

APPENDIX A

NOP, INITIAL STUDY & COMMENT LETTERS

Notice of Preparation

Notice of Preparation

To: State Clearinghouse From: Imperial County Planning and Development Services Department
P.O. Box 3044 801 Main Street
Sacramento, CA 95812-3044 El Centro, CA 92243

Subject: Notice of Preparation of a Draft Environmental Impact Report


Imperial County Planning and Development Services Department will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study (is is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Imperial County Planning and Development Services Department at the address shown above. We will need the name for a contact person in your agency.

Project Title: Seville 4 Solar Project
Project Applicant, if any: Titan Solar II, LLC

Date 6/21/17 Signature 
Title Imperial County Planning and Development Services Director
Telephone 442-265-1736

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, 15375.

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Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Seville 4 Solar Project

Lead Agency: Imperial County Planning and Development Services Dept Contact Person: Patricia Valenzuela
 Mailing Address: 801 Main Street Phone: 442-265-1749
 City: El Centro Zip: CA County: 92243

Project Location: County: Imperial City/Nearest Community: Borrego Springs
 Cross Streets: 8 miles west of the junction of SR 78 and SR 86 Zip Code: 92024
 Longitude/Latitude (degrees, minutes and seconds): 33 ° 6 ' 40.50" N / 116 ° 0 ' 7.39 " W Total Acres: 340
 Assessor's Parcel No.: 018-170-057-000 Section: 23 Twp.: 12S Range: 9E Base: SBB&M
 Within 2 Miles: State Hwy #: 78 Waterways: San Filippe Creek
 Airports: N/A Railways: N/A Schools: N/A

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other: _____
 Mit Neg Dec Other: _____

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: CUP

Development Type:

Residential: Units _____ Acres _____ Transportation: Type _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Power: Type Solar Facility MW 20
 Industrial: Sq.ft. _____ Acres _____ Employees _____ Waste Treatment: Type _____ MGD _____
 Educational: _____ Hazardous Waste: Type _____
 Recreational: _____ Other: _____
 Water Facilities: Type _____ MGD _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: CEQA Appendix F

Present Land Use/Zoning/General Plan Designation:

Vacant/A-2/Agriculture

Project Description: *(please use a separate page if necessary)*

The Project would consist of the construction, operation and reclamation a 175-acre, 20 MW solar photovoltaic (PV) energy project on a portion of Imperial County Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988. The Project would use the existing private access road extending south from Highway 78 to the Seville Solar Farm Complex. The Project would also include internal access roads and infrastructure (i.e. PV modules, inverters, internal transmission lines, security fence, etc.). Additionally, the Project would require construction of 12.5-kilovolt (kV) or 34.5-kV gen-tie line located on common development internet Lot A of Tract Map No. 009988 and delivered to the proposed Project substation.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".
If you have already sent your document to the agency please denote that with an "S".

- | | |
|---|--|
| <input checked="" type="checkbox"/> Air Resources Board | <input type="checkbox"/> Office of Historic Preservation |
| <input type="checkbox"/> Boating & Waterways, Department of | <input type="checkbox"/> Office of Public School Construction |
| <input type="checkbox"/> California Emergency Management Agency | <input type="checkbox"/> Parks & Recreation, Department of |
| <input type="checkbox"/> California Highway Patrol | <input type="checkbox"/> Pesticide Regulation, Department of |
| <input checked="" type="checkbox"/> Caltrans District #11 | <input type="checkbox"/> Public Utilities Commission |
| <input type="checkbox"/> Caltrans Division of Aeronautics | <input checked="" type="checkbox"/> Regional WQCB #7 |
| <input type="checkbox"/> Caltrans Planning | <input type="checkbox"/> Resources Agency |
| <input type="checkbox"/> Central Valley Flood Protection Board | <input type="checkbox"/> Resources Recycling and Recovery, Department of |
| <input type="checkbox"/> Coachella Valley Mtns. Conservancy | <input type="checkbox"/> S.F. Bay Conservation & Development Comm. |
| <input type="checkbox"/> Coastal Commission | <input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy |
| <input type="checkbox"/> Colorado River Board | <input type="checkbox"/> San Joaquin River Conservancy |
| <input type="checkbox"/> Conservation, Department of | <input type="checkbox"/> Santa Monica Mtns. Conservancy |
| <input type="checkbox"/> Corrections, Department of | <input type="checkbox"/> State Lands Commission |
| <input type="checkbox"/> Delta Protection Commission | <input type="checkbox"/> SWRCB: Clean Water Grants |
| <input type="checkbox"/> Education, Department of | <input type="checkbox"/> SWRCB: Water Quality |
| <input type="checkbox"/> Energy Commission | <input type="checkbox"/> SWRCB: Water Rights |
| <input checked="" type="checkbox"/> Fish & Game Region #5 | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> Food & Agriculture, Department of | <input type="checkbox"/> Toxic Substances Control, Department of |
| <input type="checkbox"/> Forestry and Fire Protection, Department of | <input type="checkbox"/> Water Resources, Department of |
| <input type="checkbox"/> General Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Health Services, Department of | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Housing & Community Development | |
| <input checked="" type="checkbox"/> Native American Heritage Commission | |

