

SECTION 4.2

LAND USE

This section describes the land use plans, policies, and regulations that apply to the proposed Project. The solar field site parcels and Gen-Tie lines are located in Imperial County on privately held lands. Applicable local land use plans and regulations include the County's General Plan and Land Use Ordinance, and the Airport Land Use Compatibility Plan (ALUCP).

4.2.1 REGULATORY FRAMEWORK

A. FEDERAL

Federal Aviation Regulations Part 77

The FAA regulates aviation at regional, public, private, and military airports. The Federal Aviation Administration (FAA) requires notification regarding structures to be constructed in excess of 200 feet in all areas (and, potentially, of structures less than 200 feet, depending on proximity of the proposed structure to public use airports). The U.S. Department of Transportation (DOT) and California Department of Transportation (Caltrans) also require the applicant to submit FAA Form 7460-1, Notice of Proposed Construction or Alteration. Notification allows the FAA to identify potential aeronautical hazards in advance, thus preventing or minimizing any adverse impacts on the safe and efficient use of navigable airspace (49 CFR Part 77.17). Any structure subject to the notification requirement that would also constitute a hazard to air navigation, as defined in FAA Part 77, requires issuance of a permit from the Caltrans Aeronautics Program. If the FAA aeronautical study determines that the structure has no impact on air navigation, a permit is not required.

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 C and D of an ALUCP to less than 35 feet above ground level. Proponents of a project which may exceed a Part 77 limit must notify the Federal Aviation Administration. Currently, there are no such locations near the existing airports in Imperial County. The Project is not proposed to be located within Compatibility Zones C or D of any ALCUP where a 35 foot height limit would trigger a notification requirement. With a maximum structure height of 140 feet, the Project does not propose a structure in excess of 200 feet that would trigger notification requirement.

The Naval Air Facility, El Centro is approximately 6 miles north of northernmost Project parcels; the El Centro Airport is approximately 7.5 miles to the northeast of the northernmost Project parcels; and the Calexico International Airport is located approximately 4 miles east of the easternmost Project parcels. According to Figure 3G (Compatibility Map-Naval Air Facility, El Centro) of the ALUCP, the solar field site parcels are not located within any of the Naval Air Facility, El Centro land use compatibility zones. According to Figure 3E (Compatibility Map-Imperial County Airport) of the ALUCP, the solar field site parcels are not located within any of the Imperial County Airport Land Use Compatibility Zones. According to Figure 3B (Compatibility Map-Calexico International Airport) of the ALUCP, the solar field site parcels are not located within any of the Calexico International Airport land use compatibility zones (Imperial County 1996).

The Johnson Brothers Private Airstrip, a privately owned air field used for commercial aerial application of fungicides or insecticides on growing crops, is located 1.5 miles to the east of the eastern border of the solar field site parcels that would be developed as the central and southern CUP clusters. The Johnson Brothers Private Airstrip is not a public use airport for purposes of the ALUCP; that is, the airstrip is not an airport served by a scheduled airline or operated for the benefit of the general public¹ within the jurisdiction of the Imperial County Airport Land Use Commission (California Airport Land Use Planning

¹ The Avian Acres website (<http://www.aviationacres.com/california.asp?CMD=AirportDetail&ID=1752>) advertises the Johnson Brothers Airstrip as not open to public use.

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Handbook, Section 2.2.2). Accordingly, the airstrip is not listed in the Imperial County ALUCP as the scope of the ALUCP is limited to public use and military airports pursuant to Public Utility Code Section 21675 (a) and (b). Accordingly, the Johnson Brothers Private Airstrip has no Compatibility Zones C or D and therefore the Project is not within a Compatibility Zone C or D.

B. REGIONAL

The Southern California Association of Governments (SCAG) reviews projects in the Southern California region of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties. CEQA requires that regional agencies like SCAG review projects and plans throughout its jurisdiction in order to monitor development. Projects and plans that are of sufficient size or magnitude as defined in CEQA Guidelines Section 15206 are considered “regionally significant” and must demonstrate to SCAG their consistency with a range of adopted regional plans and policies such as the Regional Comprehensive Plan and Guide, the Regional Transportation Plan, and the 2004 Compass Blueprint Growth Vision Report. SCAG has identified 22 Minimum Criteria for Classification of Projects as Regionally Significant. Criteria 1 thru 12 are recommended for use by CEQA Guidelines, Section 15206. Criteria 13 thru 22 reflect SCAG’s mandates and regionally significant projects that directly relate to policies and strategies contained in the Regional Comprehensive Plan and Guide. Criterion 14 identifies “New or expanded electrical generating facilities and transmission lines” as regionally significant projects. **Table 4.2-1** provides a summary of the proposed Project’s consistency with applicable SCAG intergovernmental review policies.

**TABLE 4.2-1
PROJECT CONSISTENCY WITH SOUTHERN CALIFORNIA ASSOCIATION OF
GOVERNMENTS INTERGOVERNMENTAL REVIEW POLICIES**

SCAG IGR Policies	Consistent with IGR Policies?	Analysis
REGIONAL TRANSPORTATION PLAN POLICIES		
RTP G5 Protect the environment, improve air quality and promote energy efficiency.	Yes	The proposed Project would indirectly improve air quality by serving the public existing and forecasted energy demands through provision of 250 MW of renewable energy produced by solar power rather than fossil-fuel. Displacing the need for as many future fossil-fuel sources provides cleaner air with fewer GHG emissions and other criteria pollutants associated with fossil-fuel energy generation. The Project would also contribute to greater energy efficiency by helping meet or exceed the State’s Renewable Portfolio Standard (RPS) goals and constructing the O&M building in accordance with Title 24 energy efficiency standards. Therefore, the proposed Project would be consistent with RTP Goal 5.
RTP G6 Encourage land use and growth patterns that complement our transportation investments and	Yes	While the proposed Project is part of an existing pattern of special solar generation urban uses, it does not require the extension of expensive water and sewer pipelines and

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GOVERNMENTS INTERGOVERNMENTAL REVIEW POLICIES

SCAG IGR Policies	Consistent with IGR Policies?	Analysis
improves the cost-effectiveness of expenditures.		roads that are generally the concern with a checkerboard development of non-agricultural uses (like commercial and residential developments) outside a city's sphere of influence or away from transportation investments. Instead, the proposed project is located away from other non-solar urban uses and provides for cost-effective on-site water and sewer. Sufficient roadway infrastructure is available to accommodate construction and operation, and additional public transportation investments would not be required to serve the proposed project. Some minor improvements to existing roadways including project access ways and related improvements to Imperial Irrigation District (IID) canals/drains would be implemented by the Project. Therefore, the proposed Project is consistent with RTP Goal 6.
2004 COMPASS BLUEPRINT GROWTH VISION REPORT PRINCIPALS		
Principle 4: Promote Sustainability For Future Generations		
GV P4.1 Preserve rural, agricultural, recreational and environmentally sensitive areas.	Yes	The proposed Project would be located on private land currently in agricultural production. Upon completion of the Project's operational life, the Project would require implementation of a Reclamation Plan to restore the solar field site parcels to pre-Project soil conditions. In order to minimize potential impacts to the surrounding environment, the Project proposes shared use of the existing Gen-Tie approved and constructed as part of the Mount Signal Solar Farm Project. The Gen-Tie constructed as part of the proposed Project would be located in areas previously analyzed under CEQA as part of the Mount Signal and Calxico Solar Farm Project EIR (SCH. No. 2011071066). Further, the Project includes Applicant proposed Measures/Project Design Features (as listed in Table 2.0-9 in Chapter

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**TABLE 4.2-1
PROJECT CONSISTENCY WITH SOUTHERN CALIFORNIA ASSOCIATION OF
GOVERNMENTS INTERGOVERNMENTAL REVIEW POLICIES**

SCAG IGR Policies	Consistent with IGR Policies?	Analysis
		2.0, Project Description) to avoid and preserve sensitive areas whenever possible. A Reclamation Plan would also be required demonstrating how the solar field site parcels would be returned to agricultural productivity at the end of the Project's useful life. In addition, the Project would be required to comply with standards enforced by other local (e.g. IID), state (e.g. California Department of Fish and Wildlife), and federal agencies (e.g. U. S. Fish and Wildlife Service). Section 4.12, Biological Resources, of this EIR demonstrates that all Project-related impacts would be reduced to less than significant levels with mitigation. The proposed Project is consistent with this principle.
GV P4.3: Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.	Yes	The proposed Project would involve production of renewable energy using solar PV or CPV technology. Harnessing the sun's power to create carbon-free renewable energy would indirectly reduce the need for as many fossil fuel emissions associated with production of 250 MW of electricity to meet existing and forecasted public demands for energy. Therefore, the proposed Project is consistent with this principle.
GV P4.4: Utilize "green" development techniques.	Yes	The proposed Project would be an example of green development, as it involves solar PV or CPV technology to generate renewable solar electricity as opposed to energy produced with fossil fuels. Therefore, the proposed Project is consistent with this principle.

Source: SCAG 2008.

C. LOCAL

Imperial County General Plan

The purpose of the Imperial County General Plan is to guide growth throughout the County. Urban development is directed to areas where public infrastructure can be readily extended and areas with limited health and safety hazards. Likewise development should avoid natural, cultural, and economic resources. The General Plan includes ten elements: 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. These elements satisfy the California Government Code requirements for general plan elements. Each element includes goals, objectives, and implementing policies and programs. As shown in **Figure 4.2-1**, the General Plan land use designation “Agriculture” applies to all of the 32 solar field site parcels. The Land Use Element of the Imperial County General Plan defines the “Agriculture” designation as follows:

This category is intended to preserve lands for agricultural production and related industries including aquaculture (fish farms), ranging from light to heavy agriculture. Packing and processing of agricultural products may also be allowed in certain areas, and other uses necessary or supportive of agriculture. The Agriculture category includes most of the central irrigated area known as the Imperial Valley, the Bard/Winterhaven Valley and the south end of the Palo Verde Valley.

Where this designation is applied, agriculture shall be promoted as the principal and dominant use to which all other uses shall be subordinate. Where questions of land use compatibility arise, the burden of proof shall be on the non-agricultural use to clearly demonstrate that an existing or proposed use does not conflict with agricultural operations and will not result in the premature elimination of such agricultural operations. No use should be permitted that would have a significant adverse effect on agricultural production, including food and fiber production, horticulture, floriculture, or animal husbandry. All non-agricultural uses in any land use category shall be analyzed during the subdivision, zoning, and environmental impact review process for their potential impact on the movement of agricultural equipment and products on roads located in the Agriculture category.

No land shall be removed from the Agriculture category except for annexation to a city, where needed for use by a public agency, for geothermal purposes, where a mapping error may have occurred, or where a clear long term economic benefit to the County can be demonstrated through the planning and environmental review process (Imperial County 2008, p. 48).

The proposed Project does not remove land from the Agricultural land use designation even though the proposed Project involves a temporary conversion of agricultural use to an urban industrial solar generation use. Per Title 9, Division 5, Sections 90508.02 and 90509.02 of the Land Use Ordinance, solar energy electrical generators, electrical power generating plants, substations, and facilities for the transmission of electrical energy are allowed as conditional uses in Agricultural zones.

The Imperial County General Plan balances agriculture and alternative energy uses. In 2006, the County adopted the General Plan’s Geothermal/Alternative Energy and Transmission Element. This Element serves as the primary policy statement by the Board of Supervisors for implementing development policies for alternative energy land uses in Imperial County, regardless of the land use category designated in the General Plan. Section I(C) explains that the County adopted the Geothermal/Alternative Energy and Transmission Element after determining that the benefits of alternative energy development in the County include:

1. Fiscal benefit of expanded property tax revenues;
2. Fiscal benefit of sales tax revenues from purchase of goods and services;
3. Royalty and lease benefits to local landowners and County.

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4. Social and fiscal benefits from increased economic activity and employment opportunities;
5. Improvements in technology to reduce costs of electrical generation;
6. Potential air quality improvement by displacement of fossil-fueled generated electricity with geothermal/alternative energy power which does not add to the Greenhouse effect;
7. Contributes toward meeting the State of California's Renewables Portfolio Standard (RPS)"

In view of these benefits, the County amended the General Plan to ensure that such projects would have a place in the County and the Goals, Policies and Objectives that follow reflect the County's efforts to balance agricultural and renewable energy uses.

