated agriculture was made possible.

As described in Chapter 3, the study area includes private Off-site Transmission Facilities (OTF) that would interconnect to off-site transmission facilities approved for the Imperial Solar Energy South Project immediately west of the study area. These facilities in turn are proposed to interconnect with new transmission facilities further west in the Yuha Desert and within the Bureau of Land Management's (BLM) Utility Corridor "N." As provided in Chapter 3, this EIR incorporates by reference the Imperial Solar Energy South Center Environmental Impact Report/Environmental Assessment (EIR/EA), which was approved by the County, and includes an evaluation of impacts from off-site transmission infrastructure that would cross BLM lands up to the Imperial Valley substation and interconnect with the private OTF.

4.10.1.1 Regulatory Setting

This section identifies and summarizes federal, state, and local laws, policies, and regulations that are applicable to the projects.

Federal

Bureau of Land Management

As provided in Chapter 3, the projects would connect to off-site transmission infrastructure located on BLM land to the west of the study area. This EIR incorporates by reference the EIR/EA prepared for the Imperial Solar Energy South Project and the supporting land use analysis and consistency determination for the placement of OTF on BML lands within the "N" Utility Corridor. In particular, this previously prepared environmental document provides a consistency analysis and determination for OTF on BLM lands in relation to the following resource plans:

- Federal Land Management Policy Act, 1976 as Amended
- California Desert Conservation Area Plan (as amended 1999)
- Yuha Basin Area of Critical Environmental Concern (ACEC) Management Plan
- Flat-tailed Horned Lizard Rangewide Management Strategy

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77, establishes standards for determining obstructions to air navigation. Part 77, Subpart C, of the Federal Aviation Regulations limits the heights of structures, trees, and other objects in the vicinity of an airport within Compatibility Zones A and B to 35 feet or less above the ground level. Proponents of projects that may exceed a Part 77 limit must notify the Federal Aviation Administration (FAA) as required. The study area is generally located outside and to the west of Zone B2 for the Calexico International Airport. Specifically, Calexico Solar Farm 2(A) (CSF2(A)) borders the western boundary of Zone 2B and, therefore, facilities constructed along Hammers Road may be subject to FAA review.

State

State Planning and Zoning Laws

California Government Code Section 65300 et seq. establishes the obligation of cities and counties to adopt and implement general plans. The general plan is a comprehensive, long-term, and general document that describes plans for the physical development of a city or county and of any land outside its boundaries that, in the city's or county's judgment, bears relation to its planning. The general plan addresses a broad range of topics, including, at a minimum, land use, circulation, housing, conservation, open space, noise, and safety. In addressing these topics, the general plan identifies the goals, objectives, policies, principles, standards, and plan proposals that support the city's or county's vision for the area. The general plan is a long-range document that typically addresses the physical character of an area over a 20-year period or more. Finally, although the general plan serves as a blueprint for future development and identifies the overall vision for the planning area, it remains general enough to allow for flexibility in the approach taken to achieve the plan's goals.

The State Zoning Law (California Government Code Section 65800 et seq.) establishes that zoning ordinances, which are laws that define allowable land uses within a specific zone district, are required to be consistent with the general plan and any applicable specific plans.

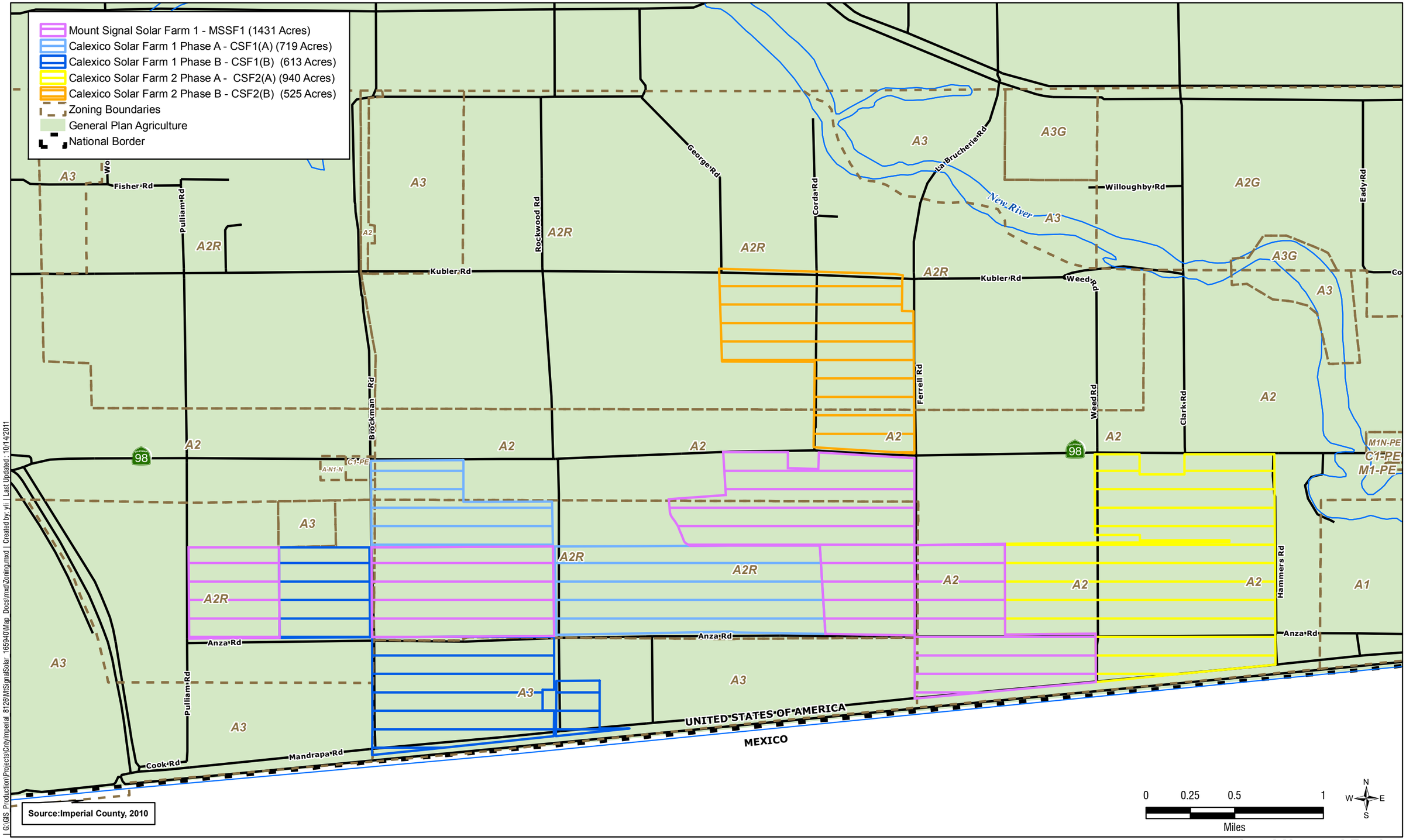
State Aeronautics Act

The State Aeronautics Act establishes the Division of Aeronautics, which prepared the Airport Land Use Planning Handbook (1993) and suggests guidelines for the establishment of Safety Zones A, B1, B2, C, and D. The Imperial County Airport Land Use Plan (ALUCP) incorporates these safety zones for the Calexico International Airport, which is located east of the study area. Further discussion of the ALUCP is provided under the associated heading of applicable local planning documents.