Local Public Review Period (to be filled in by lead agency)

Starting Date June 22, 2017 Ending Date July 22, 2017

Lead Agency (Complete if applicable):

Consulting Firm: <u>Imperial County Planning & Development</u>	Applicant: <u>Titan Solar II, LLC</u>
Address: <u>801 Main Street</u>	Address: <u>740 Main Street</u>
City/State/Zip: <u>El Centro, CA 92243</u>	City/State/Zip: <u>El Centro, CA 92243</u>
Contact: <u>Jim Minnick, Director</u>	Phone: <u>760-996-0313</u>
Phone: <u>442-265-1736</u>	

Signature of Lead Agency Representative:  Date: 6/22/17

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

Initial Study & Environmental Analysis

For:

**Seville 4 Solar Project
GPA17-0002/ZC17-0001/CUP17-0006**



Prepared By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1736
www.icpds.com

June 2017
Revised July 13, 2017

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SECTION 1 - INTRODUCTION

A. PURPOSE

This document is a policy-level, project level Initial Study for evaluation of potential environmental impacts resulting with the proposed Seville 4 Solar Project (Refer to Exhibit "A" & "B").

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) REQUIREMENTS AND THE IMPERIAL COUNTY'S GUIDELINES FOR IMPLEMENTING CEQA

As defined by Section 15063 of the State California Environmental Quality Act (CEQA) Guidelines and Section 7 of the County's "CEQA Regulations Guidelines for the Implementation of CEQA, as amended", an **Initial Study** is prepared primarily to provide the Lead Agency with information to use as the basis for determining whether an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration would be appropriate for providing the necessary environmental documentation and clearance for any proposed project.

According to Section 15065, an **EIR** is deemed appropriate for a particular proposal if the following conditions occur:

- The proposal has the potential to substantially degrade quality of the environment.
- The proposal has the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
- The proposal has possible environmental effects that are individually limited but cumulatively considerable.
- The proposal could cause direct or indirect adverse effects on human beings.

According to Section 15070(a), a **Negative Declaration** is deemed appropriate if the proposal would not result in any significant effect on the environment.

According to Section 15070(b), a **Mitigated Negative Declaration** is deemed appropriate if it is determined that though a proposal could result in a significant effect, mitigation measures are available to reduce these significant effects to insignificant levels.

This Initial Study is prepared in conformance with the California Environmental Quality Act of 1970, as amended (Public Resources Code, Section 21000 et. seq.); Section 15070 of the State & County of Imperial's Guidelines for Implementation of the California Environmental Quality Act of 1970, as amended (California Code of Regulations, Title 14, Chapter 3, Section 15000, et. seq.); applicable requirements of the County of Imperial; and the regulations, requirements, and procedures of any other responsible public agency or an agency with jurisdiction by law.

Pursuant to the County of Imperial Guidelines for Implementing CEQA, depending on the project scope, the County of Imperial Board of Supervisors, Planning Commission and/or Planning Director is designated the Lead Agency, in accordance with Section 15050 of the CEQA Guidelines. The Lead Agency is the public agency which has the principal responsibility for approving the necessary environmental clearances and analyses for any project in the County.

C. INTENDED USES OF INITIAL STUDY AND NEGATIVE DECLARATION

This Initial Study is an informational document which is intended to inform County of Imperial decision makers, other responsible or interested agencies, and the general public of potential environmental effects of the proposed applications. The environmental review process has been established to enable public agencies to evaluate environmental consequences and to examine and implement methods of eliminating or reducing any potentially adverse impacts. While CEQA requires that consideration be given to avoiding environmental damage, the Lead Agency and other responsible public agencies must balance adverse environmental effects against other public objectives, including economic and social goals.

The Initial Study, prepared for the project will be circulated for a period of 20 days (*30-days if submitted to the State Clearinghouse for a project of area-wide significance*) for public and agency review and comments. At the conclusion, if comments are received, the County Planning & Development Services Department will prepare a document entitled "Responses to Comments" which will be forwarded to any commenting entity and be made part of the record within 10-days of any project consideration.

D. CONTENTS OF INITIAL STUDY & NEGATIVE DECLARATION

This Initial Study is organized to facilitate a basic understanding of the existing setting and environmental implications of the proposed applications.

SECTION 1

I. INTRODUCTION presents an introduction to the entire report. This section discusses the environmental process, scope of environmental review, and incorporation by reference documents.

SECTION 2

II. ENVIRONMENTAL CHECKLIST FORM contains the County's Environmental Checklist Form. The checklist form presents results of the environmental evaluation for the proposed applications and those issue areas that would have either a significant impact, potentially significant impact, or no impact.

PROJECT SUMMARY, LOCATION AND ENVIRONMENTAL SETTINGS describes the proposed project entitlements and required applications. A description of discretionary approvals and permits required for project implementation is also included. It also identifies the location of the project and a general description of the surrounding environmental settings.