Table 4.2-2 analyzes the consistency of the proposed Project with the applicable goals, policies and objectives relating to land use from the Imperial County General Plan. While this EIR analyzes the Project's consistency with the General Plan pursuant to CEQA Guidelines Section 15125(d) and can be used as substantial evidence to support a finding of consistency required under laws other than CEQA, the Imperial County Board of Supervisors ultimately determines whether the Project is consistent with the overall intent of the General Plan.

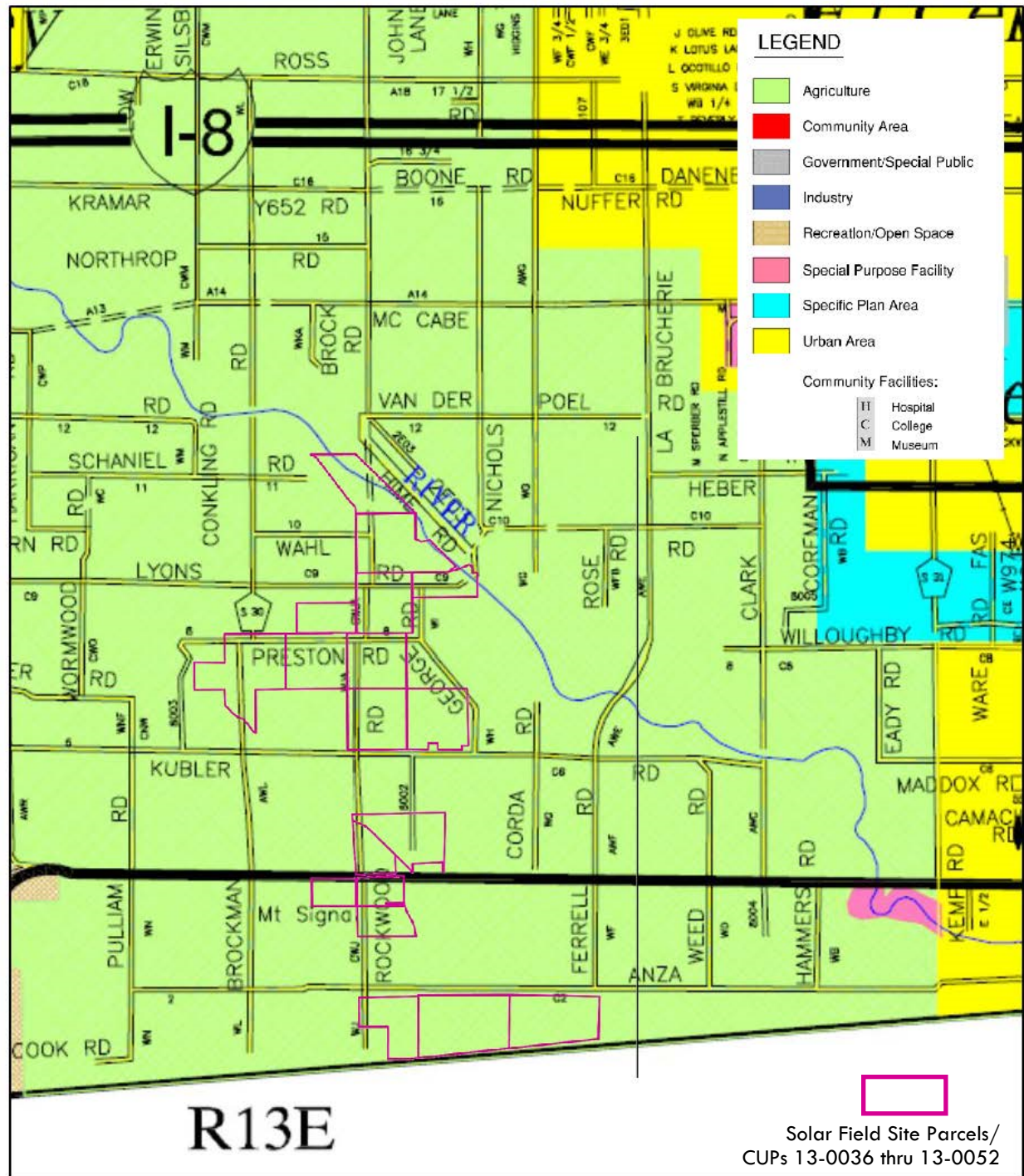
County of Imperial Land Use Ordinance, Title (9)

The County of Imperial Land Use Ordinance (Title 9) provides the physical land use planning criteria, development standards, and zoning regulations for development in the unincorporated areas of the County.

The purpose of the Land Use Ordinance is to protect the public health, safety and welfare, to provide for orderly development, classify, regulate and where applicable segregate land uses and building uses; to regulate the height and size of buildings; to regulate the area of yards and other open spaces and buildings; to regulate the density of population; and, to provide the economic and social advantages resulting from orderly planned land uses and resources.

As depicted in **Figure 4.2-2**, the solar field site parcels are zoned General Agriculture (A-2), General Agriculture Rural (A-2-R) and Heavy Agriculture (A-3)(refer to Table 2.0-2 in Chapter 2.0, Project Description). The Gen-Tie transmission corridors and Electric Collector Line Corridor would align through agriculturally zoned lands (A-2, A-2-R and A-3 zoning).

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Source: Imperial County 2007, DD&E 2014.

FIGURE 4.2-1
IMPERIAL COUNTY LAND USE PLAN - SOLAR FIELD SITE PARCELS

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**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
AGRICULTURAL ELEMENT²		
CONSERVATION AND OPEN SPACE ELEMENT		
Conservation of Environmental Resources for Future Generations		
Goal 1: Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions.	Yes	As a solar energy facility, the proposed Project would protect environmental resources through the generation of 250 MW of renewable energy that would otherwise be generated by non-renewable fossil fuels. Further, the Project is located on active agricultural land, and would be required to reclaim the acreage to pre-Project soil conditions at the end of each CUP or 30 years, whichever is later. Therefore, the proposed Project is consistent with this goal.
Objective 1.2 Encourage only those uses and activities that are compatible with the fragile desert, aquatic, and marshland environment.	Yes	Project-specific biological and hydrological reports were prepared for the solar field site parcels. These studies identify potential impacts to the New River and Greenson Drain as a result of receiving Project runoff. The Project's configuration would be consistent with applicable regulations, Applicant-proposed Best Management Practices (BMPs) and Design Features (refer to Table 2.0-9 in Chapter 2.0, Project Description), and Project-specific mitigation measures designed to protect biological resources and water quality. Therefore, the proposed Project would be consistent with this objective. These issues are further addressed in Section 4.12, Biological Resources, and Section 4.11, Hydrology and Water Quality. No portion of the Project site is contiguous with a fragile desert. It is proposed to be developed on the disturbed soils of agricultural lands in order to avoid impacts to fragile desert habitats. Therefore, the proposed Project is consistent with this objective.
Objective 1.5 Provide for the most beneficial use of land based upon recognition of natural constraints.	Yes	The solar field site parcels would be temporarily converted from actively cultivated agricultural land to a solar energy facility (refer to Section 4.9, Agricultural Resources). The proposed

² The consistency analysis of the project and General Plan Goals, Objectives and Policies regarding Agricultural are located in the Section 4.9 (Agricultural Resources) of the EIR and are herein incorporated by reference.

**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
		<p>Project would provide a beneficial use of the land by creating local jobs during construction and to a lesser degree during operation. Section I(C) of the Imperial County General Plan Geothermal/Alternative Energy and Transmission Element explains that the County adopted the element after determining that the benefits of alternative energy development in the County include: 1) Fiscal benefit of expanded property tax revenues; 2) Fiscal benefit of sales tax revenues from purchase of goods and services; 3) Royalty and lease benefits to local landowners and County; 4) Social and fiscal benefits from increased economic activity and employment opportunities; 5) Improvements in technology to reduce costs of electrical generation; 6) Potential air quality improvement by displacement of fossil-fueled generated electricity with geothermal/alternative energy power which does not add to the Greenhouse effect; 7) Contributes toward meeting the State of California's Renewables Portfolio Standard (RPS). In addition, the generation of 250 MW of renewable energy is a benefit that would otherwise be generated by non-renewable fossil fuels. Therefore, the proposed Project is consistent with this objective.</p>
<p>Objective 1.6 Ensure the conservation, development and utilization of the County's natural resources.</p>	<p align="center">Yes</p>	<p>The proposed Project would result in only a temporary conversion of agricultural lands with the required restoration of the CUPs back to pre-Project soil conditions at the end of the Project's operational life thus assuring the conservation of valuable agricultural soils. During the life of the Project, the County's immense solar resource would be used for generation of clean electrical energy thus conserving air quality resources that would otherwise be polluted from fossil fuel emissions necessary to develop 250 MW of power.</p>

General Plan Policies	Consistent with General Plan?	Analysis
<p>Conservation of Energy Sources</p> <p>Goal 6: The County shall seek to achieve maximum conservation practices and maximum development of renewable alternative sources of energy.</p>	<p>Yes</p>	<p>The proposed Project is consistent with this goal for the reasons stated in Conservation Objective 1.6 and Agricultural Element Goal 1 (Preservation of Important Farmland). In addition, in 2006, the County adopted the General Plan's Geothermal/Alternative Energy and Transmission Element. This Element serves as the primary policy statement by the Board of Supervisors for implementing development policies for alternative energy land uses in Imperial County and provides guidance regarding "maximum development of renewable energy". The benefits of developing alternative energy are identified under Objective 1.5, above. Consistent with these benefits, the proposed Project will require substantial purchase of goods and services to manufacture the facility with the purchase points to be in Imperial County in order to provide sales tax revenues for the County. In addition, the proposed Project's ground lease/purchases provides funds to the local landowners and farmers to support agricultural programs and businesses. The proposed Project will also provide a significant number of construction jobs. The proposed Project's indirect effects include the displacement of carbon-fuel based generation facilities to meet demand for electricity, thus reducing greenhouse gas emissions. The proposed Project's electricity generation qualifies for the RPS thus assisting the state with meeting and exceeding its RPS. Therefore, the proposed Project is consistent with this Goal.</p>
<p>Objective 6.1 Define and assure adequate energy supplies for Imperial County.</p>	<p>Yes</p>	<p>The proposed Project would be integral to assuring adequate energy supplies for Imperial County as well as helping the State with meeting and exceeding its RPS.</p>

TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Policies	Consistent with General Plan?	Analysis
Objective 6.2 Encourage the utilization of alternative passive and renewable energy resources.	Yes	The proposed Project, as a solar energy generation facility, encourages the use of renewable energy resources. As such, the proposed Project is consistent with this objective.
Objective 6.3 Maximize energy conservation and efficiency of utilization.	Yes	The proposed Project would rely on the sun's power to generate electricity. This clean form of producing electricity is efficient and reduces the need for fossil-fuel based electricity generation. Therefore, the proposed Project is consistent with this objective.
Objective 6.4 Minimize environmental impact of energy sources.	Yes	The proposed Project would be developed on lands that were previously disturbed by agricultural activity. As such, the environmental impacts to biological resources would be reduced compared to a similar project developed in the desert or other biologically sensitive area. The proposed Project would also minimize impacts to the environment through off-setting reliance on fossil-fuel based electricity and the associated greenhouse gas production. Therefore, the proposed Project is consistent with this objective.
Objective 6.5 Minimize possibility of energy shortages and resulting hardships.	Yes	The proposed Project would add to the amount of renewable energy being generated in the County and the State. The proposed Project's electricity generation qualifies for the RPS thus assisting the state with meeting and exceeding its RPS. Therefore, the proposed Project is consistent with this objective.
Objective 6.6 Encourage compatibility with national and State energy goals and city and community general plans.	Yes	As a large-scale solar energy facility, the proposed Project would coincide with the County's goal of developing alternative energy. Likewise, the proposed Project would comply with State mandates for renewable energy development and energy storage development. Therefore, the proposed Project is consistent with this objective.
Objective 6.7 Support local utility company's energy conservation programs.	Yes	IID is the local electricity provider for the County. The production of renewable energy will expand IID's existing programs and reduce the reliance on fossil based energy production.