Local

Regional Comprehensive Plan and Regional Transportation Plan

The Southern California Association of Governments' (SCAG) Intergovernmental Review (IGR) section, part of the Environmental Planning Division of Planning and Policy, is responsible for performing consistency review of regionally significant local plans, projects, and programs. Regionally significant projects are required to be consistent with SCAG's adopted regional plans and policies such as the Regional Comprehensive Plan (RCP) and the Regional Transportation Plan (RTP). The criteria for projects of regional significance are outlined in State CEQA Guidelines Sections 15125 and 15206. According to the SCAG Intergovernmental Review Procedures Handbook, "new or expanded electrical generating facilities and transmission lines" qualify as regionally significant projects. For this reason, Table 4.10-1 provides a consistency evaluation for the projects with applicable SCAG IGR policies.



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Land Use and Zoning

Figure 4.10-1

Imperial County | Mount Signal Solar Farm Project | EIR

County of Imperial General Plan

The purpose of the County's General Plan (as amended through 2008) is to direct growth, particularly urban development, to areas where public infrastructure exists or can be provided, where public health and safety hazards are limited, and where impacts to the County's abundant natural, cultural, and economic resources can be avoided. The following ten elements comprise the County's General Plan: Land Use; Housing; Circulation and Scenic Highways; Noise; Seismic and Public Safety; Conservation and Open Space; Agricultural; Geothermal/Alternative Energy and Transmission; Water; and Parks and Recreation. Together, these elements satisfy the seven mandatory general plan elements as established in the California Government Code. Goals, objectives, and implementing policies and actions programs have been established for each of the elements.

As previously indicated, the County's General Plan designates the study area as "Agriculture." The County identifies agricultural land as a form of open space. According to the Conservation and Open Space Element of the General Plan, open space is "any parcel or area of land or water, which is essentially unimproved and devoted to one of the following categories of uses: Preservation of Natural Resources; Managed Production of Resources; Outdoor Recreation; and, Protection of the Public Health and Safety." As such, outdoor recreational activities including hunting, bike riding, walking, and bird watching can take place in agricultural areas.

An analysis of the projects' consistency with the General Plan goals and objectives relevant to the projects is provided in Table 4.10-1, Project Consistency with Applicable Plan Policies. A detailed analysis of the project's consistency with the General Plan goals, objectives and policies regarding Agriculture is provided in Section 4.2 Agriculture and Forestry Resources of this EIR. While this EIR analyzes the project's consistency with the General Plan pursuant to State CEQA Guidelines Section 15125(d), the Imperial County Planning Commission and Board of Supervisors retain authority for the determination of the project's consistency with the General Plan.

County of Imperial Land Use Ordinance

The County's Land Use Ordinance provides the physical land use planning criteria for development within the jurisdiction of the County. As depicted in Figure 4.10-1, the project study area contains the following zoning districts: General Agriculture (A-2), General Agriculture Rural (A-2-R) and Heavy Agriculture (A-3). The purpose of the A-2 and A-2-R zoning designations is to "designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses" (County of Imperial, 1998). The purpose of the A-3 zoning designation is to "designate areas that are suitable for agricultural land uses; to prevent the encroachment of incompatible uses onto and within agricultural lands; and to prohibit the premature conversion of such lands to non-agricultural uses" (County of Imperial, 1998). Uses in the A-2, A-2-R and A-3 zoning designations are limited primarily to agricultural-related uses and agricultural activities that are compatible with agricultural uses.

Sections 90508.02 and 90509.02 of the Land Use Ordinance identify the permitted and conditional uses within the A-2, A-2-R and A-3 zoning designations. Uses identified as conditionally permitted require a CUP, which is subject to the discretionary approval of the County Board of Supervisors (Board) per a recommendation by the County Planning Commission. The projects include several uses identified as conditionally permitted within the A-2, A-2-R, and A-3 zones. These uses include electrical substations in an electrical transmission system (500 kilovolt (kV)/230 kV/161 kV); facilities for the transmission of electrical energy (100-200 kV); solar energy plants; and solar energy electrical generators. Sections 90508.07 and 90509.07 of the Land Use Ordinance limit the height of all non-residential structures within the A-2, A-2-R and A-3 zones to 120 feet. Specifically, Sections 90508.07 (C) and 90509.07 (C) state, "Non-Residential structures and commercial communication towers shall not exceed one hundred twenty (120) feet in height, and shall meet ALUC Plan requirements."