ENVIRONMENTAL ANALYSIS evaluates each response provided in the environmental checklist form. Each response checked in the checklist form is discussed and supported with sufficient data and analysis as necessary. As appropriate, each response discussion describes and identifies specific impacts anticipated with project implementation.

SECTION 3

III. MANDATORY FINDINGS presents Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

IV. PERSONS AND ORGANIZATIONS CONSULTED identifies those persons consulted and involved in preparation of this Initial Study and Negative Declaration.

V. REFERENCES lists bibliographical materials used in preparation of this document.

VI. NEGATIVE DECLARATION – COUNTY OF IMPERIAL

VII. FINDINGS

SECTION 4

VIII. RESPONSE TO COMMENTS (IF ANY)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP) (IF ANY)

E. SCOPE OF ENVIRONMENTAL ANALYSIS

For evaluation of environmental impacts, each question from the Environmental Checklist Form is summarized and responses are provided according to the analysis undertaken as part of the Initial Study. Impacts and effects will be evaluated and quantified, when appropriate. To each question, there are four possible responses, including:

1. **No Impact:** A "No Impact" response is adequately supported if the impact simply does not apply to the proposed applications.
2. **Less Than Significant Impact:** The proposed applications will have the potential to impact the environment. These impacts, however, will be less than significant; no additional analysis is required.

-
3. **Less Than Significant With Mitigation Incorporated:** This applies where incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact”.
 4. **Potentially Significant Impact:** The proposed applications could have impacts that are considered significant. Additional analyses and possibly an EIR could be required to identify mitigation measures that could reduce these impacts to less than significant levels.

F. **POLICY-LEVEL or PROJECT LEVEL ENVIRONMENTAL ANALYSIS**

This Initial Study and Negative Declaration will be conducted under a policy-level, project level analysis. Regarding mitigation measures, it is not the intent of this document to “overlap” or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County’s jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. **TIERED DOCUMENTS AND INCORPORATION BY REFERENCE**

Information, findings, and conclusions contained in this document are based on incorporation by reference of tiered documentation, which are discussed in the following section.

1. **Tiered Documents**

As permitted in Section 15152(a) of the CEQA Guidelines, information and discussions from other documents can be included into this document. Tiering is defined as follows:

“Tiering refers to using the analysis of general matters contained in a broader EIR (such as the one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.”

Tiering also allows this document to comply with Section 15152(b) of the CEQA Guidelines, which discourages redundant analyses, as follows:

“Agencies are encouraged to tier the environmental analyses which they prepare for separate but related projects including the general plans, zoning changes, and development projects. This approach can eliminate repetitive discussion of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review. Tiering is appropriate when the sequence of analysis is from an EIR prepared for a general plan, policy or program to an EIR or negative declaration for another plan, policy, or program of lesser scope, or to a site-specific EIR or negative declaration.”

Further, Section 15152(d) of the CEQA Guidelines states:

“Where an EIR has been prepared and certified for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy, or ordinance should limit the EIR or negative declaration on the later project to effects which:

- (1) Were not examined as significant effects on the environment in the prior EIR; or
- (2) Are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, by the imposition of conditions, or other means.”

2. **Incorporation by Reference**

Incorporation by reference is a procedure for reducing the size of EIRs/MND and is most appropriate for including long, descriptive, or technical materials that provide general background information, but do not contribute directly to the specific analysis of the project itself. This procedure is particularly useful when an EIR or Negative Declaration relies on a broadly-drafted EIR for its evaluation of cumulative impacts of related projects (*Las Virgenes Homeowners Federation v. County of Los Angeles* [1986, 177 Ca.3d 300]). If an EIR or Negative Declaration relies on information from a supporting study that is available to the public, the EIR or Negative Declaration cannot be deemed unsupported by evidence or analysis (*San Francisco Ecology Center v. City and County of San Francisco* [1975, 48 Ca.3d 584, 595]). This document incorporates by reference appropriate information from the “Final Environmental Impact Report and Environmental

Assessment for the “County of Imperial General Plan EIR” prepared by Brian F. Mooney Associates in 1993 and updates.

When an EIR or Negative Declaration incorporates a document by reference, the incorporation must comply with Section 15150 of the CEQA Guidelines as follows:

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR and updates are available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (760) 482-4236.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (760) 482-4236.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the County of Imperial General Plan EIR is SCH #93011023.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]). This has been previously discussed in this document.

SECTION II. ENVIRONMENTAL CHECKLIST

1. **Project Title:** Seville 4 Solar Project
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** Patricia Valenzuela, Planner IV, (442) 265-1749.
Address: 801 Main Street, El Centro CA, 92243
5. **E-mail:** PatriciaValenzuela@co.imperial.ca.us
6. **Project location:** The proposed Project site is located in west-central Imperial County, California, approximately eight miles southwest of the junction of State Route (SR) 78 and SR 86, and approximately three miles east of the San Diego County line. The property includes a portion of Imperial County Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988 located at 2085 H W. HWY 78, Ocotillo Wells, 92227.
7. **Project sponsor's name and address:** Titan Solar II, LLC, 750 West Main Street, El Centro, CA 92243
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2 (General Agriculture)
10. **Description of project:** The Seville 4 Solar Project (i.e. Project) proposes development of a portion of Imperial County Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988. Lot 8 was created as part of the major subdivision/tract map of the 2,440-acre Allegretti Farms property for the Seville Solar Farm Complex. Lot 8 is adjacent to the southern and eastern boundaries of Lot 3 which is being developed the Seville 3 Solar Project.