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**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
		The proposed Project would produce clean renewable energy that would be transmitted to IID's Imperial Valley Substation. Therefore, the proposed Project is consistent with this objective.
LAND USE ELEMENT		
Commercial Agriculture		
Goal 1: Preserve commercial agriculture as a prime economic force.	Yes	The proposed Project would temporarily convert 2,589 acres of the Project site parcels (exclusive of roads and canals) to a solar energy center for the useful life of the Project. At the end of the Project's useful life, the Project's ground lease requires the Applicant to restore the CUPs back to pre-Project agricultural use. In addition, Project will prepare a reclamation plan describing how the CUPs will be reclaimed to pre-Project soil conditions. Lastly, the Project's proposed temporary suspension of agricultural uses on 2,589 acres are well within both the 25,000 acres of agricultural land IID seeks to fallow as part of its Equitable Distribution Plan and the historic fallowing levels in the County (IID 2006). The Project's agricultural reclamation feature (decommissioning) has been incorporated into mitigation measure MM 4.9.1a to facilitate the County's monitoring and tracking of the Project's requirements and to assure the County and the public that the reclamation plan includes adequate security and meets a performance standard. Therefore, the proposed Project is consistent with long-term the overall intent of this this goal.
Economic Growth		
Goal 2: Diversify employment and economic opportunities in the County while preserving agricultural activity.	Yes	The proposed Project would diversify employment and economic opportunities in the County through the creation of short-term construction jobs as well as long-term operation and maintenance jobs. The proposed Project, as a solar generation facility, is among the non-agricultural uses identified in this General Plan for diversification of the County's economic base. As discussed above under the consistency analysis for Objective 1.5 and Goal 6 of the

**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
		Agricultural Element, the Geothermal/Alternative Energy and Transmission Element enumerates the varied benefits of alternative energy including fiscal, social, technological and environmental benefits. In view of these benefits, the County amended the General Plan to ensure that such projects would have a place in the County. Therefore, the proposed Project is consistent with this Goal.
Regional Vision		
Goal 3: Achieve balanced economic and residential growth while preserving the unique natural, scenic, and agricultural resources of Imperial County.	Yes	The proposed solar field site parcels are all currently used for agricultural activities and would be temporarily converted to a solar energy facility. At the end of the Project's operational life, or expiration of proposed CUPs, the Project would be required to implement a Reclamation Plan to return each CUP to a condition to support agricultural production. Further, the Project would create significant construction jobs and sales tax revenue from the local development and generation of 250 MW of renewable energy. Therefore, the proposed Project is consistent with this goal.
Public Facilities		
Goal 8: Coordinate local land use planning activities among all local jurisdictions and state and federal agencies.	Yes	The proposed Project includes development of up to 17 CUPs and an associated Gen-Tie on private land within the jurisdiction of the County of Imperial. The Project would be required to coordinate with the following agencies, including, but not limited to the Imperial County Planning and Development Services Department, Imperial County Public Works Department, IID, Caltrans, and Regional Water Quality Control Board 7 (RWQCB-7). These are Responsible Agencies under CEQA and therefore outreach to and coordination with these agencies has already been initiated through this EIR's scoping process, which solicited comments from these agencies regarding the proposed Project. Therefore, the proposed Project is consistent with this goal.

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**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
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.	Yes	The Imperial County Land Use Ordinance conditionally allows for “major facilities relating to the generation and transmission of electrical energy” on agriculturally-zoned lands with a CUP (Imperial County 2009). The Applicant has requested 17 CUPs from the County, which collectively comprise most of the Project. Further, the Project proposes to co-locate its Gen-Tie facilities with the Mount Signal Solar Farm Gen-Tie infrastructure. Co-location of the Gen-Tie would be compatible with the existing electric collection line corridor, which minimizes visual impacts that would be caused if there were two parallel rows of transmission towers extending to the same substation. Therefore, the proposed Project is consistent with this objective.
Objective 8.9 Require necessary public utility rights-of-way when appropriate.	Yes	As identified in Table 2.0-9, of the Project Description, the proposed Project may require activities in utility rights-of-way (ROW) associated with IID water and energy infrastructure; IID, private, or County vehicular crossings; and the Caltrans SR-98 ROW. The Applicant is already required by law and through CUP conditions to obtain applicable permits and approvals prior to initiation of any activities within these ROWs. Therefore, the proposed Project is consistent with this objective.
Protection of Environmental Resources		
Goal 9: Identify and preserve significant natural, cultural, and community character resources and the County's air and water quality.	Yes	The proposed solar field site parcels are not identified as being in an area with significant natural, cultural or community character in the General Plan. All of the solar field site parcels are in a rural industrial area of Imperial County surrounded by other solar development projects and agricultural fields. Accordingly, the proposed Project is consistent with the existing community character. In addition, the Project site is located on already disturbed agricultural lands to avoid impacting the pristine desert lands to the west. The Project, as mitigated, does not have a significant impact on cultural

TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Policies	Consistent with General Plan?	Analysis
		<p>resources as further analyzed in Section 4.7 (Cultural and Paleontological Resources). As a clean, renewable source of electricity, the proposed Project would also indirectly benefit air quality by reducing the amount of GHG emissions necessary to generate 250 MW of electricity to meet the public's existing and forecasted demand. Fewer fossil fuel electricity generation projects will need to be constructed in order to meet this demand with the development of this Project than would occur if the Project were not developed. The proposed solar energy center would also reduce water usage on the solar field site parcels as a solar energy facility would require substantially less water than would crop cultivation. The Applicant would also be required to implement Project Design Features and Project-specific mitigation measures to preserve the County's air and water quality as further analyzed in Section 4.11 (Hydrology & Water Quality), Section 4.4 (Air Quality)_and Section 4.5 (Climate Change and Greenhouse Gases). Therefore, the proposed Project is consistent with this goal.</p>
<p>Objective 9.6 Incorporate the strategies of the Imperial County Air Quality Attainment Plan (AQAP) in land use planning.</p>	<p align="center">Yes</p>	<p>An Air Quality Impact Analysis (AQIA) was prepared for the proposed Project. The AQIA identified potential emissions of Project-generated criteria pollutants primarily during construction. Once operational, the proposed. The Project would be required to implement standard, discretionary, and Project-specific mitigation measures in order to comply with all County air quality-related plans and regulations. Project air quality compliance is further discussed in Section 4.4, Air Quality of this EIR. Therefore, the proposed Project is consistent with this objective.</p>

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**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
GEOTHERMAL/ALTERNATIVE ENERGY AND TRANSMISSION ELEMENT		
Development of Geothermal/Alternative Energy Resources		
<p>Goal 1: The County of Imperial supports and encourages the full, orderly, and efficient development of geothermal/alternative energy resources while at the same time preserving and enhancing where possible agricultural, biological, human, and recreational resources.</p>	Yes	<p>The proposed Project would be developed on lands that were previously disturbed by agricultural activity and would result in only a temporary conversion of agricultural lands with the required restoration of the CUPs back to pre-Project soil conditions at the end of the Project's operational life. Reclamation would assure the conservation of valuable agricultural soils. In addition, to minimize transmission line-related impacts to agricultural lands, biological resources, and the natural desert landscape, the Project proposes to co-locate its Gen-Tie with the existing Mount Signal Solar Farm Gen-Tie. Co-location would support orderly development while preserving undisturbed lands. During the life of the Project, generation of clean electrical energy would conserve air quality resources and potentially improve human exposure to emissions from fossil fuels that would otherwise be generated by production of 250 MW of power. No recreational resources would be affected by development of the proposed Project. Therefore, the proposed Project is overall consistent with this goal.</p>
Agricultural Lands and Biological Resources		
<p>Goal 2 The County will minimize all impacts to agricultural lands and biological resources that could potentially result from the development geothermal/alternative resources.</p>	Yes	<p>The proposed Project has been analyzed for impacts to agricultural and biological resources as evidenced through the preparation of a LESA Model (AECOM 2014a) and Biological Technical Report (AECOM 2014e). The findings of the LESA Model and impacts to agricultural land are discussed in Section 4.9, Agricultural Resources. The findings of the BTR and Section 4.12, Biological Resources, which discusses the potential impacts to sensitive species. The potential impacts of the Project on agricultural and biological resources will be mitigated to less than significant levels through Applicant-proposed BMPs and Design Features (refer to Table 2.0-9 in Chapter 2.0, Project Description)</p>

TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS

General Plan Policies	Consistent with General Plan?	Analysis
		as well as Project-specific mitigation measures (refer to Section 4.9, Agricultural Resources and Section 4.12, Biological Resources). Therefore, the proposed Project is consistent with this objective.
Objective 2.3 Utilize existing easements or rights-of-way and follow field boundaries for electric and liquid transmission lines.	Yes	The proposed Project will co-locate its Gen-Tie with neighboring solar projects. The Project will share 230-kV structures with the Mount Signal Solar Farm Project to connect to the ISECS switchyard. Therefore, the proposed Project is consistent with this objective.
Objective 2.4 Carefully analyze the potential impacts on agricultural and biological resources from each project.	Yes	The proposed Project has been analyzed for impacts to agricultural and biological resources as evidenced through the preparation of a LESA Model (AECOM 2014a) and Biological Technical Report (AECOM 2014e). Refer to the consistency analysis under Goad 2, above.
Objective 2.6 Encourage/require alternative resource production to be in energy zoned areas to minimize off-site impacts and lessen need for more transmission corridors.	Yes	The proposed Project would be developed on lands that were previously disturbed by agricultural activity. In its December 11, 2013 letter to the County, the Department of Conservation states, “[b]ecause the County has concentrated solar facility development in the area, the proposed project is almost entirely surrounded by solar facilities in various states of completion.” The letter goes on to note that the County has decided “to focus solar development” in this area of the County. Further, as noted under the consistency analysis for Objective 2.3, the proposed Project will co-locate its Gen-Tie with neighboring solar projects. The Project will share 230-kV structures with the Mount Signal Solar Farm Project to connect to the ISECS switchyard. Therefore, the proposed Project is consistent with this objective.
Development of Geothermal/Alternative Energy Resources		
Goal 1: The County of Imperial supports and encourages the full, orderly, and efficient development of geothermal/alternative energy resources while at the same time	Yes	As noted in the analysis for Objective 2.6, above, the County has chosen to concentrate solar development in the Project vicinity. The Project area is currently disturbed agricultural land that will be temporarily converted to support the

4.2 LAND USE

**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
preserving and enhancing where possible agricultural, biological, human, and recreational resources.		proposed solar energy center. Based on the temporary duration of the Project (i.e. 30 years) and the requirement that a Reclamation Plan be developed and implemented, agricultural land would be preserved by restoring site soils to pre-Project conditions. In addition, impacts to biological resources would be mitigated through implementation of project-specific mitigation measures (refer to Section 4.12, Biological Resources). Very few residences are located in the Project area. No long-term adverse impacts to human would occur. In addition, the Juan Bautista de Anza National Historic trail is located seven to eight miles west of the Project area and no recreational resources would be impacted as a result of implementation of the proposed Project. Therefore, the proposed Project is consistent with this goal.
Agricultural Lands and Biological Resources		
Goal 2: The County will minimize all impacts to agricultural lands and biological resources that could potentially result from the development of geothermal/alternative resources.	Yes	To minimize impacts to the environment, the proposed Project will co-locate its Gen-Tie with neighboring solar projects. The Project will share 230-kV structures with the Mount Signal Solar Farm Project to connect to the ISECS switchyard. The Project will construct a new breaker bay within the existing switchyard of the ISECS Project to facilitate the interconnection. From the ISECS switchyard, electricity from the Project will flow along the ISECS interconnection path to the IV Substation. Co-locating facilities will avoid impacts to agricultural and biological resources in the Project vicinity. Therefore, the proposed Project is consistent with this goal.
Efficient Water Use		
Goal 3: Geothermal/alternative energy operations will be required to efficiently utilize water.	Yes	During construction of the Project, water will be required for a variety of activities, including dust suppression, earth compaction, the creation of engineered fill, and concrete preparation. The total water use for the Full Build-out Scenario is expected not to exceed 1,200 AF. During operation, approximately 10 AF of the 60 AF of water required for operations and maintenance