TABLE 4.10-1. Project **CONSISTENCY WITH APPLICABLE PLAN POLICIES**

Applicable Policies	Consistency Determination	Analysis
Imperial County General Plan, Land Use Element		
Regional Vision, *Objective 3.6*. Recognize and coordinate planning activities as applicable with the Bureau of Land Management (BLM), and the California Desert Conservation Plan.	Consistent	The study area does not include lands within BLM's jurisdiction or within the California Desert Conservation Plan. The EIR/EA prepared for the Imperial Solar Energy South Project includes a consistency analysis and determination completed by BLM for interconnecting, the OTF proposed in the Utility Corridor "N." Based on the findings of that analysis, the projects' required OTF on BLM lands would be consistent with this policy.
Public Facilities, Objective 8.7. Ensure the development, improvement, timing, and location of community sewer, water, and drainage facilities will meet the needs of existing communities and new developing areas.	Consistent	The projects include the necessary supporting infrastructure and would not require new community-based infrastructure. The projects would be required to construct supporting drainage and wastewater treatment and disposal infrastructure on-site consistent with County requirements and mitigation measures prescribed in Sections 4.6, Geology and Soils, and 4.9, Hydrology and Water Quality, of the EIR. Potable water would be required for domestic use, solar panel washing and fire protection and would be provided by the Imperial Irrigation District (IID). Water supplies for the projects would come from existing water service contracts with IID with demand for the combined projects expected to be less than current water demands to support irrigated agriculture.
Public Facilities, Objective 8.8. Ensure that the siting of future facilities for the transmission of electricity, gas, and telecommunications is compatible with the environment and County regulation.	Consistent	With the approval of a CUP and associated conditions, the projects would be a permitted use with the Agricultural land use designation and associated zoning.
Public Facilities, *Objective 8.9*. Require necessary public utility rights-of-way when appropriate.	Consistent	The projects would include the dedication of necessary right-of-way (ROW) to facilitate the placement of electrical distribution and transmission infrastructure.
Protection of Environmental Resources, *Objective 9.6*. Incorporate the strategies of the Imperial County Air Quality Attainment Plan (AQAP) in land use planning decisions and as amended.	Consistent	Due to the minimal grading of the site during construction and limited travel over the site during operations, local vegetation is anticipated to remain largely intact which will assist in dust suppression. Furthermore, dust suppression will be implemented including the use of water and soil binders during construction. Chapter 4.3, Air Quality, discusses the projects' consistency with the AQAP in more detail.
Imperial County General Plan, Circulation and Scenic Highways Element		
Safe, Convenient, and Efficient Transportation System, Objective 1.1. Maintain and improve the existing road and highway network, while providing for future expansion and improvement based on travel demand and the development of alternative travel modes.	Consistent	The projects would include limited operational vehicle trips once constructed and would not be expected to reduce the current level of service (LOS) at affected intersections, roadway segments, and highways. The projects do not propose any forms of residential or commercial development and therefore would not require new forms of alternative transportation to minimize impacts to existing roadways.
Safe, Convenient, and Efficient Transportation System, Objective 1.2. Require a traffic analysis for any new development which may have a significant impact on County roads.	Consistent	As discussed in Chapter 3, the projects at build out would entail up to 25 additional two-way trips on local roadways on an average day. Further, these trips would be distributed throughout the study area. This level of trip generation is well below the threshold of requiring a formal traffic study. However, as discussed in Chapter 4.14, traffic studies were prepared for the projects and demonstrate that project operations would have a less than significant impact on the circulation network.

Applicable Policies	Consistency Determination	Analysis
Imperial County General Plan, Noise Element		
Noise Environment. Objective 1.3. Control noise levels at the source where feasible.	Consistent	The proposed location of the projects' solar facilities generally avoids the placement of new structures in proximity to noise-sensitive uses. In instances where construction-related and operational noise would occur in closer proximity to noise sensitive land uses (e.g. less than 500 feet), the County would condition the projects to maintain conformance with County noise standards.
Project/Land Use Planning. Goal 2: Review Proposed Actions for noise impacts and require design which will provide acceptable indoor and outdoor noise environments.	Consistent	As discussed in Section 4.11, the projects would be required to comply with the County's noise standards during both construction and operation.
Long Range Planning. Goal 3: Provide for environmental noise analysis inclusion in long range planning activities which affect the County.	Consistent	The EIR contains a noise analysis that considers and evaluates long-term noise impacts related to project operations. As discussed in Section 4.11, the projects would result in less than significant noise impacts.
Imperial County General Plan, Conservation and Open Space Element		
Preservation of Biological Resources. Goal 2: The County will preserve the integrity, function, productivity, and long-term viability of environmentally sensitive habitats, and plant and animal species.	Consistent	A biological resources survey was conducted for the study area. As discussed in Section 4.4, Biological Resources, there are potentially significant biological resources located within the study area. However, with the implementation of mitigation in Section 4.4, Biological Resources, these impacts are reduced to a level less than significant.
Preservation of Cultural Resources. Objective 3.1 Protect and preserve sites of archaeological, ecological, historical, and scientific value, and/or cultural significance.	Consistent	A cultural resources records search was conducted for the study area. As discussed in Section 4.5, Cultural Resources, no cultural resources were found within the study area and, therefore, no impact would occur.
Preservation of Agricultural Lands. Goal 4: The County will actively conserve and maintain contiguous farmlands and prime soil areas to maintain economic vitality and the unique lifestyle of the Imperial Valley.	Consistent	The projects are consistent with this goal, since the projects would not permanently convert existing agricultural uses to non-agricultural uses. Please refer to Section 4.2, Agriculture and Forestry Resources, which provides a more detailed analysis of the projects' consistency with applicable agricultural goals and objectives.
Conservation of Energy Sources. Goal 6: The County shall seek to achieve maximum conservation practices and maximum development of renewable alternative sources of energy.	Consistent	The projects entail the construction and operation of a solar energy facility, which is considered an alternative source of energy.
Conservation of Energy Sources. Objective 6.2 Encourage the utilization of alternative passive and renewable energy resources.	Consistent	The projects consist of the construction and operation of a solar energy facility, which is considered an alternative source of energy. With implementation of the projects, a new source of solar energy would be identified.
Conservation of Energy Sources. Objective 6.6 Encourage compatibility with National and State energy goals and city and community general plans.	Consistent	The projects are consistent with California Public Utilities Code § 399.11 et seq., "Increasing the Diversity, Reliability, Public Health and Environmental Benefits of the Energy Mix." California's electric utility companies are required to use renewable energy to produce 20 percent of their power by 2010 and 33 percent by 2020. The projects would contribute toward this goal.