The Applicant, Titan Solar II LLC, proposes to develop a portion of the 572.10 acres comprising Lot 8 in order to construct and operate an approximate 20-megawatt (MW) solar photovoltaic (PV) project. The Applicant has proposed two potential configurations: 1) a 156-acre Horizontal Single-Axis Tracker (HSAT) PV project with 18-acres of retention basins (total project acreage = 174) in the southern portion of the site; or 2) a 128-acre Fixed Tracker PV project with an 18-acre retention basin (total project acreage = 146 acres) in the southeastern portion of the site. The Project will require a Conditional Use Permit (CUP) in association with the proposed solar use as well as a Zoning Change and a General Plan Amendment (GPA). The Project would use the existing private access road extending south from SR 78 to the existing Seville Solar Farm. The Project would include internal access roads and infrastructure similar to the adjacent Seville Solar Farm Complex (i.e. PV modules, inverters, internal transmission lines, security fence, etc.). The Seville 4 Solar Project will connect to the existing substation via a tie-in at Lot 3 to an existing pole line that connects Seville 3 to the substation. This east-west line will align north along the west side of the north-south access road and co-locate on the same pole line that is being used for Seville 3. A 20,000-gallon water tank for fire protection is also proposed on the site.
11. **Surrounding land uses and setting:** Lot 8 is bordered by the Seville 3 Solar Project on the north and west and is surrounded by undeveloped land to the east and south.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.): Imperial Irrigation District (IID), Imperial County Air Pollution Control District (ICAPCD), California Department of Transportation (Caltrans), California State Water Resources Control Board (SWRCB), California Department of Fish and Wildlife (CDFW), U.S. Fish and Wildlife Service (USFWS).

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13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? Yes. Torrez Martinez Desert Cahuilla Indians If so has consultation begun? Yes.**

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code, Section 21083.3.2). Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code, Section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code, Section 21082.3 (c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture and Forestry Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology /Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Hazardous Materials | <input checked="" type="checkbox"/> Hydrology / Water Quality |
| <input checked="" type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Transportation/Traffic | <input checked="" type="checkbox"/> Tribal Cultural Resources | <input checked="" type="checkbox"/> Utilities and Services Systems |
| <input checked="" type="checkbox"/> Mandatory Findings of Significance | | |

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

After Review of the Initial Study, the Environmental Evaluation Committee has:

- Found that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- Found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- Found that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- Found that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Found that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE DE MINIMIS IMPACT FINDING: Yes No

<u>EEC VOTES</u>	<u>YES</u>	<u>NO</u>	<u>ABSENT</u>
PUBLIC WORKS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENVIRONMENTAL HEALTH SVCS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
OFFICE EMERGENCY SERVICES	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
APCD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
AG	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SHERIFF DEPARTMENT	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ICPDS	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Jim Minnick, Director of Planning/EEC Chairman

Date:

PROJECT SUMMARY

- A. Project Location:** The proposed Project site is located in west-central Imperial County, California, approximately eight miles west of the junction of State Route (SR) 78 and SR 86, and approximately three miles east of the San Diego County line. The property includes a portion of Imperial County Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988 located at 2085 H W. HWY 78, Ocotillo Wells, 92227.
- B. Project Summary:** The Seville 4 Solar Project (i.e. Project) proposes development of a portion of Imperial County Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988. Lot 8 was created as part of the major subdivision/tract map for the Seville Solar Farm Complex and is adjacent to the southern and eastern boundaries of Lot 3.

The Applicant, Titan Solar II LLC, proposes to develop a portion of the 572.10 acres comprising Lot 8 in order to construct and operate an approximate 20-megawatt (MW) solar photovoltaic (PV) project. The Applicant has proposed two potential configurations: 1) a 156-acre Horizontal Single-Axis Tracker (HSAT) PV project with 18-acres of retention basins (total project acreage = 174) in the southern portion of the site; or 2) a 128-acre Fixed Tracker PV project with an 18-acre retention basin (total project acreage = 146 acres) in the southeastern portion of the site. The Project will require a Conditional Use Permit (CUP) in association with the proposed solar use as well as a Zoning Change and a General Plan Amendment (GPA). The Project would use the existing private access road extending south from SR 78 to the Seville Solar Farm Complex. The Project would include internal access roads and infrastructure similar to the adjacent Seville Solar Farm Complex (i.e. PV modules, inverters, a substation, internal transmission lines, security fence, etc.). The Seville 4 Solar Project will connect to the existing substation via a tie-in at Lot 3 to an existing pole line that connects Seville 3 to the substation. This east-west line will align north along the west side of the north-south road on the same pole line that is being used for Seville 3. A 20,000-gallon water tank for fire protection is also proposed on the site.