**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

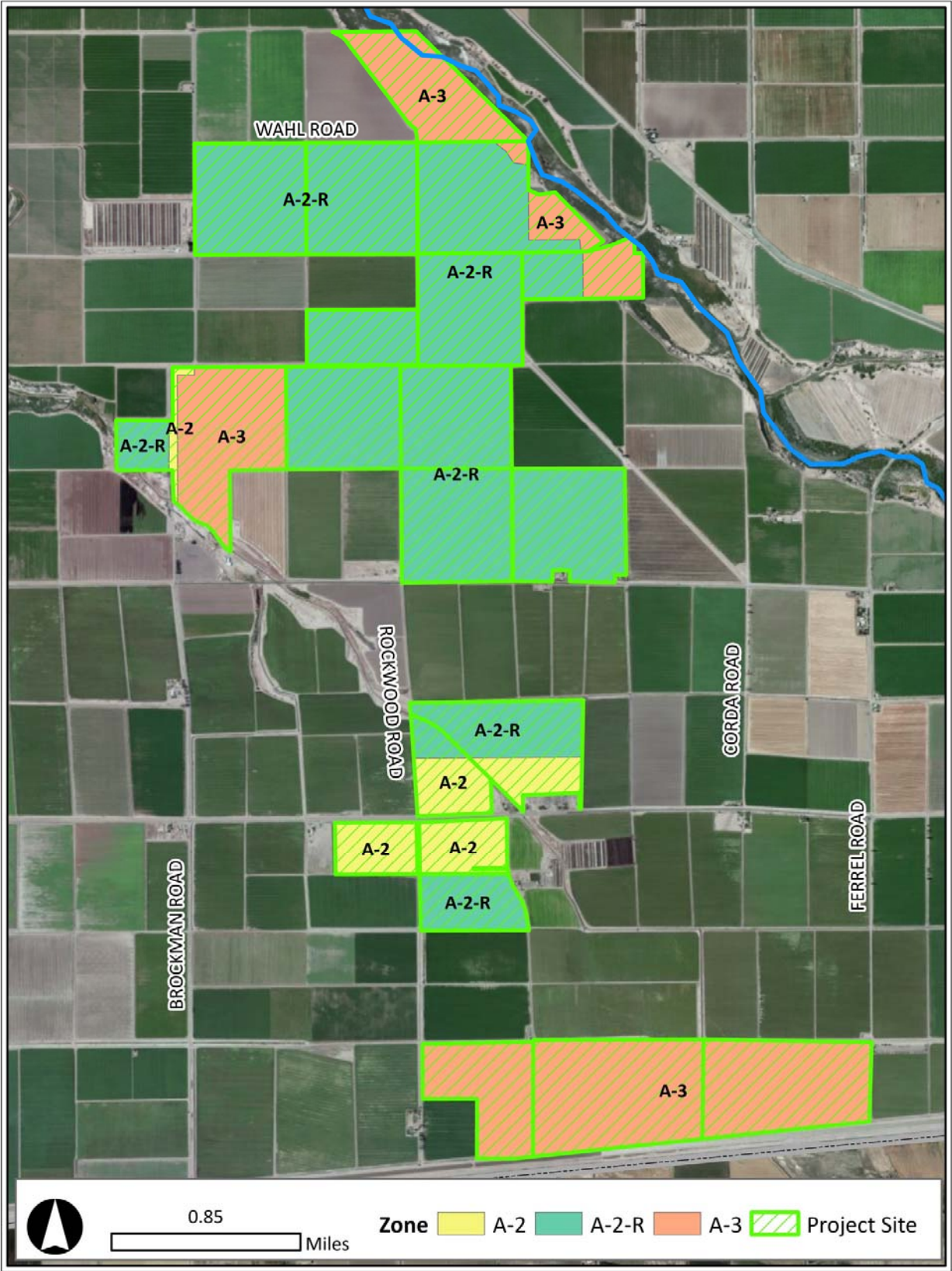
General Plan Policies	Consistent with General Plan?	Analysis
		will be used to wash CPV panels. The amount of water used would be substantially less than the amount currently used in association with agricultural activities. In addition, the water needed for both construction and operation would be efficiently used (i.e. watering to achieve 20 percent opacity; panel washing only as necessary). Therefore, the proposed Project is consistent with this goal.
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.	Yes	In order to minimize transmission line-related impacts to agricultural lands, biological resources, and the natural desert landscape, the Project proposes co-locate its Gen-Tie. The Project will share 230-kV structures with the Mount Signal Solar Farm Project to connect to the ISECS switchyard. Any new lines that may be required to connect the solar field site parcels to the Mount Signal structures would occur in areas previously evaluated for solar energy facility. In order to connect the Project's solar fields in the south to the Mount Signal Solar Farm Gen-Tie structures to the north, the Project proposes to construct approximately 8 new towers. The impacts from the new towers are analyzed throughout the EIR. Further, shared use of existing Gen-Tie structures would allow the Project to avoid disturbances of the desert landscape within the transmission corridor extending to the IV Substation. Therefore, the proposed Project is consistent with this goal.
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.	Yes	As discussed above under Goal 5, the Project proposed shared use of the existing Gen-Tie structures previously approved and constructed as part of the Mount Signal Solar Farm Project. Therefore, the proposed Project would be consistent with this objective.

4.2 LAND USE

**TABLE 4.2-2
IMPERIAL COUNTY GENERAL PLAN CONSISTENCY ANALYSIS**

General Plan Policies	Consistent with General Plan?	Analysis
Objective 5.2 Design lines for minimum impacts on agriculture, wildlife, urban areas, and recreational activities.		As noted under the consistency analysis for Objective 2.3, the proposed Project will co-locate its Gen-Tie with neighboring solar projects. The Project will share 230-kV structures with the Mount Signal Solar Farm Project to connect to the ISECS switchyard. Through co-location, the proposed Project would minimize impacts on agriculture, wildlife, urban areas and recreational activities. Therefore, the proposed Project is consistent with this objective.
Objective 5.3 Construct transmission lines in accordance with this Element.	Yes	New transmission lines needed to convey electricity through the solar field site parcels would be required to comply with all General Plan requirements and will obtain a height limit variance in accordance with Imperial County's Land Use Ordinance requirements. The Project proposes shared use of the existing Mount Signal Solar Farm Gen-Tie structures that have previously received conditional use permits for solar energy generation as part of the Mount Signal Solar Farm Project. Therefore, the proposed Project is consistent with this objective.
Objective 5.4 Design transmission lines to be joint use with transportation and other infrastructure corridors within or external to the County.	Yes	Refer to analysis under Goal 5, Objective 5.1, and Objective 5.3, above. The proposed Project is consistent with this objective.

Uses in the A-2, A-2-R and A-3 zoning designations are limited primarily to agriculture-related uses and agricultural activities that are compatible with agricultural uses. However, Sections 90508.02 and 90509.02 of the Land Use Ordinance identify other conditionally allowable uses in these zones, subject to required conditional use permit(s) (CUP). **Table 4.2-3** summarizes the zones conditionally allowed uses applicable to the Project, and demonstrates that the Project's proposed solar energy generation and transmission uses are allowed within the A-2, A-2-R and A-3 zones with a CUP.



Source: DD&E 2014, ESRI, Imperial County.

FIGURE 4.2-2
ZONING MAP - SOLAR FIELD SITE PARCELS

4.2 LAND USE

**TABLE 4.2-3
SUMMARY OF SOLAR FIELD SITE AND TRANSMISSION LINE PARCELS ZONING**

Zoning	Purpose	Uses Allowed with a CUP
General Agriculture (A-2)	To designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.	<ul style="list-style-type: none"> • Electrical generation plants (less than 50-MW) (90508.02.Y) • Electrical Power Generating Plant excluding nuclear or coal fired. (90508.02.Z) • Electrical substations in an electrical transmission system (500-kV/230-kV/161-kV). (90508.02.AA) • Facilities for the transmission of electrical energy (100-200 kV). (90508.02.CC) • 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 IID for electrical matters. (90508.02.UU). • Solar energy electrical generator (90508.02.FFF).
General Agriculture Rural (A-2-R)	To designate areas that are suitable and intended primarily for agricultural uses (limited) and agricultural related compatible uses.	<ul style="list-style-type: none"> • Electrical generation plants (less than 50-MW) (90508.02.Y) • Electrical Power Generating Plant excluding nuclear or coal fired. (90508.02.Z) • Electrical substations in an electrical transmission system (500-kV/230-kV/161-kV). (90508.02.AA)
Heavy Agriculture (A-3)	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	<ul style="list-style-type: none"> • Transmission lines, including supporting towers, poles microwave towers, utility substations. (90509.01.T) Note that this particular use is allowed by right without a CUP. • Solar energy plants (90509.02.CCC)

TABLE 4.2-3
SUMMARY OF SOLAR FIELD SITE AND TRANSMISSION LINE PARCELS ZONING

Zoning	Purpose	Uses Allowed with a CUP
		<ul style="list-style-type: none"> 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 IID for electrical matters. (90509.02.QQ)

Source: County of Imperial 1998.

Section 90508.07 and 90509.07 of the Land Use Ordinance limits non-residential structure height to 120-feet within the A-2, A-2-R and A-3 zones. 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." The highest structures associated with Project would be the Gen-Tie structures which could extend up to 140 feet in height. The specific location of the structures that would exceed 120 feet is not yet known, pending final engineering design. Accordingly, the Applicant filed 17 variance requests (V 13-0002 thru V 13-0018) with the Imperial County Planning and Development Services Department.

Adjacent Areas Land Use Designations

Lands surrounding the solar field site parcels are zoned A-2, A-2-R, and A-3 and are predominantly used for agricultural production and solar energy facilities. Scattered rural residences associated with existing agricultural uses are also present. The Project proposes shared use of the existing Mount Signal Solar Farm Gen-Tie structures. The existing structures extend through both agricultural land under the jurisdiction of Imperial County, and desert land under the jurisdiction of the Bureau of Land Management (BLM). New segments of the Gen-Tie would cross privately-owned agricultural property within the jurisdiction of Imperial County. As noted above, these areas have been previously analyzed as a part of CEQA documentation prepared for the Mount Signal Solar Farm Project and the ISECS Project.

Imperial County Airport Land Use Compatibility Plan (ALUCP)

The ALUCP provides the criteria and policies used by the Imperial County Airport Land Use Commission (ALUC) to assess compatibility between the principal airports in Imperial County and proposed land use development in the areas surrounding the airports. The ALUCP emphasizes review of local general and specific plans, zoning ordinances, and other land use documents covering broad geographic areas.

The California Public Utilities Code (CPUC) (Section 21676.5) empowers the ALUC to review additional types of land use "actions, regulations, and permits" involving a question of airport/land use compatibility if either: (1) the ALUC and the local agency agree that these types of individual projects shall be reviewed by the ALUC (Section 21676.5 (b)); or, (2) the ALUC finds that a local agency has not revised its general plan or specific plan or overruled the ALUC and the ALUC requires that the individual projects be submitted for review (Section 21676.5 (a)). The ALUC is also required to review "any request for variance from a local agency's height limitation ordinance" (Imperial County 1996, p. 2-3).

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The Naval Air Facility, El Centro is approximately six miles north of northernmost solar field site parcels; the El Centro Airport is approximately 7.5 miles to the northeast of the northernmost solar field site parcels; and the Calexico International Airport is located approximately 4 miles east of the easternmost solar field site parcels. According to Figure 3G (Compatibility Map-Naval Air Facility, El Centro), Figure 3E (Compatibility Map-Imperial County Airport) and Figure 3B (Compatibility Map-Calexico International Airport) of the ALUCP, the solar field site parcels are not located within any of the land use compatibility zones for these airports (Imperial County 1996). The Johnson Brothers Airstrip, a privately owned air field, is located approximately 1.5 miles east of the easternmost boundary (Ferrell Road) of CUP 13-0052 (APN 052-210-020). Frontier Agricultural Services uses the facility for crop dusting services which includes the routine dispersal of fungicides or insecticides on growing crops. The airstrip is not listed in the Imperial County ALUCP as the scope of the ALUCP is limited to public use and military airports pursuant to Public Utility Code Section 21675 (a) and (b). The airstrip is not a public use airport for purposes of the ALUCP (i.e. the airstrip is not an airport served by a scheduled airline or operated for the benefit of the general public³ within the jurisdiction of the Imperial County Airport Land Use Commission) (California Airport Land Use Planning Handbook, Section 2.2.2).