Applicable Policies	Consistency Determination	Analysis
Imperial County General Plan, Geothermal/Alternative Energy and Transmission Element		
Agricultural Lands and Biological Resources. *Objective 2.3.* Utilize existing easements or right-of-way and follow field boundaries for electric and liquid transmission lines.	Consistent	The projects would interconnect with OTF approved for the Imperial Solar Energy Center South project and new facilities proposed within BLM's Utility Corridor "N." The EIR/EA prepared for the Imperial Solar Energy South Project considered the impacts BLM granting a utility ROW within Utility Corridor "N." Additionally, new OTF constructed in the conjunction with the projects would be constructed along existing field boundaries and housed within a dedicated ROW.
Agricultural Lands and Biological Resources, Objective 2.4. Carefully analyze the potential impacts on agricultural and biological resources from each project.	Consistent	Please refer to Section 4.2, Agriculture and Forestry Resources, for a description of existing agricultural resources within the study area and a discussion of potential impacts attributable to the projects. A biological resources report has been prepared for these projects, which is summarized in Section 4.4, Biological Resources, along with potential impacts attributable to the projects. With incorporation of mitigation identified in Sections 4.2 and 4.4, less than significant impacts would result.
Locating Transmission Line Corridors. *Goal 5*. When planning and designing transmission lines, the County will consider impacts to agricultural lands, wildlife, and the natural desert landscape.	Consistent	In conjunction with the CUP approval process, the County has considered impacts to agricultural and desert resources. Please refer to Section 4.2, Agriculture and Forestry Resources, and 4.4 Biological Resources, for discussion and consideration of potential impacts to agricultural lands and natural areas.
Locating Transmission Line Corridors. *Objective 5.1*. Require all major transmission lines to be located in designated federal and IID corridors or other energy facility corridors such as those owned by investor owned utilities and merchant power companies.	Consistent	As described in Chapter 3, the projects would interconnect with proposed and previously approved OTF to the west of the study area. These facilities are located within BLM's Utility Corridor "N" and privately owned transmission facilities being constructed in conjunction with the Imperial Solar Energy Center South project. The projects would require new off-site transmission infrastructure that would be constructed along an existing private access road thereby minimizing the footprint of this utility.
Imperial County Land Use Compatibility Plan		
Safety Objective 2.1. The intent of land use safety computability criteria is to minimize the risks associated with an off-airport accident or emergency landing.	Consistent	The study area is located outside a designated ALUCP area and, therefore, is not located within a flight hazard zone. This is discussed further below.
Safety Objective 2.1(a). Risks both to people and property in the vicinity of an airport and to people on board the aircraft shall be considered.	Consistent	The projects are proposed to be located outside and to the west of Zone B2 in the ALUCP for Calexico International Airport. Chapter 4.1, Aesthetics, includes discussion of the reflectivity and glare analysis prepared for the projects, which demonstrates less than significant impacts attributable to the projects with mitigation.
Safety Objective 2.5(d). Building envelopes and the approach zones should be indicated on all development plans and tentative maps within an airport's planning area in order to assure that individual development projects provide the open land areas identified in a general plan, specific plan, or other large-scale plan.	Consistent	The projects will be conditioned to indicate the ALUCP Zone B2 on all applicable development plans and tentative maps. Further, the County will require the project applicant per mitigation to coordinate with the County Airport Land Use Commission (ALUC) to facilitate the placement or re-placement of any existing or new aeronautical markings deemed required.

Applicable Policies	Consistency Determination	Analysis
Airspace Protection Objective 3.1, Height Limits. The criteria for limiting the height of structures, trees, and other objects in the vicinity of an airport shall be set in accordance with Part, 77, Subpart C, of the Federal Aviation Regulations and with the United States Standard for Terminal Instrument Procedures (TERPS).	Consistent	The study area is located adjacent and to the west of the ALUCP for Calexico International Airport. Hammers Road demarcates the western boundary of Zone 2B for the ALUCP, which restricts the height of structures to generally less than 35 feet. Although the study area is external to the ALUCP area, the County acknowledges that the projects' eastern extent (e.g., CSF2(A)) borders the ALUCP and, therefore, project-related facilities along this vertical plane warrant special consideration both in terms of their height and direct and indirect effects on aviation. The project solar arrays would generally extend up to 16 feet above the existing ground surface. However, electrical distribution facilities would be up to 35 feet and, if constructed along Hammers Road, could potentially interfere with Calexico International Airport operations. This impact would only apply to the CSF2(A) component of the projects. However, in a larger context, the reflectivity generated by the projects, including CSF2(A), on a larger scale and its impacts to aviation also warrant additional consideration. This EIR considers these impacts both in terms of plan consistency, which is discussed further in the impact analysis and the physical impacts of glare in Section 4.1, Aesthetics. Ultimately, this project may need to be taken to the Airport Land Use Commission for a consistency determination with the ACLUP. The transmission towers would exceed the 120 foot height limit for the zone (the tallest ones are 140 feet) and, therefore, a height variance would also be required from the County.
Airspace Protection Objective 3.2, Avigation Easement Dedication. The owner of any property proposed for development within compatibility Zones A and B shall be required to dedicate an avigation easement to the jurisdiction owning the airport.	Consistent	The study area is located outside and to the west of Zone 2B for the Calexico ALUCP and, therefore, dedication of an avigation easement is not required.
Airspace Protection Objective 3.2(a). The avigation easement shall: (1) provide the right of flight in the airspace above the property; (2) allow the generation of noise and other impacts associated with aircraft operations; (3) restrict the height of structures, trees, and other objects; (4) permit access to the property for the removal or aeronautical marking of objects exceeding the established height limit; and (5) prohibit electrical interference, glare, and other potential hazards to flight from being created on property.	Consistent	See discussion for Objectives 3.1 and 3.2.
Airspace Protection Objective 3.2(b). Within Compatibility Zones A and B, height restrictions of less than 35 feet may be required.	Consistent	See discussion for Objective 3.1.

Applicable Policies	Consistency Determination	Analysis
Airspace Protection Objective 3.2(c)3, Minimum Restrictions. Other than within Compatibility Zones A and B, no restrictions shall be set which limit the height of structures, trees, and other objects to less than 35 feet above the level of the ground on which they are located even if the terrain or objects on the ground may penetrate Federal Aviation Regulations Part 77 surfaces.	Consistent	See discussion for Objective 3.1.
Airspace Protection Objective 3.3, FAA Notification. Proponents of a project which may exceed a Part 77 surface must notify the FAA as required by FAR Part 77, Subpart B, and the California State Public Utilities code Sections 21658 and 21659.	Consistent	The CSF2(A) component of the projects may be subject to FAA review as a result of the adjoining boundary with Zone B2. The County will notify the FAA and County ALUC to facilitate review of this project.
Airspace Protection Objective 3.4, Overflight Zone. Land uses which may produce hazards to aircraft in flight shall not be permitted within any airport's planning area. Specific characteristics to be avoided include: (1) glare or distracting lights which could be mistaken for airport lights; (2) sources of dust, steam, or smoke which may impair pilot visibility; (3) sources of electrical interference with aircraft communications or navigation; and (4) any use which may attract large flocks of birds, especially landfills and certain agricultural uses.	Inconsistent (CSF2(A)) without incorporation of mitigation. Consistent (all other components)	See discussions for Objectives 3.1 and 3.2. As provided, the projects would involve a solar-electrical generating operation that would involve the generation of glare and, potentially, sources of electrical interference. With these considerations, the projects' design for the solar arrays is particularly important for those located in eastern portions of CSF2(A). As an example, a tracker mounting system in eastern portions of CSF2(A) would be oriented eastward in the morning to correspond with morning sun angles thereby presenting a glare hazard for pilots at takeoff. Although solar facilities within CSF2(A) would be physically located east of Hammers Road and outside Zone B2, if oriented in an easterly direction as described above, their indirect glare impact, which extends approximately 35 feet (see Aztec 2011), would penetrate the vertical plane of Zone B2. Likewise, the construction of any electrical distribution and substation facilities in proximity to airport communication facilities could result in potential interference and communications disruptions. These issues are considered further in the impact analysis.
Southern California Area of Governments Regional Comprehensive Plan and Regional Transportation Plan		
3.05: Encourage patterns of urban development and land use which reduce costs on infrastructure construction and make better use of existing facilities.	Consistent	The projects involve the construction and operation of new renewable energy infrastructure that would interconnect with other proposed and approved transmission infrastructure thereby maximizing the use of existing facilities. The projects would not involve new forms of urban development that could other increase demands for existing infrastructure.
3.14: Support local plans to increase density of future development located at strategic points along the regional commuter rail, transit systems, and activity centers.	Consistent	The projects do not propose an increase in urban densities along regional commuter rail, transit systems, and activity centers and is not in proximity to these areas.
3.16: Encourage developments in and around activity centers, transportation corridors, underutilized infrastructure systems, and areas needing recycling and redevelopment.	Consistent	The projects is located in an agriculturally designated portion of unincorporated Imperial County and would not discourage new development in and around existing activity centers, transportation corridors, underutilized infrastructure systems, or areas in need of recycling and redevelopment.