- C. Environmental Setting:** The project site is surrounded on the east and south by vacant desert land. Portions of the western and northern boundaries are adjacent to Lot 3 of the Seville Solar project as well as vacant desert lands.
- D. Analysis:** The project will result in potentially significant impacts with regards to aesthetics, agricultural resources, and hydrology and water quality. In addition, the Project is anticipated to result in potentially significant impacts unless mitigation is incorporated to the following: air quality, biological resources, cultural resources, geology and soils, greenhouse gases, hazards and hazardous materials, land use, noise, tribal cultural resources, transportation/traffic, and utilities and services.
- E. General Plan Consistency:** The project proposes a CUP in association with the proposed solar use as well as a Zoning Change and a GPA. Approval of the requested entitlements will result in consistency of the Seville 4 Solar Project with the General Plan.

Exhibit "A" Vicinity Map



Exhibit "B" – Lot Map/Seville Solar Farm Project Map

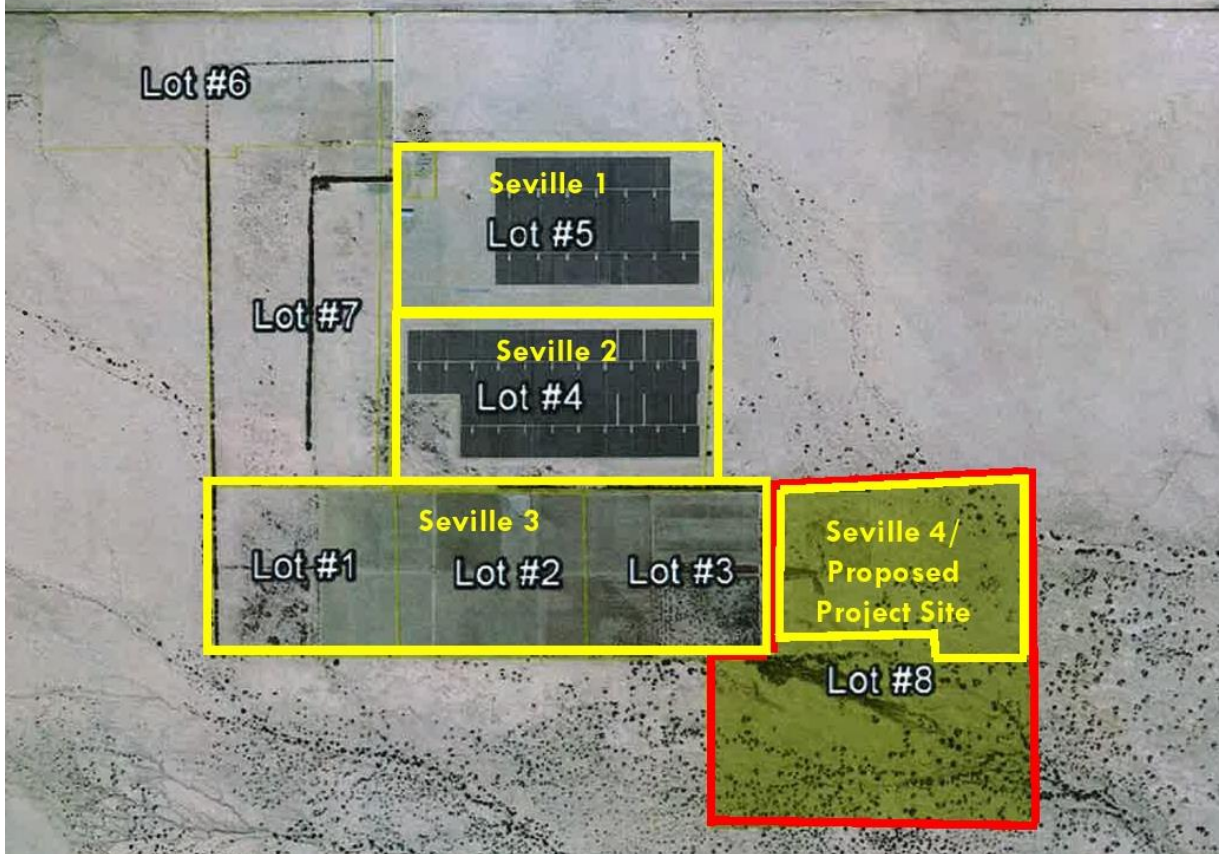
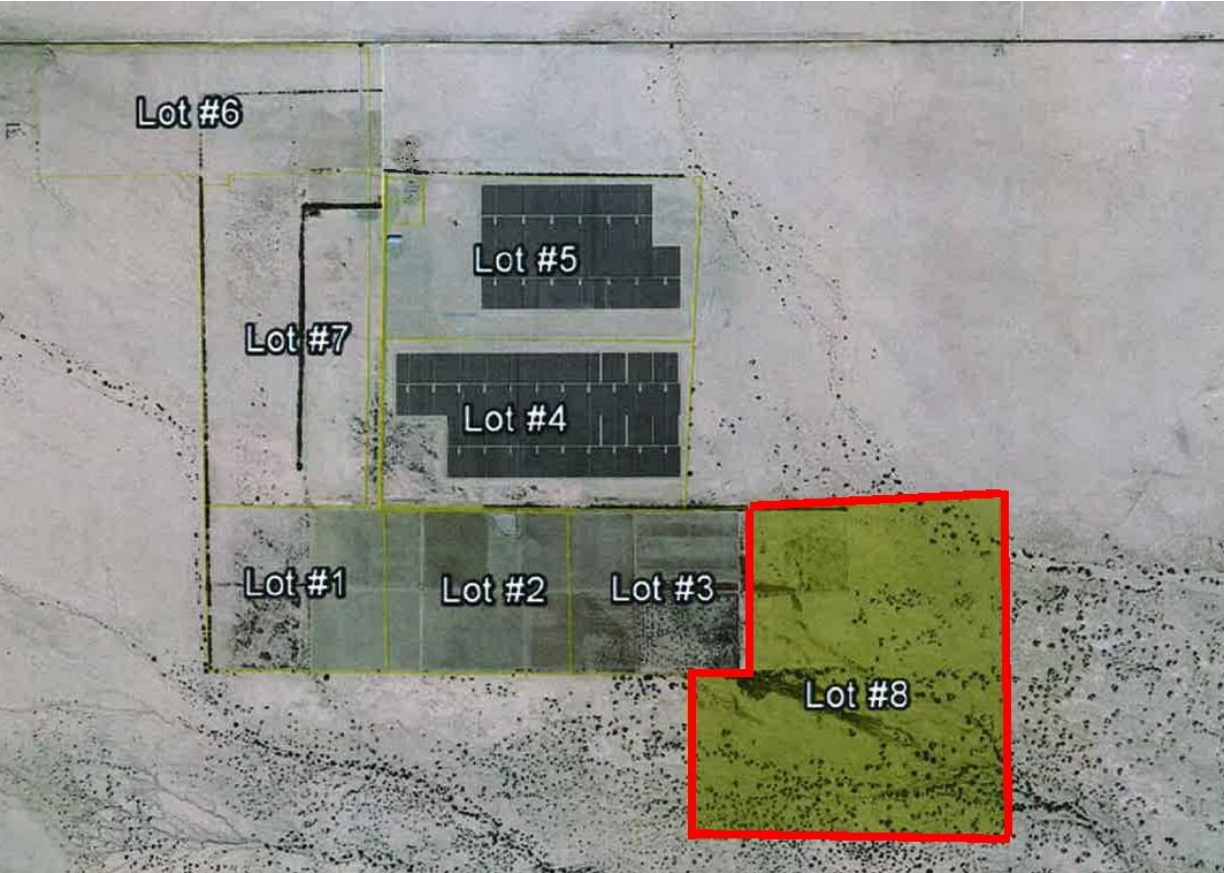
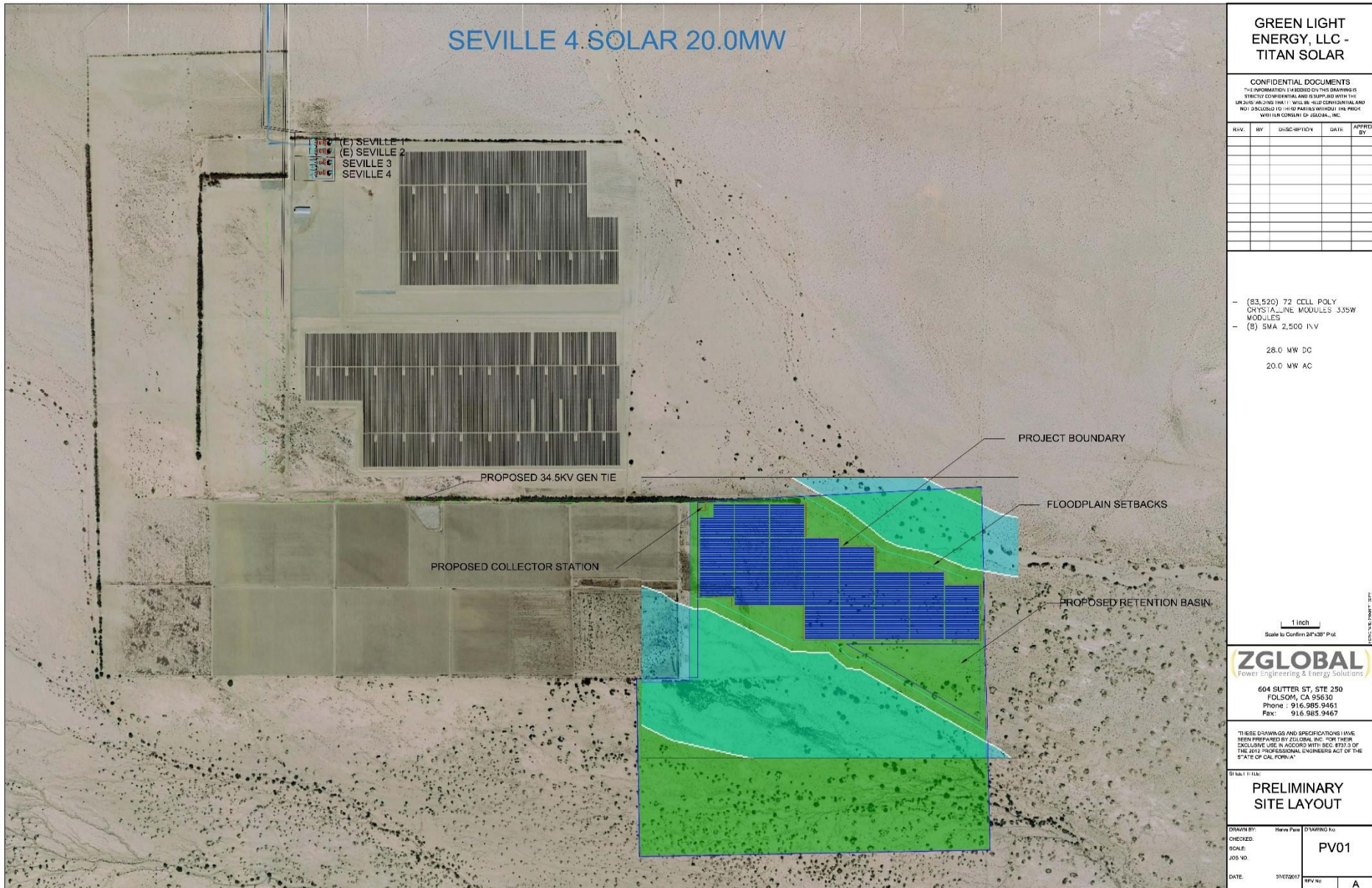