The Applicant submitted 17 Variance Applications to the ICPDSD to address Gen-Tie structures that may exceed the A-2, A-2-R, and A-3 zoning height limitation of 120 feet. The maximum height of the Gen-Tie structures could be up to 140 feet.

The proposed Project was presented and discussed at the County's ALUC Meeting held on March 19, 2014. In accordance with applicable rules and regulations, the ALUC reviewed the proposed application, including the variance requests for transmission structure height. The ALUC found the proposed Project consistent with the 1996 ALUCP with no conditions.

County of Imperial Right to Farm Ordinance No. 1031

The County of Imperial Right to Farm Ordinance (No. 1031) was approved by the County Board of Supervisors on August 7, 1990. The purpose and intent of the Ordinance is to reduce the loss to the County of its agricultural resources by clarifying the circumstances under which agricultural operations may be considered a nuisance. The Ordinance permits operation of properly conducted agricultural operations within the County. The Ordinance promotes a good neighbor policy by disclosing to purchasers and users of adjacent properties the potential problems and inconveniences associated with agricultural operations.

4.2.2 ENVIRONMENTAL SETTING

As discussed in subsection 2.1.2 of Chapter 2.0, the proposed Project includes approximately 2,793 acres of privately held agricultural land located five miles south-southwest of the community of El Centro. The proposed solar field site parcels and surrounding areas to the north, south, east and west are primarily in use for agricultural production or solar energy generation. A number of IID canals and drains align through, and surround, the solar field site parcels. A few rural residences associated with agricultural lands are scattered throughout the Project area. Regional access to the solar field site parcels is available via US Interstate 8 (I-8) and SR 98 (refer to **Figure 2.0-1** in Chapter 2.0).

A. SOLAR ENERGY CENTER

On-Site Land Uses

The Imperial County Land Use Map designates the solar field site parcels "Agriculture" (**Figure 4.2-1**). Of the 32 parcels comprising the Full Build-out Scenario, two are zoned A-2; 14 are zoned A-3; and 16 are

³ The Aviation Acres website (<http://www.aviationacres.com/california.asp?CMD=AirportDetail&ID=1752>) advertises the Johnson Brothers Airstrip as not open to public use.

zoned A-2-R by the Imperial County Land Use Ordinance (**Figure 4.2-2**). **Figures 4.2-3a and 4.2-3b** show the zoning corresponding to each CUP. All of the solar field site parcels are generally flat. Likewise, of the solar field site parcels (with the exceptions of APN 052-440-009 [2.1 acres] and 052-350-022 [2.00 acres]) have historically been farmed and/or are currently in active agricultural production. Historical crops for the period 2008 through 2014 (ICACO 2014) on each of the 17 CUPs is discussed below. [Note: Refer to Table 2.0-2, in Chapter 2.0, Project Description for a break-down of APNs, acreage and zoning for each CUP (13-0036 thru 13-0052)]. **Figures 4.2-4a and 4.2-4b** depict the land uses per the State of California Standard Land Use Legend (State of California 1993).

CUP 13-0036

CUP 13-0036 includes four parcels zoned A-2-R and A-2 (**Figure 4.2-3b**) totaling 190.61 acres that have historically been farmed as alfalfa, alfalfa seed and wheat. These lands are designated Semiagricultural & Incidental to Agriculture-Pasture-Mixed Pasture (S-P-3) and Deciduous Fruits and Nuts-Grain and Hay Crops (D-G) (**Figure 4.2-4b**).

CUP 13-0037

CUP 13-0037 includes two parcels zoned A-2-R and A-2 (**Figure 4.2-3b**) totaling 223.66 acres that have historically been farmed with wheat and sudangrass. These lands are designated Pasture-Mixed Pasture (S-P-3); Deciduous Fruits and Nuts, Grain and Hay Crops (D-G); Deciduous Fruits and Nuts-Field Crops-Sugar Beets (D-F-5); Semiagricultural & Incidental to Agriculture-Field Crops-Sugar Beets (S-F-5); and Semiagricultural & Incidental to Agriculture-Native Vegetation (S-NV) (**Figure 4.2-4b**).

CUP 13-0038

CUP 13-0038 consists of one 162.93 acre parcel zoned A-2-R (**Figure 4.2-3a**) that has historically been farmed as Bermuda seed. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Mixed Pasture (S-P-3); Semiagricultural & Incidental to Agriculture-Pasture-Farmsteads (S-P-1); and Semiagricultural & Incidental to Agriculture-Pasture-Grain and Hay Crops (S-G) (**Figure 4.2-4a**).

CUP 13-0039

CUP 13-0039 consists of two parcels zoned A-2-R (**Figure 4.2-3a**) totaling 161.2 acres that have historically been farmed as wheat, alfalfa, and alfalfa seed. These lands are designated Semiagricultural & Incidental to Agriculture-Pasture-Grain and Hay Crops (S-G); Semiagricultural & Incidental to Agriculture-Urban (S-U); and Deciduous Fruits and Nuts, Grain and Hay Crops (D-G) (**Figure 4.2-4a**).

CUP 13-0040

CUP 13-0040 consists of one 148.53 acre parcel zoned A-2-R (**Figure 4.2-3a**) that has historically been farmed as Bermuda seed, sudangrass, and oat/sugar beet. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Grain and Hay Crops (S-G); Semiagricultural & Incidental to Agriculture-Pasture-Mixed Pasture (S-P-3); and Semiagricultural & Incidental to Agriculture-Pasture-Farmsteads (S-P-1) (**Figure 4.2-4a**).

CUP 13-0041

CUP 13-0041 consists of one 153.61 acre parcel zoned A-2-R (**Figure 4.2-3a**) that has historically been farmed as sudangrass, wheat, and alfalfa. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Grain and Hay Crops (S-G) and Semiagricultural & Incidental to Agriculture-Field Crops-Sugar Beets (S-F-5) (**Figure 4.2-4a**).

Source: DD&E, ESRI, Imperial County.

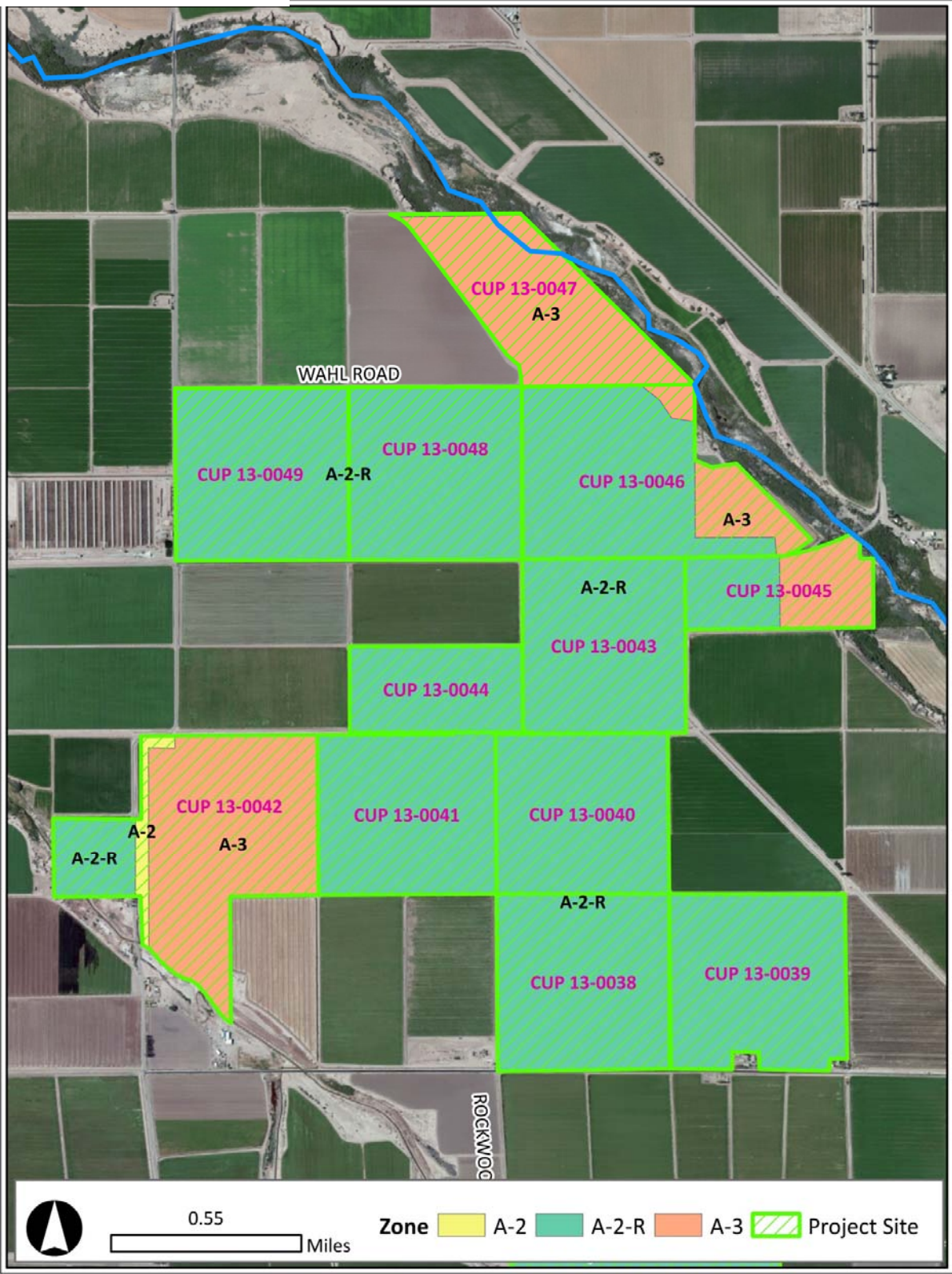


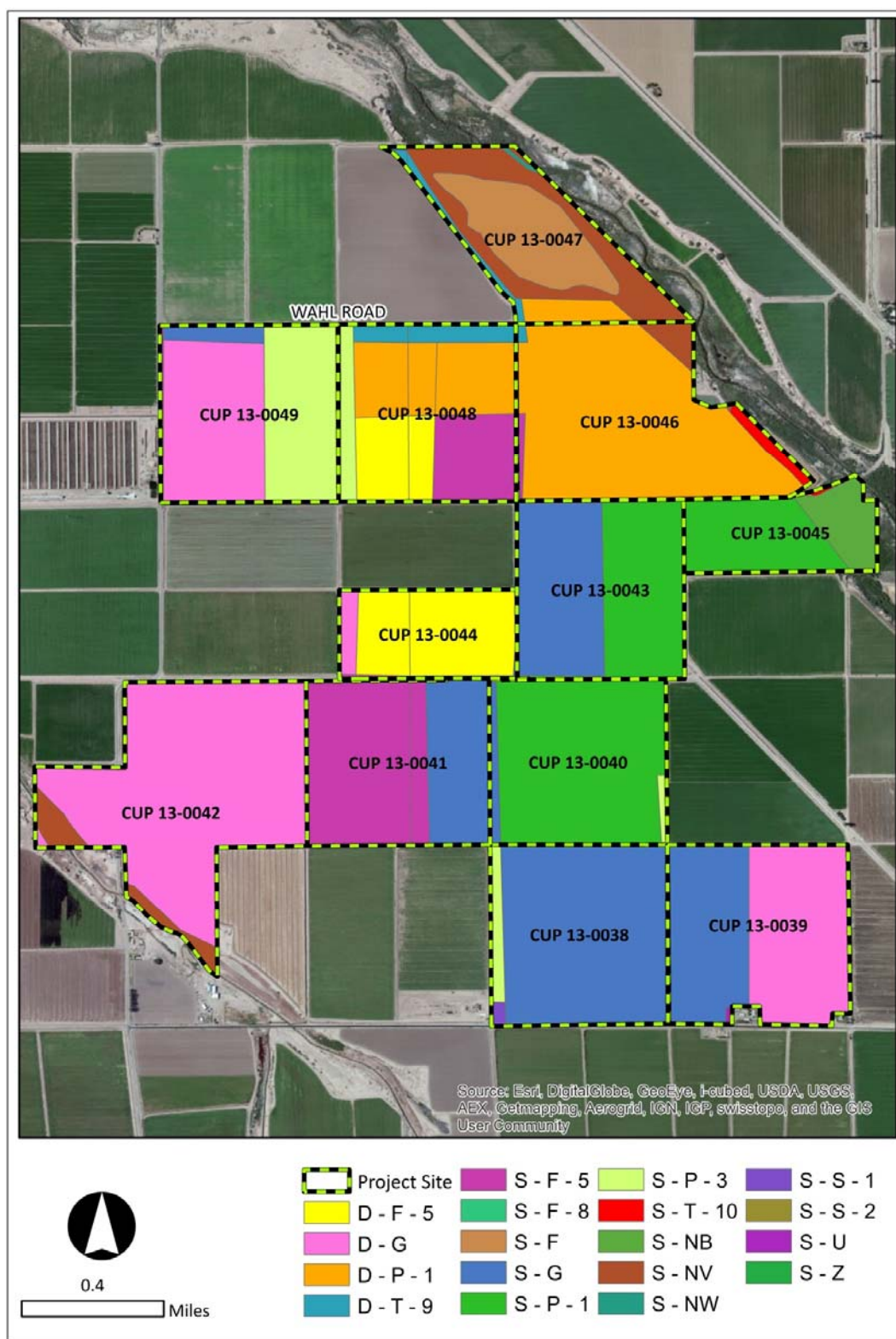
FIGURE 4.2-3A
ZONING MAP
NORTHERN CLUSTER (CUPs 13038 THRU 13-0049)



Source: DD&E, ESRI, Imperial County.