Applicable Policies	Consistency Determination	Analysis
3.17: Support and encourage settlement patterns which contain a range of urban densities.	Consistent	The projects would not increase urban densities within the study area, because the projects consist of new renewable energy infrastructure and not new residential or commercial development.
3.18: Encourage planned development in locations least likely to cause adverse environmental impact.	Consistent	The projects are not characterized as "Planned Development" and are appropriately located to minimize adverse impacts to sensitive lands uses and take advantage of anticipated utility infrastructure needs.
RTP G6: Encourage land use and growth patterns that complement our transportation investments and improve the cost-effectiveness of expenditures.	Consistent	See discussion under Policy 3.16 above.
GV P1.1: Encourage transportation investments and land use decisions that are mutually supportive.	Consistent	See discussion under Policy 3.16 above.
GV P4.2: Focus development in urban centers and existing cities.	Consistent	The projects consists of new renewable energy infrastructure and does not include residential or commercial forms of development that should otherwise be directed toward urban centers or existing cities.
GV P4.3: Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.	Yes	See discussion under Policy 3.16 above.

Source: Imperial County General Plan 2008, as amended, SCAG Regional Comprehensive Plan and Regional Transportation Plan 2008.

Imperial County Airport Land Use Compatibility Plan (ALUCP)

The eastern border of the study area is located approximately one mile west of the Calexico International Airport. Solar generating facilities associated with the CSF2(A) site are located adjacent to the Imperial County Airport Land Use Compatibility Plan (ALUCP) for Calexico International Airport and are located adjacent to Compatibility Zone "B2," Extended Approach and Departure Zone, which is identified as having a significant risk from airport activity (County of Imperial, ALUCP 1996). No individual airport policies specific to the Calexico International Airport have been adopted in conjunction with the ALUCP.

Figure 4.10-2 depicts the study area's location in the context of the Compatibility Map, Calexico Airport (Imperial County Airport Land Use Commission 1996). As shown, the CSF2(A) site location is adjacent and to the west of Hammers Road, which demarcates the western extent of Compatibility Zone B2. The remainder of the study area is not located within or adjacent to any designated compatibility zone. Zone 2B is identified as "Significant Risk" with aircraft commonly below 800 feet aboveground level (AGL). Table 4.10-1 provides a consistency evaluation with applicable provisions of the ALUCP. Although no specific compatibility requirements are required with the implementation the projects per the ALUCP, as described in Table 4.10-1, the project applicant would be required to comply with 14 CFR Part 77.13 if it meets the criteria as identified in the 14 CFR Part 77.13.

4.10.1.2 Existing Conditions

The study area is comprised of six components as described in Chapter 3.0 and includes Mount Signal Solar Farm 1 (MSSF1), Calexico Solar Farm 1, Phase A (CSF1(A)), Calexico Solar Farm 1, Phase B (CSF1(B)), Calexico Solar Farm 2, Phase A (CSF2(A)), Calexico Solar Farm 2, Phase B (CSF2(B)), and an Off-site Transmission Facilities (OTF). These individual components are described under the corresponding subheadings below.

MSSF1 encompasses a total of 1,431 acres and, as described in Chapter 3, is comprised of four discontinuous sites referred to as Parcel 1 (APNs 052-210-013, 034, 035, and 036), Parcel 2 (APNs 059-130-001,002, 004, and 005), Parcel 3 (APN 052-210-016), and Parcel 4 (APN 052-190-012. The MSSF1 site is generally level and currently used for agricultural production (see Section 4.2, Agriculture and Forestry Resources, for further discussion). The balance of the MSSF1 site is zoned A-2 and A-2-R (see Table 3-1 and Figure 4.10-1). The IID operates the network of canals that traverse through the MSSF1 site and deliver irrigation water for existing agricultural operations. The All-American Canal, owned and operated by the IID, is located immediately adjacent to, and south of the MSSF1 site. SR 98 borders the MSSF1 site to the north and provides regional access.

