

CHAPTER 1.0

INTRODUCTION

This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines §15132. The County of Imperial (County) is the lead agency for the environmental review of the Campo Verde Solar Project (project) and has the principal responsibility for approving the project. This Final EIR assesses the expected environmental impacts resulting from approval of the project and responds to comments received on the Draft EIR.

1.1 BACKGROUND AND PURPOSE OF THE FINAL EIR

1.1.1 OVERVIEW OF CEQA REQUIREMENTS FOR PREPARATION OF AN EIR

Imperial County has prepared this Final EIR to provide the public, responsible and trustee agencies with information about the potential environmental effects of the proposed project. As set forth in the provisions of CEQA and implementing regulations, public agencies are charged with the duty to consider the environmental impacts of proposed development and to minimize these impacts where feasible while carrying out an obligation to balance a variety of public objectives, including economic, environmental, and social factors.

CEQA Guidelines §15121(a) states that an EIR is an informational document for decision-makers and the general public that analyzes the significant environmental effects of a project, identifies possible ways to minimize significant effects, and describes reasonable alternatives to the project that could reduce or avoid its adverse environmental impacts. Public agencies with discretionary authority are required to consider the information in the EIR, along with any other relevant information, in making decisions on the project.

CEQA requires the preparation of an environmental impact report prior to approving any project which may have a significant effect on the environment. For the purposes of CEQA, the term “project” refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines §15378[a]). With respect to the Campo Verde Solar Project, the County has determined that the proposed development is a “project” within the definition of CEQA.

1.1.2 ENVIRONMENTAL REVIEW PROCESS OF THE PROJECT

The following is an overview of the environmental review process for the project that led to the preparation of this Final EIR:

1.1.2.1 NOTICE OF PREPARATION AND INITIAL STUDY

In accordance with §15082 of the CEQA Guidelines, Imperial County prepared a Notice of Preparation (NOP) of an EIR on November 15, 2011. The County was identified as the lead agency for the proposed project. The purpose of the notice was to solicit comments on the proposed project; therefore it was circulated to interested parties as well as to the public, local, state, and federal agencies. The November 2011 NOP, and comments responding to the NOP, are presented in Appendix A of the Draft EIR.

1.1.2.2 DRAFT EIR

The Draft EIR was prepared in May 2012 and circulated for 50-day public and agency review from May 15, 2012 to July 3, 2012. The Draft EIR contains a description of the project, description of the environmental setting, identification of project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at the Imperial County Planning and Development Services Department, the Imperial County Website, and local libraries.

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1.1.2.3 FINAL EIR

This Final EIR presents the environmental information and analyses that have been prepared for the proposed project, including comments received addressing the adequacy of the Draft EIR, and responses to those comments. This Final EIR document also includes an additional alternative developed in response to feedback from stakeholders. The addition of the Reduced Size Solar Generation Facility Alternative, as detailed in this Final EIR, reflects an alternative that does not constitute significant new information and does not change any of the impact conclusions of the Draft EIR. The addition of this alternative does not constitute changes to the project or environmental setting nor would it result in any new significant environmental impacts. Furthermore, the addition of the Reduced Size Solar Generation Facility Alternative would not cause a substantial increase in the severity of any environmental impacts. Rather, the addition of this alternative would reduce the impacts to agricultural and environmental resources. (Refer to Chapter 4.0, Errata, “Chapter 6.0” for the analysis of the Reduced Size Solar Generation Facility as well as CEQA Procedural Considerations as to why recirculation of the EIR is not necessary).

As required by CEQA, this document responds to all written comments received during the 50-day comment period which began on May 15, 2012 and ended on July 3, 2012. Following the close of the CEQA public review period on July 3, 2012, the County received 9 individual comment letters from agencies and interest groups regarding the Draft EIR. This response to comments document, in conjunction with the Draft EIR, constitutes the Final EIR for the proposed project. Copies of all comment letters submitted in response to the Draft EIR are presented in Chapter 3.0, Comments and Response to Comments of this document. These comments were reviewed and revisions were incorporated into the Draft EIR where appropriate. Requirements for the preparation and disposition of the Response to Comments are provided for in Public Resources Code (PRC), Division 13, §21092.5 and CEQA Guidelines §15088.

In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR and are included as part of the Errata in Chapter 4.0 of this Final EIR. The Biological Technical Report and the Air Quality Assessment were also revised and updated and are included as Appendix A and C, respectively of this Final EIR in lieu of errata revisions. Accordingly, sections of the EIR which were based on these studies have likewise been revised in their entirety. Section 4.4, Air Quality is included as Appendix D and Section 4.12, Biological Resources, is included as Appendix B of this Final EIR in lieu of errata revisions.

The Final EIR in combination with the Draft EIR and the Mitigation Monitoring and Reporting Program (MMRP) (which is included as Chapter 5.0 of this Final EIR), will be used by the Planning Commission and Board of Supervisors in the decision-making process for the proposed project.

1.2.2.4 CERTIFICATION OF THE FINAL EIR/PROJECT CONSIDERATION

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

Upon review and consideration of the Final EIR, the County may take action to approve, revise, or reject the project. A decision to approve the project would be accompanied by written findings in accordance with CEQA Guidelines §15091 and §15093. Public Resources Code Section §21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been

adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment.

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. The EIR for the Campo Verde Solar Project has been prepared as a Project EIR pursuant to CEQA Guidelines §15161. The analysis associated with a Project EIR focuses primarily on the changes in the environment that would occur as a result of project implementation.

Ultimately, the EIR is used by the County as a tool in evaluating the proposed project's environmental impacts and can be further used to modify, approve, or deny approval of, the proposed project.

1.2.3 INTENDED USES OF THE EIR

The EIR is intended to evaluate the environmental impacts of the project to the greatest extent possible. This EIR, in accordance with CEQA Guidelines §15126, should be used as the primary environmental document to evaluate all planning and permitting actions associated with the project. These actions include, but are not limited to, the following:

- Demolition Permit for removal of existing structures
- Grading Plan for the project site and roadways
- Construction Traffic Control Plan
- Public Benefit Agreement
- Building Permits
- Encroachment Permits from the Imperial County Public Works Department for access to the lot(s) and for any proposed road crossings
- Occupancy Permit

1.2.4 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

CHAPTER 1.0 - INTRODUCTION

Chapter 1.0 provides an overview of the EIR process to date and the required contents of the Final EIR.

CHAPTER 2.0 - EXECUTIVE SUMMARY

Chapter 2.0 summarizes the characteristics of the proposed project and provides a concise summary matrix of the project's environmental impacts and associated mitigation measures.

CHAPTER 3.0 - COMMENTS AND RESPONSES TO COMMENTS ON THE DRAFT EIR

Chapter 3.0 provides a list of commenters, copies of written comments (coded for reference), and the responses to those written comments made on the Draft EIR.

CHAPTER 4.0 - ERRATA

Chapter 4.0 consists of revisions to the Draft EIR that are a result of responses to comments, as well as minor staff edits that do not change the intent or content of the analysis; the conclusions regarding level of significance of impacts; or alter mitigation measures in their effectiveness to reduce impacts.

CHAPTER 5.0 - MITIGATION MONITORING AND REPORTING PROGRAM

Chapter 5.0 contains a matrix identifying each mitigation measure, the timing of the mitigation, the responsible agency and a place to check off when the mitigation has been completed.

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