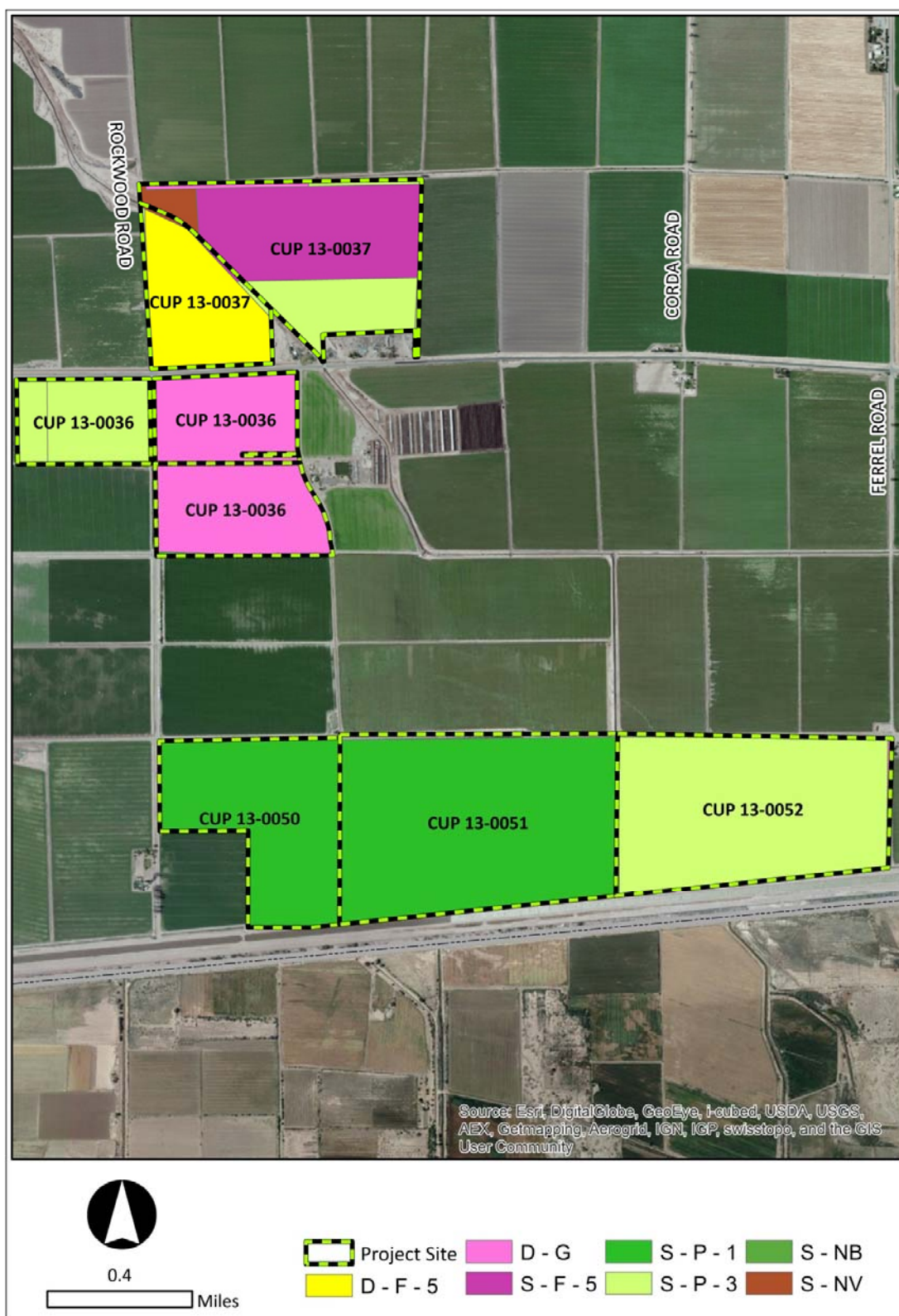
FIGURE 4.2-3B
ZONING MAP
CENTRAL (CUP 13-0036 & 13-0037) AND SOUTHERN CLUSTER (CUP 13-0050 THRU 13-0052)

4.2 LAND USE



Source: DD&E, ESRI, Imperial County, State of California 1993.

FIGURE 4.2-4A
STATE OF CALIFORNIA STANDARD LAND USES
NORTHERN CLUSTER (CUPs 13038 THRU 13-0049)



Source: DD&E, ESRI, Imperial County, State of California 1993.

FIGURE 4.2-4B
STATE OF CALIFORNIA STANDARD LAND USES
CENTRAL (13-0036 & 13-0037) AND SOUTHERN CUP CLUSTERS (13-0050 THRU 13-0052)

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CUP 13-0042

CUP 13-0042 consists of five parcels zoned A-2, A-2-R and A-3 (**Figure 4.2-3a**) totaling 231.32 acres that have historically been farmed as onion seed, sudangrass, Bermuda, and oats/sugar beets. These lands are designated Deciduous Fruits and Nuts, Grain and Hay Crops (D-G) and Semiagricultural & Incidental to Agriculture-Native Vegetation (S-NV) (**Figure 4.2-4a**).

CUP 13-0043

CUP 13-0043 consists of two parcels zoned A-2-R (**Figure 4.2-3a**) totaling 152.11 acres that has historically been farmed as alfalfa, and alfalfa seed/arugula/mizuna. These lands are designated Semiagricultural & Incidental to Agriculture-Pasture-Grain and Hay Crops (S-G) and Semiagricultural & Incidental to Agriculture-Pasture-Farmsteads (S-P-1) (**Figure 4.2-4a**).

CUP 13-0044

CUP 13-0044 consists of one 79.82 acre parcel zoned A-2-R (**Figure 4.2-3a**) that has historically been farmed as Bermuda. This land is designated Deciduous Fruits and Nuts, Grain and Hay Crops (D-G) and Deciduous Fruits and Nuts-Field Crops-Sugar Beets (D-F-5) (**Figure 4.2-4a**).

CUP 13-0045

CUP 13-0045 consists of one 76.64 acre parcel zoned A-2-R and A-3 (**Figure 4.2-3a**) that was farmed as forage hay in 2013. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Farmsteads (S-P-1) and Semiagricultural & Incidental to Agriculture-Barren and Wasteland (S-NB) (**Figure 4.2-4a**).

CUP 13-0046

CUP 13-0046 consists of four parcels zoned A-2-R and A-3 (**Figure 4.2-3a**) totaling 202.24 acres that have historically been farmed as wheat and forage hay. These lands are designated Semiagricultural & Incidental to Agriculture-Field Crops-Sugar Beets (S-F-5); Deciduous Fruits and Nuts-Truck, Nursery and Berry Crops-Melon, Squash and Cucumbers (all types)(D-T-9); Deciduous Fruits and Nuts-Pasture-Alfalfa & Alfalfa Mixtures (D-P-1); Semiagricultural & Incidental to Agriculture- Truck, Nursery and Berry Crops-Onions & Garlic (S-T-10); and Semiagricultural & Incidental to Agriculture-Native Vegetation (S-NV) (**Figure 4.2-4a**).

CUP 13-0047

CUP 13-0047 consists of three parcels zoned A-3 (**Figure 4.2-3a**) totaling 131.89 acres that have historically been farmed as wheat and forage hay. These lands are designated Deciduous Fruits and Nuts-Truck, Nursery and Berry Crops-Melon, Squash and Cucumbers (all types)(D-T-9); Deciduous Fruits and Nuts-Pasture-Alfalfa & Alfalfa Mixtures (D-P-1); Semiagricultural & Incidental to Agriculture-Native Vegetation (S-NV); and Semiagricultural & Incidental to Agriculture-Field Crops (S-F) (**Figure 4.2-4a**).

CUP 13-0048

CUP 13-0048 consists of one 160 acre parcel zoned A-2-R (**Figure 4.2-3a**) that has historically been farmed as wheat, corn seed and alfalfa. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Grain and Hay Crops (S-G); Deciduous Fruits and Nuts, Grain and Hay Crops (D-G); and Semiagricultural & Incidental to Agriculture-Pasture-Mixed Pasture (S-P-3) (**Figure 4.2-4a**).

CUP 13-0049

CUP 13-0049 consists of two parcels zoned A-2-R (**Figure 4.2-3a**) totaling 159.9 acres that has historically been farmed as sugar beet and wheat. This land is designated Deciduous Fruits and Nuts-Pasture-Alfalfa & Alfalfa Mixtures (D-P-1); Deciduous Fruits and Nuts-Truck, Nursery and Berry Crops-Melon, Squash and

Cucumbers (all types)(D-T-9); Semiagricultural & Incidental to Agriculture-Pasture-Mixed Pasture (S-P-3); Deciduous Fruits and Nuts-Field Crops-Sugar Beets (D-F-5); and Semiagricultural & Incidental to Agriculture-Field Crops-Sugar Beets (S-F-5) (**Figure 4.2-4a**).

CUP 13-0050

CUP 13-0050 consists of one 123.54 acre parcel zoned A-3 (**Figure 4.2-3b**) that has been historically farmed as alfalfa/alfalfa seed and wheat. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Farmsteads (S-P-1) (**Figure 4.2-4b**).

CUP 13-0051

CUP 13-0051 consists of one 241.98 acre parcel zoned A-3 (**Figure 4.2-3b**) that has historically been farmed as alfalfa and Bermuda seed. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Farmsteads (S-P-1) (**Figure 4.2-4b**).

CUP 13-0052

CUP 13-0052 consists of one 194.05 acre parcel zoned A-3 (**Figure 4.2-3b**) that has historically been farmed as alfalfa and Bermuda seed. This land is designated Semiagricultural & Incidental to Agriculture-Pasture-Mixed Pasture (S-P-3) (**Figure 4.2-4b**).

Surrounding Land Uses

The solar field site parcels are located on the western and southern fringe of developed agricultural lands in Imperial County. **Figure 4.2-1** depicts the General Plan land use designation for the parcels associated with each CUP and the surrounding lands. Likewise, **Figures 4.2-3a and 4.2b** depict the zoning designation for each CUP and the surrounding lands. Existing land uses surrounding each CUP are described below.

CUP 13-0036

CUP 13-0036 is bounded by the Woodbine Canal and SR 98 on the north; the Greeson Drain and an unnamed dirt farm road on the south; the Woodbine Canal and Mandrapa Road on the east; and agricultural land on the west. Aside from the roads and canals, the entire CUP area is surrounded by agricultural land. Single-family residences are located west of CUP 13-0036 within the agricultural area to the west; east the Woodbine Canal and Mandrapa Road; and northeast of SR 98.