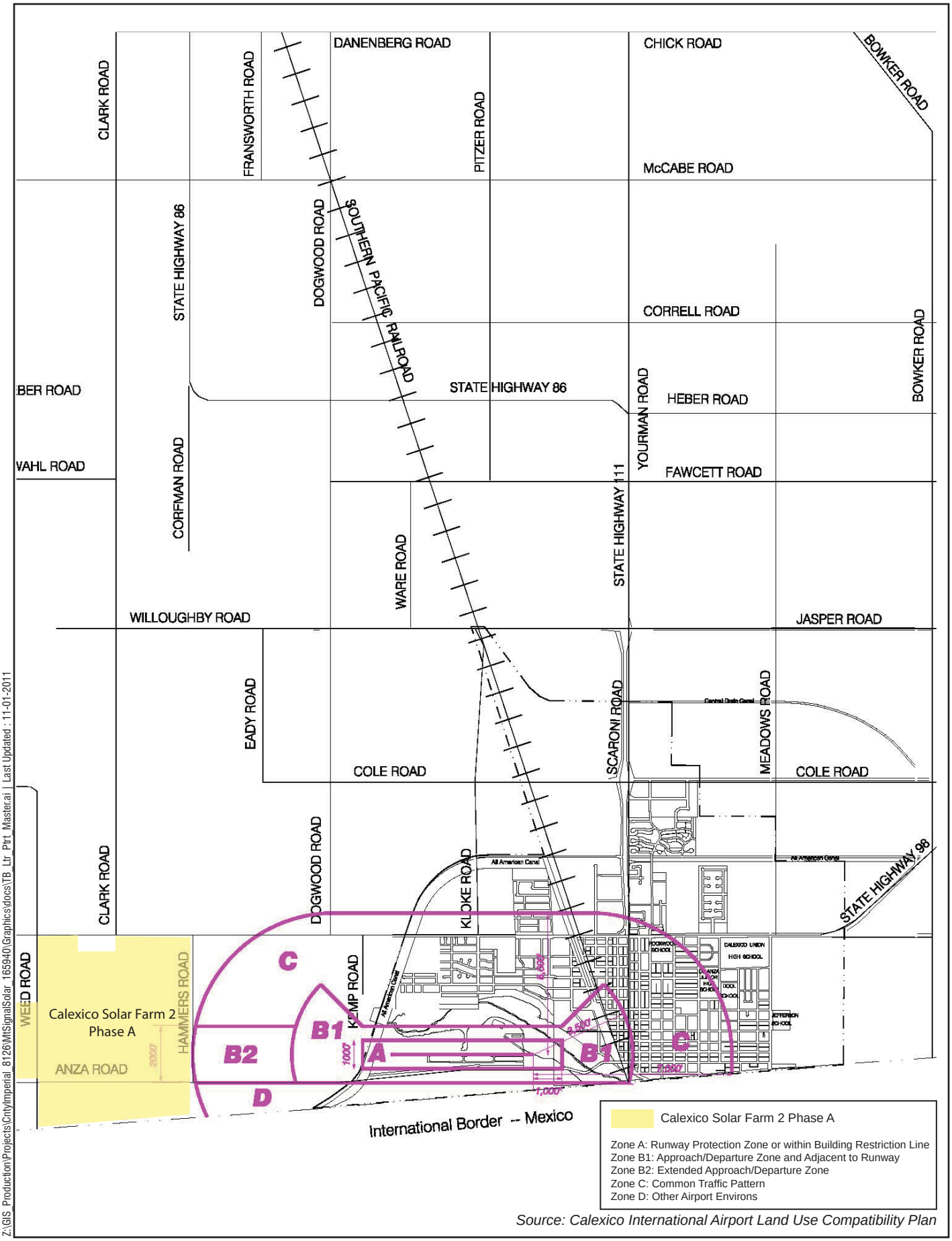
Existing agricultural areas and CSF2(B) border MSSF1 to the north. CSF2(A) and fallow agricultural areas border MSSF1 to the east. The U.S./Mexico border, CSF1(B), and irrigated pasture border MSSF1 to the south. Although agricultural areas currently border the MSSF1 site to west, these areas are planned for the Imperial Solar Energy Center South, which was approved in mid-2011. Existing residences are located at the intersections of SR 98 and Corda Road, Anza Road and a private road approximately 0.25 miles west of Brockman Road (see Figure 4.3-1, Residence Locations).

CSF1(A) encompasses a total of 719 acres and is comprised of four parcels of land: 052-210-001; 052-210-002; 052-210-014; and 052-210-015. CSF1(A) is situated in between Parcels 2 and 3 of MSSF1 and, therefore, on and off-site uses are similar to those described for MSSF1. Existing residences are located at the intersections of Brockman Road and SR 98, SR 98 and a private road approximately 0.5 miles west of Rockwood Road (see Figure 4.3-1, Existing Sensitive Receptors). Additionally, the Mount Signal School is located approximately a half mile to the north of CSF1(A). As shown in Figure 4.10-1, on-site zoning designations include A-2 and A-2-R (see Table 3-1 for parcel specific zoning).

CSF1(B) encompasses a total of 613 acres and is comprised of five parcels of land: 052-190-011; 052 210-018; 052-210-037; 052-210-038; and 052-210-039. CSF1(B) is situated in between and south of Parcels 1 and 2 of MSSF1 and, therefore, on and off-site uses are similar to those described for MSSF1. Existing residences are located at the intersection of Anza Road and a private road approximately 0.25 miles west of Brockman Road (see Figure 4.3-1, Residence Locations). As shown in Figure 4.10-1, on-site zoning designations include A-3 and A-2-R (see Table 3-1 for parcel specific zoning).

CSF2(A) encompasses a total of 940 acres and is comprised of five parcels of land: 059-110-003; 059-110-006; 059-110-007; 059-110-008; and 059-130-003. CSF2(A) is situated in west of MSSF1 and, therefore, on and off-site uses are similar to those described for MSSF1. Existing residences are located at the intersections of Anza Road and a private road approximately 0.5 miles west of Weed Road, SR 98 and Hammers Road, and Weed Road at the Johnson Brothers private airstrip, a privately owned air field (see Figure 4.3-1, Residence Locations). As shown in Figure 4.10-1, on-site zoning designations include A-2 (see Table 3-1 for parcel specific zoning). The privately owned Johnson Brothers private airstrip bisects the central portion of CSF2(A) along a private road that parallels SR 98 to the south. The Calexico International Airport ALUCP area is located adjacent to CSF2(A) and east of Hammers Road (see Figure 4.10-2).

CSF2(B) encompasses a total of 525 acres and is comprised of five parcels of land: 052-180-022; 052-180-043; 052-180-044; 052-180-050; and 052-180-051. CSF2(B) is situated north of MSSF1 and, therefore, on and off-site uses are similar to those described for MSSF1. Existing residences are located at the intersections of SR 98 and Corda Road and Ferrell Road and Kubler Road (see Figure 4.3-1, Residence Locations). As shown in Figure 4.10-1, on-site zoning designations include A-2 and A-2-R (see Table 3-1 for parcel specific zoning).



Source: Calexico International Airport Land Use Compatibility Plan

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Airport Compatibility

FIGURE 4.10-2

The proposed **OTF-Private** consists of a 120-foot wide corridor that parallels an east-west trending, private road that runs approximately 0.5 mile south of SR 98 and 0.5 miles north of Anza Road. This corridor extends south from the private road approximately 0.5 miles west of Weed Road and traverses south to Anza Road. At Anza Road, the OTF corridor extends east to its terminus at Weed Road. This corridor would connect to off-site transmission facilities approved in conjunction with the adjacent Imperial Solar Energy Central South Project.