Exhibit "B" – Site Plan for 128-Acre Fixed Tracker Configuration with 18-Acre Retention Basin



GREEN LIGHT ENERGY, LLC - TITAN SOLAR

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REV.	BY	DESCRIPTION	DATE	APPROV BY

- (83,520) 72 CELL POLY CRYS (A₁) LINE MODULES 335W
 - (8) SMA 2,500 IN.V

 28.0 MW DC
 20.0 MW AC

1 inch
 Scale to Conform 24"x36" Plot

ZGLOBAL

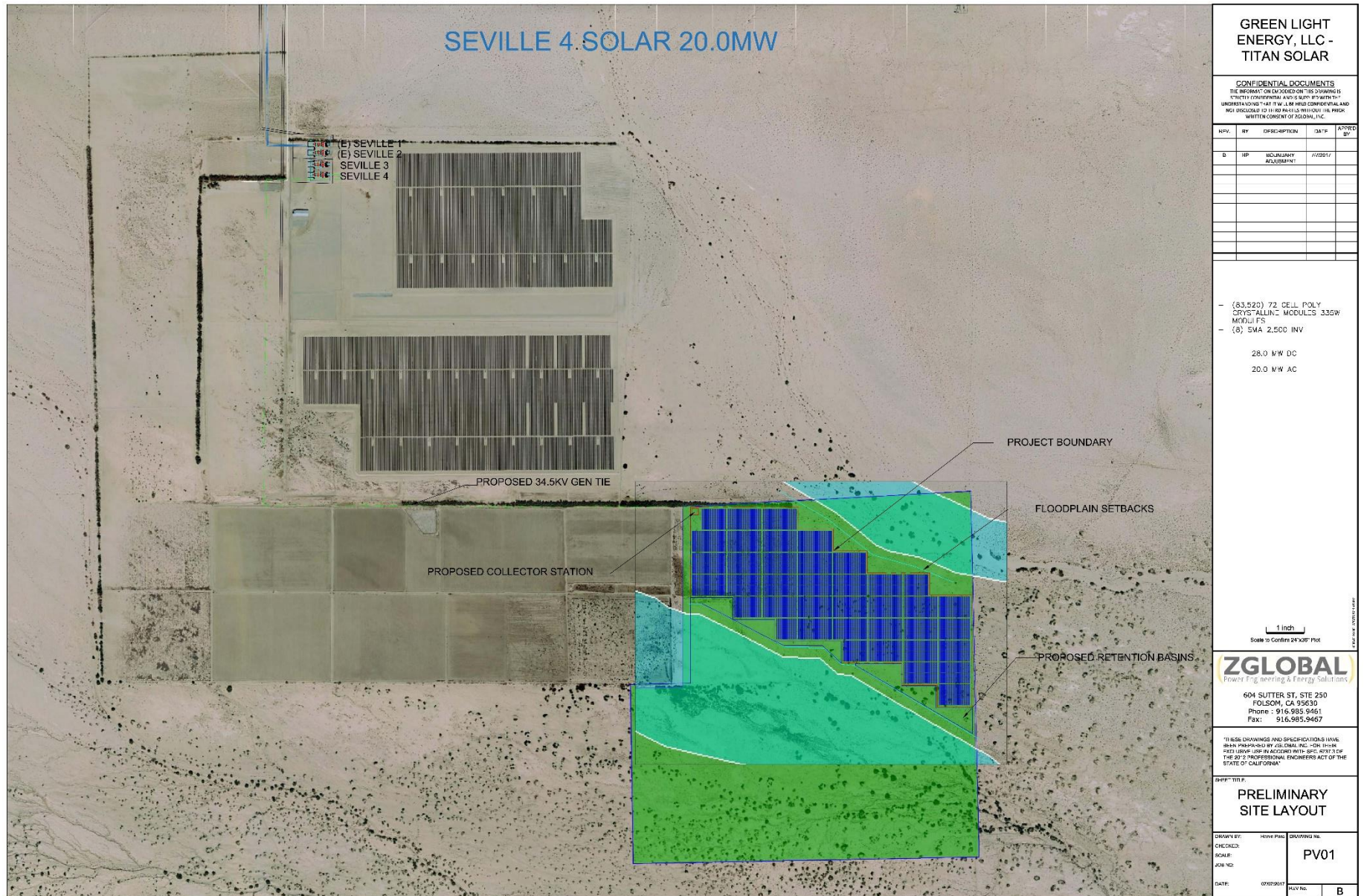
Power Engineering & Energy Solutions
604 SUTTER ST, STE 250
FOLSOM, CA 95630
PHONE : 916.985.9465
FAX : 916.985.9467