CUP 13-0037

CUP 13-0037 is bounded by the Wistaria Drain and an unnamed dirt farm road on the north; SR 98 on the south; agricultural land on the east; and Greeson Drain Number 2 on the west. The Greeson Drain also aligns diagonally from the northwest to the southeast through CUP 13-0037. An area with some farmhouses and structures borders the southern boundary of the CUP area adjacent to SR 98. Aside from the roads and drains, the entire CUP area is surrounded by agricultural land. An area with some farmhouses and structures borders the southern boundary of the CUP area adjacent to SR 98.

CUP 13-0038

CUP 13-0038 is bounded by Wistaria Lateral 5 and an unnamed dirt farm road on the north; Wistaria Lateral 4 and Kubler Road on the south; and an unnamed farm road on the east and west. Aside from the roads and laterals, the CUP is also surrounded by farmland on all sides. A single family residence is located southwest of CUP 13-0038 on the west side of the western boundary unnamed farm road.

CUP 13-0039

CUP 13-0039 is bounded by Wistaria Lateral 5 and an unnamed dirt farm road on the north; Wistaria Lateral 4 and Kubler Road on the south; George Road on the east; and an unnamed dirt farm road on the

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west. Two residences border the southern boundary: one residence is located at the southeast corner of the CUP area. The CUP is also surrounded by farmland on all sides.

CUP 13-0040

CUP 13-0040 is bounded by Wistaria Lateral 6 and Preston Road on the north; Wistaria Lateral 5 and an unnamed dirt road on the south; an unnamed dirt road on the east; and the Wistaria Drain and Rockwood Road on the west. CUP 13-0040 is also surrounded by agricultural land on all sides.

CUP 13-0041

CUP 13-0041 is bounded by Wistaria Lateral 6 and Preston Road on the north; Wistaria Drain 5 and an unnamed dirt farm road on the south; Rockwood Road and the Wistaria Drain on the east; and an unnamed dirt farm road on the west. The CUP area is surrounded by agricultural land on all sides.

CUP 13-0042

CUP 13-0042 is bounded by Wistaria Lateral 6 and Preston Road on the north; Wistaria Lateral 5 and an unnamed dirt farm road on the south; an unnamed dirt farm road on the east; and IID operational discharge infrastructure, Brockman Road and Wistaria Lateral 6A on the west. The CUP is surrounded by farmland on all sides in addition to the Greeson Drain which aligns from the northeast to the southwest through the western-most portion of the CUP area. Several single family-residences and structures are located west and southwest the CUP near Greeson Drain and Brockman Road.

CUP 13-0043

CUP 13-0043 is bounded by the Wistaria Canal and Lyons Road on the north; Wistaria Lateral 6 and Preston Road on the south; the Wistaria Canal and George Road on the east; and Rockwood Road and the Wistaria Canal on the west. Aside from the roads and canals, the CUP is also surrounded by farmland on all sides.

CUP 13-0044

CUP 13-0044 is bounded by an unnamed dirt farm road to the north; Wistaria Lateral 6 and Preston Road on the south; Rockwood Road and the Wistaria Canal on the east; and an unnamed dirt farm road on the west. Aside from the roads, canals and laterals, the CUP area is surrounded by agricultural land on all sides.

CUP 13-0045

CUP 13-0045 is bounded by Lyons Road and the New River to the north; an unnamed dirt farm road on the south; New River on the east; and the Wistaria Canal and George Road on the west. The CUP area is surrounded by agricultural land on the north, south and west; the northeastern corner and eastern boundary are adjacent to the New River.

CUP 13-0046

CUP 13-0046 is bounded by the New River on the north; the Wistaria Canal and Lyons Road on the south; an unnamed dirt farm road on the east and the New River to the northeast; and the Wistaria Canal and Rockwood Road on the west. Agricultural land borders most of the north and east and all of the west and south sides of the CUP area.

CUP 13-0047

CUP 13-0047 is bounded by the New River on the north; Wahl Road on the south; New River on the east; and the Wistaria Canal on the west. Rockwood Road bisects the CUP area north-south. Agricultural land surrounds the CUP area on all sides.

CUP 13-0048

CUP 13-0048 is bounded by Wahl Road to the north; Wistaria Lateral 7 and Lyons Road on the south; the Wistaria Canal and Rockwood Road on the east; and an unnamed farm road on the west. The CUP area is surrounded by agricultural land on all sides.

CUP 13-0049

CUP 13-0049 is bounded by Wahl Road on the north; Wistaria Drain 7 and Lyons Road on the south; an unnamed farm road on the east; and Brockman Road on the west with the Meloland Cattle Company immediately to the west of Brockman Road. Rockwood Road bisects the CUP area north-south. Agricultural land surrounds the CUP area on all sides. A single family residence is located southwest of CUP 13-0049 on the west side of Highway 30.

CUP 13-0050

CUP 13-0050 is bounded by Anza Road to the north; the All American Canal (Drain Number 12) and the U.S-Mexico Border on the south; the Woodbine Canal and Mandrapa Road on the east; and Rockwood Road on the west. The CUP area is surrounded by agricultural land on the north, east and west. A single family residence is located southwest of CUP 13-0050 on the west side of Rockwood Road.

CUP 13-0051

CUP 13-0051 is bounded by Anza Road to the north; the All American Canal (Drain Number 12) and the U.S-Mexico Border on the south; the Greeson Drain on the east; and the Woodbine Canal and Mandrapa Road on the west. The CUP area is surrounded by agricultural land on the north, east and west.

CUP 13-0052

CUP 13-0052 is bounded by Wistaria Lateral 1 and Anza Road to the north; the All American Canal (Drain Number 11) and the U.S-Mexico Border on the south; Ferrell Road on the east; and the Greeson Drain on the west. The CUP area is surrounded by agricultural land on the north, east and west.

B. GEN-TIE

The proposed Gen-Tie alignment is located along privately-owned agricultural land within the jurisdiction of the County of Imperial. Areas proposed for Gen-Tie construction were previously evaluated as part of CEQA documentation prepared for the Calxico and Mount Signal Solar Farms Project (SCH. No. 2011071066) and ISECS Project (SCH. No. 2010061038), which are incorporated by reference and reveal that these projects are also compatible with the Imperial County General Plan, the agricultural land use designation, and zoning regulations with a CUP and variances approved in accordance with County Code. As such, the discussion of potential land use impacts focuses on the solar field site parcels. The northern cluster of solar field site parcels (APNs 052-410-006; 052-360-009; 052-360-008; 052-440-003; 052-440-004; 052-440-005; 052-350-001; 052-350-002; 052-350-020; 052-350-022; 052-35-0021; 052-440-006; 052-170-014; 052-180-011; 052-180-001; 052-180-012; 052-180-015; 052-180-002; 052-180-045; 052-180-034; and 052-180-054) would be connected to the central cluster (APNs 052-180-039; 052-180-028; 052-210-025; 052-210-026; 052-210-006; and 052-210-029) via a corridor along the western boundary of APN 052-180-048. The central cluster of solar field site parcels would be connected with the southern cluster (APNs 052-210-019 and 052-210-020) via a corridor along the boundary of APNs 052-210-015 & -016.

4.2.3 IMPACTS AND MITIGATION MEASURES**A. STANDARDS OF SIGNIFICANCE**

The impact analysis provided below is based on the following CEQA Guidelines, as listed in Appendix G. The Project would result in a significant impact to land use if it would result in any of the following:

4.2 LAND USE

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

B. ISSUES SCOPED OUT AS PART OF THE INITIAL STUDY

Two checklist criteria were eliminated from further evaluation as part of the Initial Study. Criterion “a” was eliminated from further evaluation as part of the Initial Study because the proposed Project is located in a portion of Imperial County with similar rural industrial solar generation projects (i.e. the Centinela Solar Energy Project, the Mount Signal and Calexico Solar Farms Projects, and ISECS) and would not physically divide any established community. The rest of the area is predominantly agricultural fields with a scattering of residences and agricultural buildings. The Project does not vacate any roads used by residents to connect with an existing established community. Therefore, no impact is identified for this issue area and it is not discussed further in the analysis.

Criterion “c” was eliminated because Imperial County is not within the jurisdiction of any adopted habitat conservation plan (HCP) or natural community conservation plan (NCCP), or other approved local, regional or state habitat conservation plan. Therefore, no impact to an HCP or NCCP would occur, and this issue is not discussed further.

C. METHODOLOGY

Evaluation of potential land use impacts of the proposed Project were based on review of relevant planning documents, including the Imperial County General Plan and the Imperial County Land Use Ordinance. The focus of the land use analysis is on land use impacts that would result from implementation of the solar energy center. Land use conflicts are identified and evaluated based on existing land uses and land use designations; land use designations, standards and policies related to land use; and, the use proposed as part of the Project. A worst-case scenario assumes that the Full Build-out Scenario is implemented resulting in all of the proposed solar field site parcels undergoing temporary conversion from agricultural land to a solar energy generation facility.

Land use compatibility is based on the intensity and patterns of land use to determine whether the Project would result in incompatible uses or nuisance impacts. Potential land use conflicts or incompatibility are not themselves an environmental impact, but can be an indicator of a project’s significant impact on the environment. Potential construction-related environmental effects such as generation of noise or dust and heavy equipment exhaust associated with grading activities, if left unmitigated can also create a nuisance and land use incompatibility. Operational land use impacts of the Project are evaluated in this section. Detailed analysis of other environmental impacts (including aesthetics, noise, traffic, air quality, and biological resources, etc.) that would result from the Project’s construction, operation and decommissioning are discussed in Sections 4.1, and 4.3 through 4.13 of this EIR.

D. PROJECT IMPACTS AND MITIGATION MEASURES

Conflict With Any Applicable Land Use Plan, Policy, or Regulation

Impact 4.2.1 The proposed Project is overall consistent with the existing General Plan (2007) as demonstrated in Table 2.4-3 and is an allowed use on the solar field site parcels with a

CUP. Upon approval of the Project's CUP and Variance applications, the Project would be consistent with the existing zoning designations of A-2, A-2-R, and A-3. The Project would be subject to mandatory compliance with applicable land use regulations. Therefore, impacts relating to potential conflicts with applicable land use plans, policies and regulations are considered **less than significant** for both the Full Build-out Scenario and Phased CUP Scenario.

FULL BUILD-OUT SCENARIO/PHASED CUP SCENARIO

As discussed above, the land use and zoning designations, policies and regulations applicable to proposed Project are very similar throughout all of the proposed CUP areas. Proposed uses throughout the solar field site parcels are also very similar at each CUP (i.e. O&M structures, solar generation and transmission facilities) and each CUP would require a variance for structures that exceed 120 feet. Compliance with issue-specific regulations, based on site-specific CUP conditions (i.e. proximity to the New River 100-year floodplain) has been addressed through the preparation of Project-specific technical studies and analysis provided in Section 4.1, and 4.3 through 4.13 of this EIR. No conflicts with existing land use plans and policies would occur for both the the Full Build-out Scenario⁴ and Phased CUP Scenario. No land conflicts with existing land use plans and policies would occur for the solar field site parcels⁵. Therefore, impacts relating to land use plans, policies, and regulation are analyzed in terms of the Full Build-out Scenario.

Construction

Consistency of the proposed construction activities with issue-specific goals, policies and objectives contained within the General Plan, as well as standards contained within the Land Use Ordinance, have been addressed through the preparation of Project-specific technical studies and analysis in sections 4.1, and 4.3 through 4.1.13 of this EIR. For example, the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario would be required to comply with the Noise Ordinance limiting the hours during which construction activities are allowed to occur. Mitigation measures have been identified to reduce potentially significant impacts to a level of less than significant. In addition, like all projects in Imperial County, the Project would be subject to mandatory compliance with a number of local, State, and Federal regulations designed to avoid adverse impacts at the CUPs and surrounding environment. Therefore, potential for conflicts with applicable policies and regulations would be **less than significant** for the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Operation

All of the existing solar field site parcels are currently zoned A-2, A-2-R, or A-3 (refer to **Table 2.0-1** in Chapter 2.0, and **Figure 4.2-1**, above). Per Sections 90508.02 and 90509.02 (Uses Permitted with a Conditional Use Permit) of Division 5 of Title 9 of the Imperial County Land Use Code, development of the solar field site parcels with a "solar energy electrical generator" and "solar energy plants" are an allowed use subject to a CUP. Consistent with this requirement, the Applicant submitted 17 CUP applications (13-0036 thru 13-0052) inclusive of all solar field site parcels to ICPDSD. The Project does not propose to change to the existing zoning designations of any of the parcels. However, because the Gen-Tie structures may be taller than the 120-foot maximum allowable height as identified by the Land Use Ordinance, the Applicant has also submitted 17 Variance Applications to ICPDSD.