The **OTF** on **BLM Lands** facilities would in turn interconnect with the OTF-Private transmission facilities and would parallel three existing transmission facilities within BLM's Utility Corridor "N" of the Yuha Basin ACEC and are discussed further in BLM's EA for the Imperial Solar Center South Project.

4.10.2 Impacts and Mitigation Measures

This section presents the significance criteria used for considering project-related land used compatibility impacts and consistency with applicable planning documents, the methodology employed for the evaluation, and mitigation requirements, if necessary.

4.10.2.1 Thresholds of Significance

Consistent with the CEQA Guidelines and the professional judgment of the County's staff and environmental consultants, the projects would result in a significant impact on the environment if it would:

- Physically divide an established community;
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating a significant environmental effect; or
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.10.2.2 Methodology

This analysis evaluates the projects' consistency with applicable Federal, state, and local land uses plans and policies. In order to analyze land-use consistency and land-use impacts, the following approach was employed:

- The projects were reviewed relative to the land-use assumptions, policies, and designations of the Imperial County General Plan and applicable land-use plans, policies, and regulations; and
- The projects were reviewed to identify any potential conflicts between the proposed land uses and existing or proposed land uses in the vicinity.

In some instances, the land use for the project poses potential physical environmental consequences, such as traffic. In these cases, the consequences are discussed in the specific section of this EIR that focuses on that issue. Conceptual site plans for the projects were also used to evaluate potential impacts. These conceptual exhibits are provided in Figures 3.0-4 through 3.0-6 and 3.0-9 through 3.0-13.

Given that the projects involve the potential construction and operation of solar energy facilities and supporting infrastructure that would be able to take advantage of regional transmission infrastructure and favorable market demands, the projects would not include a residential or commercial component that could be subject to future blight conditions. For this reason, this analysis would not provide further consideration of issues relating to future urban decay or urban blight.

4.10.2.3 Impact Analysis

IMPACT 4.10-1	Physically Divide an Established Community. The projects would not physically divide an established community.

MSSF1, CSF1(A), CSF1(B), CSF2(A), CSF2(B), OTF-Private, OTF-BLM Lands

The projects are located in a sparsely populated, agriculturally zoned portion of southern Imperial County. On and off-site uses are comprised of irrigated agriculture with isolated residential structures scattered sparsely throughout the study area. As a result, the implementation of the projects would not divide an established community. The nearest residentially designated land uses are located over a mile east in the City of Calexico. For these reasons, **no significant impact** would result.

Mitigation Measure(s)

No mitigation measures are required.

IMPACT 4.10-2	Conflict with Applicable Land Use Plan, Policies, or Regulations. The projects could conflict with an applicable land-use plan, policy, or regulation of an agency with jurisdiction over the projects (including, but not limited to the general plan, airport land use plan, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

MSSF1, CSF1(A), CSF1(B), CSF2(B)

The County's General Plan applies to the solar energy facility and supporting infrastructure portions associated with the projects. These components are located within the jurisdiction of the County of Imperial. Solar energy facilities are not specifically referenced in the Land Use Element of the General Plan, other than a statement in the Imperial County Land Use Element that "Electrical and other energy generating facilities are heavy industrial uses, except geothermal, hydroelectric, wind, solar facilities may be regulated differently than other types of power plants by implementing zoning." However, the Land Use Element recognizes that geothermal plants, a similar use to the extent that it represents a renewable energy resource, are permitted uses within the "Agriculture" land use category, so long as a CUP is issued and environmental review is completed. In this context, with the issuance of a CUP and completion of a supporting environmental analysis, as provided in this EIR, the projects' solar facilities would be considered a permitted use.

Development of the solar facility is subject to the County's zoning ordinance. Pursuant to Title 9, Division 5, Chapter 9, "Solar Energy Plants" is a use that is permitted in the A-2, A-2-R, and A-3 zones, subject to securing a CUP. "Transmission lines, including supporting towers, poles, microwave towers, utility substations" are permitted uses within the A-3 Zone. Pursuant to Title 9, Division 5, Chapter 8, "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," are uses that are permitted in the A-2, A-3, and A-2-R zone subject to approval of a CUP from the County.

The Land Use Compatibility Matrix (see Table 4 of the Land Use Element) identifies land designated as "Agriculture" as compatible with lands zoned A-2, A-2-R, and A-3. As described above, the project facilities are a conditionally permitted use under the A-2, A-2-R, and A-3 zones and, therefore, are considered consistent with the Agriculture land use designation. As a result, no General Plan land use amendment would be required for construction and operation of solar facility. Further, post-project restoration of the study area would ensure future agricultural production and substantial conformance with the goals and objectives of the County's General Plan. In this context and based on the findings in

Table 4.10-1, which presents a summary determination of the consistency of the projects with the relevant plans and polices, the projects are generally **consistent** with the County's General Plan, Land Use Element, and **no significant impact** would occur.

However, as provided in Section 4.2, Agriculture and Forestry Resources, the projects could be inconsistent with specific goals, policies and objectives associated with agriculture. The County identifies agricultural land as a form of open space. According to the Land Use Element of the General Plan, the permitted uses and standards on agricultural lands include open space/recreation. "Open space and recreation land uses within this category consist of environmentally sensitive areas, parks, fault zones, floodways and floodplains, agricultural lands, and areas designated for the managed production of mineral resources." The projects would convert the site from agricultural land to a solar energy facility. As such, although no formerly-designated recreational uses would be removed, there may be some limited recreational utility lost associated with the agriculture fields as a result of the projects because such activity would be restricted to those with legal access. The projects' conversion of agricultural lands as it affects recreational use at this location is addressed in Section 4.13 of this EIR. With implementation of Mitigation Measure 4.2-1, which requires a restoration plan that would prescribe site-specific requirements for farmland quality and a supporting bond to offset loss of agriculture land pursuant to the County's approval of the applicable CUPs, the projects would not conflict with the County's General Plan, Agricultural Element. Therefore, this significant impact to agricultural resources would be reduced to a **less than significant** level with the prescribed mitigation.

Compatibility with Adjacent Uses

The solar energy facility portion of the projects is not in proximity to urban areas and is generally surrounded by agricultural uses and other proposed solar facilities. However, as provided in Section 4.3, there are several isolated residential structures located within the study area. These locations are illustrated in Figure 4.3-1. As shown, these sensitive uses are generally located at distances of greater than 1,000 feet from proposed O&M and sub-station facilities and, therefore, unlikely to result in nuisance-related impacts, such as noise, glare, or access disruptions that could otherwise conflict with adjacent uses (see Sections 4.2, Aesthetics, 4.3, Air Quality, 4.8, Hazards and Hazardous Materials, and 4.11, Noise and Vibration). Noise associated with solar panel operation (e.g., tracking) would also meet the County's noise ordinance requirements at the projects' property lines. Further, the projects' structural facilities, with the exception of the OTF, would generally be below 35 feet in height and, therefore, would not present a hazard to the Airport Operations Area (or Over flight zone) for Calexico International Airport. Based on these considerations and the fact that the projects are an allowable use within the applicable agricultural zoning, the projects would result in **less than significant** land use conflicts with adjacent uses.

OTF-Private

A new transmission line is required to connect the projects to the electric grid at the Imperial Valley substation, located approximately 5 miles northwest of the study area. The proposed OTF-Private infrastructure would consist of a 210 kV transmission line and associated towers that would connect to approved transmission facilities at the adjacent Imperial Solar Energy Center South Project, which are analyzed in an EIR/EA which is incorporated by referenced into this EIR. The projects would require the use of transmission towers of up to 140 feet in height, which would exceed the height limit within the A-2, A-2-R, and A-3 zones. Title 9 Division 5, Imperial County has established a maximum height of 120 for structures: "Non-residential structures and commercial communication towers shall not exceed 120 feet in height, and shall meet the Airport Land Use Compatibility Plan requirements." As part of the projects, a variance application would be required which, if approved by the County, would allow the new towers to be built at 140 feet in height. As part of the approval of the variance, findings pursuant to Title 9 Division 2, §90202.08 of the Imperial County Land Use Ordinance would be required. Without the obtainment of the variance, the OTF-Private component of the projects would be inconsistent with the County's zoning code. With approval of the variance, a **less than significant impact** is identified.

Additionally, the OTF-Private would be constructed within a distance of 5 statute miles between the farthest edge of the Airport Operations Area (or Over flight zone) for the Calexico International Airport ALUCP. Impacts related to the construction of these facilities are covered under the discussion below for CSF2(A).

CSF2(A)

The CSF2(A) site location is located adjacent to the Calexico International Airport ALUCP with the eastern extent of Zone B2 defined by Hammers Road (see Figure 4.10-2). As a result, the CSF2(A) site is not physically located within any of the zones within the ALUCP. However, the ALUC has not reviewed the projects, including the variance for transmission tower height, to provide a determination of projects consistency with the ALUCP. For this reason and as described in Table 4.10-1 under the related sub-headings, the County is unable to verify any height restrictions or other design considerations for the solar facilities; especially those located in proximity to Hammers Road. Therefore, the proposed solar energy facility at the CSF2(A) site and associated transmission towers cannot be determined to be consistent with the adopted ALUCP without further coordination with the ALUC. As provided in Table 4.10-1, if a tracker mounting system were used in eastern portions of CSF2(A), they could be oriented eastward in the morning to correspond with morning sun angles thereby presenting a glare hazard for pilots at takeoff. This issue may warrant FAA review based on 14 CFR Part 77.13 criteria given the proximity of Zone B2 and the potential for encroachment into the vertical plane of Zone B2 along Hammers Road. Based on these considerations, this impact is considered s**ignificant** and requires mitigation.

OTF-BLM Lands

The proposed OTF on BLM Lands would consist of a 210 kV transmission line and associated towers that would connect to approved transmission facilities at the adjacent Imperial Solar Energy Center South Project. These facilities are proposed adjacent to three existing transmission lines within BLM's Utility Corridor "N" and would interconnect with the Imperial Valley Substation. The No variance is required for the OTF-BLM Lands portion of the projects, which is covered by a separate environmental analysis and EA prepared by BLM for the Imperial Solar Energy Center South Project.

Mitigation Measure(s)

The following mitigation measure is required for CSF2(A) and OTF-Private. No mitigation is required for MSSF1, CSF1(A), CSF1(B), CSF2(A), CSF2(B), and OTF-BLM Lands.

4.10.2b Coordinate with Imperial County ALUC and Incorporate Design Recommendations. The project applicant shall coordinate with the Imperial County ALUC and, if required FAA, to incorporate site-specific recommendations for the site plan for CSF2(A) in relation to facilities proposed within 200-feet of Hammers Road.

Significance After Mitigation

With the implementation of Mitigation Measure 4.10-2b, the project applicant would be required to acquire the necessary project approvals to maintain consistency with local General Plan, Zoning and ALUCP requirements and the impact would be reduced to a **less than significant** level.

IMPACT 4.10-3	Conflict with an Adopted Habitat Conservation Plan or Natural Communities Conservation Plan. The projects would not conflict with any applicable habitat conservation plan or natural community conservation plan.

MSSF1, CSF1(A), CSF1(B), CSF2(A), CSF2(B), OTF-Private

The study area is not within the boundaries of any adopted habitat conservation plan (HCP) (16 USC § 1539) or natural community conservation plan (NCCP) (Cal. Fish & Game Code § 2800 et seq.). The County is not within the boundary of any adopted HCP or NCCP. Based on these considerations, the project solar energy facilities and supporting infrastructure would not conflict with any HCP or NCCP and would result in **no significant impact**.

OTF-BLM-Lands

As provided in Chapter 3, an EA was prepared by BLM for new transmission facilities proposed within BLM's "N" corridor in conjunction with the Imperial Solar Energy Center South Project. As provided in the Imperial Solar Energy Center South FEIR/EA, these facilities would be constructed and operated in conformance with the California Desert Conservation Area (CDCA) and would maintain the integrity and intent of the conservation plan. Furthermore, BLM manages all land uses within the Area of Critical Environmental Concern (ACEC) in order to minimize impacts to sensitive species and, therefore, **no significant impact** would occur.

Mitigation Measure

No mitigation measures are required.

4.10.3 Residual Impacts

With mitigation, issues related to the conversion of Important Farmland to non-agricultural use would be mitigated and reduced to a less than significant level. Similarly, with the approval of a variance for the proposed OTF-private, approval of a CUP and restoration plan to address post-project decommissioning, and coordination with the ALUC, the projects, including OTF constructed on BLM Lands, would generally be consistent with applicable Federal, State, regional, and local plans and policies. Likewise, the projects would not conflict with the provisions of an adopted HCP or NCCP. Based on these circumstances, the projects would not result in any residual significant and unmitigable land use impacts.

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