⁴ This is true for development under the Near-term Scenario and Long-term Scenario.

⁵ This is true for development of individual CUPs as well as multiple CUPs.

4.2 LAND USE

All of the solar field site parcels are currently designated by the General Plan as "Agriculture." The purpose of the Land Use Ordinance is to provide goals, policies, and objectives to implement General Plan land use designations. As such, uses that are allowable or conditionally allowable under the Land Use Ordinance are considered consistent with corresponding land use designations of the General Plan. The Land Use Ordinance with its CUP procedures has been in effect for years upon a finding that CUPs were compatible with the General Plan. Accordingly, the County, general public, and applicants are entitled to rely upon CUPs to demonstrate consistency with the General Plan. Therefore, upon approval of the CUPs and Variances required under the Land Use Ordinance, no conflict with the Imperial County General Plan or Land Use Ordinance would occur.

Further, the Project's consistency with issue-specific goals, policies and objectives contained within the General Plan, as well as standards contained within the Land Use Ordinance, have been addressed through the preparation of Project-specific technical studies and analysis in sections 4.1-1 through 4.1-13 of this EIR. For example, the Project is required to comply with the County of Imperial Fire Prevention and Explosives Ordinance; specifically, weed and vegetation control would be enforced as part of operation of the proposed Project. Mitigation measures have been identified to reduce potentially significant operational-phase impacts to a level of less than significant. In addition, like all projects in Imperial County, the Project would be subject to mandatory compliance with a number of local, State, and Federal regulations designed to avoid adverse impacts to the CUP areas and surrounding environment. Therefore, potential for conflicts with applicable policies and regulations during Project operations would be **less than significant** for the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Decommissioning

Decommissioning would be conducted in compliance with a required Reclamation Plan that would be implemented at the end of the Project's life, and would adhere to Imperial County's decommissioning requirements. Further, decommissioning activities would be subject to mandatory compliance with a number of local, State, and federal regulations designed to avoid adverse impacts to the CUP areas and surrounding environment. Therefore, potential for conflicts with applicable policies and regulations during decommissioning would be **less than significant** for the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Mitigation Measures

None required.

Significance After Mitigation

Not applicable.

4.2.4 CUMULATIVE SETTING, IMPACTS AND MITIGATION MEASURES

A. CUMULATIVE SETTING

The geographic scope for the analysis of cumulative impacts related to land use is the area within a 20-mile radius of the Project area. This distance was determined based on capturing projects within a reasonable distance of the solar field site parcels. The cumulative setting for land use includes build-out of the proposed, approved and reasonably foreseeable projects as identified in **Table 3.0-1** in Chapter 3.0, Introduction to the Environmental Analysis and Assumptions Used. **Figure 3.0-1** shows the locations of the cumulative projects surrounding the Project area.

B. CUMULATIVE IMPACTS AND MITIGATION MEASURES**Cumulative Conflicts with Applicable Land Use Plans, Policies, or Regulations**

Impact 4.2.2 Development of the proposed Project in combination with proposed, approved and reasonably foreseeable projects in the region would not incrementally add to conflicts with applicable land use plans, policies and regulations. Each project would be required to be overall consistent with the applicable plans, policies and regulations. Thus, impacts associated with conflicts with applicable land use plans, policies and regulations are considered **less than cumulatively considerable**.

FULL BUILD-OUT SCENARIO/PHASED CUP SCENARIO***Construction******Imperial County General Plan***

The solar energy center, Gen-Tie transmission line, and Electrical Collector Line Corridor proposed by the Project are located in Imperial County, and are subject to the goals, objectives, policies and programs of the Imperial County General Plan. The proposed Project is overall consistent with the applicable goals, objectives and policies of the General Plan as described in **Table 4.2-3**. The Project proposes uses that are conditionally allowable within the A-2, A-2-R and A-3 zones, subject to approval of required CUP applications. Likewise, the each CUP would require a Variance for structures greater than 120 feet in height.

As previously noted, the Land Use Ordinance with its CUP procedures has been in effect for years upon a finding that CUPs were compatible with the General Plan. Accordingly, the County, general public, and applicants are entitled to rely upon CUPs to demonstrate consistency with the General Plan. Uses that are allowable or conditionally allowable under the Land Use Ordinance are considered consistent with corresponding land use designations of the General Plan. Moreover, other proposed, approved and reasonably foreseeable projects as identified in Chapter 3.0, Table 3.0-1 would also be required to be overall consistent with General Plan land use designations in order for them to obtain necessary development permits, and would be evaluated for consistency on a case-by-case basis. Therefore, the proposed Project would not incrementally contribute to cumulative conflicts with the Imperial County General Plan during construction of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario. Impacts related to conflicts with the Imperial County General Plan would be **less than cumulatively considerable** during construction of both the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

County of Imperial Land Use Ordinance, Title 9

Imperial County Land Use Ordinance identifies allowable uses and standards applicable to each zoning designation. The solar field site parcels are located on lands within the A-2, A-2-R and A-3 zones. "Solar energy electrical generator" and "solar energy plants" are conditionally allowable within the A-2, A-2-R and A-3 zones, subject to approval of required CUP applications. Consistent with this requirement, the Applicant has submitted 17 CUP applications inclusive of all solar field site parcels. Therefore, upon approval of the CUPs, no conflict with the County of Imperial Land Use Ordinance would occur. Moreover, the proposed Project, in combination with proposed, approved and reasonably foreseeable projects as identified in Chapter 3.0, Table 3.0-1, would not incrementally contribute to cumulative conflicts with the Imperial County Land Use Ordinance because such projects would be permitted either by right or with conditional use authorization. Therefore, impacts related to conflicts with the Imperial County Land Use Ordinance would be **less than cumulatively considerable** during construction of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

4.2 LAND USE

Gen-tie structures proposed on private lands as part of the proposed Project could be up to 140 feet in height. Heights for non-residential structures and commercial communication towers within zones A-2, A-2-R and A-3 are limited to 120 feet in height and must meet ALUCP requirements (Title 9 Division 5: Zoning Areas Established, Section 90508.07 and 90509.07). The Applicant has requested 17 Variance applications from the County to allow towers exceeding the 120-foot height limit. Approval of the variances would eliminate the potential for conflicts with the height limit in zones A-2, A-2-R and A-3. Therefore, no Project-specific conflict with the County of Imperial Land Use Ordinance, Title 9 would occur. Moreover, like the proposed Project, other proposed, approved and reasonably foreseeable projects as identified in Table 3.0-1 in Chapter 3.0 would have to comply with existing height limits or obtain variances on a case-by-case basis. Therefore, neither the Full Build-out Scenario or any individual CUP (13-0036 thru 13-0052) would incrementally contribute to conflicts with the County of Imperial Land Use Ordinance relative to height limits. Likewise, potential for conflict with the Land Use Ordinance would be considered **less than cumulatively considerable** during construction of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Airport Land Use Compatibility Plan (ALUCP)

None of the 32 solar field site parcels are within any Airport Land Use Compatibility Zones. The ALUC found the proposed Project consistent with the ALUCP with no conditions. Because the proposed Project contributes no impact to an ALUCP, it cannot create any cumulatively considerable impact to any ALUCP regardless of whether other cumulative projects identified in Table 3.0-1 would incrementally contribute to a conflict with an ALUCP. Therefore, impacts related to conflicts with the ALUCP would be **less than cumulatively considerable** during construction of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Operation

Imperial County General Plan

The proposed Project is in Imperial County and is subject to the goals, objectives and programs of the Imperial County General Plan. The proposed Project is a conditionally permitted use under the A-2, A-2-R and A-3 zones. Because a “solar energy electrical generator” is allowed by the Zoning Ordinance with a CUP, the Project is considered consistent with the “Agriculture” land use designation of the General Plan. Therefore, no conflict with the Imperial County General Plan would occur in association with Project operation. Moreover, the proposed Project, in combination with proposed, approved and reasonably foreseeable projects as identified in Table 3.0-1 in Chapter 3.0, would not contribute to cumulative impacts with the Imperial County Land Use Plan or the Imperial County General Plan Policies. Therefore, conflicts with the Imperial County General Plan are considered **less than cumulatively considerable** during operation of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

County of Imperial Land Use Ordinance, Title 9

As part of the proposed Project, the Applicant filed 17 CUP applications (13-0036 thru 13-0052) with the ICPDSD to allow construction and operation of each of the solar energy projects within the A-2, A-2-R and A-3 zones. Thus, the proposed Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) would be consistent with the Land Use Ordinance and the underlying zoning of the proposed solar field site parcels. Therefore, no conflict with the County of Imperial Land Use Ordinance would occur. Moreover, the proposed Project, in combination with proposed, approved and reasonably foreseeable projects as identified in Table 3.0-1 in Chapter 3.0, would not cumulatively contribute to cumulative impacts with the County of Imperial Land Use Ordinance because each projects would be permitted either as of right or with conditional use authorization. Likewise, conflicts with the County of Imperial Land Use Ordinance are

considered **less than cumulatively considerable** during operation of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Airport Land Use Compatibility Plan (ALUCP)

The solar field site parcels are not within any Airport Land Use Compatibility Zones. The ALUC determined that the proposed Project is consistent with ALUCP. Because the proposed Project contributes no impact to an ALUCP, it cannot create any cumulatively considerable impact to any ALUCP regardless of whether other cumulative projects identified in Table 3.0-1 would incrementally contribute to a conflict with an ALUCP. Therefore, conflicts with the ALUCP are considered **less than cumulatively considerable** during operation of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Decommissioning

Imperial County General Plan

The proposed Project, as well as all other proposed, approved and reasonably foreseeable projects within Imperial County, would be subject to the goals and policies of the Imperial County General Plan. Conflicts with the General Plan are not anticipated during reclamation of the proposed Full Build-out Scenario, all CUPs (13-0036 thru 13-0052), nor any other proposed, approved and reasonably foreseeable projects within the County as each project is required to be overall consistent with the General Plan in order to obtain necessary development permits. Therefore, conflicts with the Imperial County General Plan are considered **less than cumulatively considerable** during reclamation of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

County of Imperial Land Use Ordinance, Title 9

The proposed Project, as well as all other proposed, approved and reasonably foreseeable projects within Imperial County, would be consistent with the Land Use Ordinance and the underlying zoning of the solar field site parcels proposed for development of the solar energy center. All solar projects that have been approved on lands that are designated as Agriculture and zoned for agriculture (A-2, A-3, etc.) have been required to decommission at the end of the term of each respective CUPs. The proposed CUPs would be reclaimed to pre-Project soil conditions at the end of the operational life of the Full Build-out Scenario or each individual CUP (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario. Therefore, conflicts with the County of Imperial Land Use Ordinance are considered **less than cumulatively considerable** during decommissioning of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Airport Land Use Compatibility Plan (ALUCP)

The solar field site parcels are not within any Airport Land Use Compatibility Zones and were reviewed and found consistent with the ALUCP by the ALUC. Because the proposed Project contributes no impact to an ALUCP, it cannot create any cumulatively considerable impact to any ALUCP regardless of whether other cumulative projects identified in Table 3.0-1 would incrementally contribute to a conflict with an ALUCP. Therefore, impacts associated with conflicts with the ALUCP are considered **less than cumulatively considerable** during reclamation of the Full Build-out Scenario and all CUPs (13-0036 thru 13-0052) constructed as part of the Phased CUP Scenario.

Mitigation Measures

None required.

Significance After Mitigation

Not applicable.

4.2 LAND USE

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