THESE DRAWINGS AND SPECIFICATIONS HAVE BEEN PREPARED BY ZGLOBAL, INC. FOR THEIR EXCLUSIVE USE IN ACCORD WITH SEC. 8707.3 OF THE 2015 PROFESSIONAL ENGINEERS ACT OF THE STATE OF CALIFORNIA.

PRELIMINARY
SITE LAYOUT

DRAWN BY:	Name:	DRAWING NO.:
CHECKED:		PV01
SCALE:		REV. NO.:
DATE:	07/17/2017	REV. BY:
		A

Exhibit "B" – Site Plan for 156-Acre HSAT Configuration with 18-Acre Retention Basins



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REV.	BY	DESCRIPTION	DATE	APPROVED BY
B	TRP	BOUNDARY REVISION	11/02/17	

- (83,520) 72 CELL POLY CRYSTALLINE MODULES 335W
- (8) 5MA 2,500 INV
- 28.0 M/W DC
- 20.0 M/W AC

1 inch
Scale to Contain 24"x36" Plot

ZGLOBAL
 Power Engineering & Energy Solutions
 604 SUTTER ST., STE 250
 FOLSOM, CA 95630
 Phone : 916.985.9461
 Fax : 916.985.9467

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PRELIMINARY SITE LAYOUT

DRAWN BY:	REVISION:	DRAWING NO.:
CHECKED:		PV01
SCALE:		
JOB NO.:		
DATE:	07/02/2017	REV. NO.:
		B

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. AESTHETICS *Would the project:*

- a) Have a substantial adverse effect on a scenic vista or scenic highway?

Less than Significant Impact. The Project site consists of vacant land located in an unincorporated portion of Imperial County set back approximately one and a half miles southwest of SR 78. The Project site is surrounded by undeveloped desert on the north, south and east and portions of the western boundary. The Seville Solar Project 3 borders the western boundary of the Project site. SR 78 is an eligible State Scenic Highway. There are no panoramic scenic views from the Project area, and the nearest residential structure is located nearly approximately 3 miles west of the western boundary of the Project site. No scenic vistas or areas with high visual quality would be affected by development of the proposed Project site. Therefore, adverse effects on a scenic vista are considered less than significant.

- b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The Project site consists of Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988. The site is vacant, undeveloped land. The northern boundary of Lot 8 extends approximately 4,425 feet east from its boundary with Lot 3. A tamarisk windbreak extends approximately 1,775 feet east from the boundary of the adjacent Lot 3 providing screening of a portion of Lot 8. There are no rock outcroppings on Lot 8. SR 78 is approximately one-half mile north of the northern property boundary of the Project site. According to the Imperial County General Plan Circulation and Scenic Highways Element, "The portion of SR 78 from the junction with SR 86 to the San Diego County line is eligible for future Scenic Highway Designation. The area is considered scenic because of its desert characteristics and view of the Salton Sea" (Imperial County 1998, p. 30). However, SR 78 is not officially designated as a Scenic Highway. Therefore, no impact is anticipated and impacts to resources within a state scenic highway will not be discussed in the EIR.

- c) Substantially degrade the existing visual character or quality of the site and its surrounding?

Potentially Significant Impact. Views of the proposed Project are partially obstructed by the presence of a tamarisk windbreak extending east-west along the northern boundary of the Project site. The Project includes development of approximately 175 acres of the 2,440-acre Allegretti Farms property. The Project site is surrounded by private properties and open desert land administered by the Bureau of Land Management. The site is barely visible from SR 78.

The Project proposes to utilize either thin film or crystalline solar PV technology modules mounted either on fixed frames or horizontal single-axis tracker (HSAT) systems with panel height approximately 7.5 feet above the ground. The Seville 4 Solar Project will connect to the existing substation via a tie-in at Lot 3 to an existing pole line that connects Seville 3 to the substation. This east-west line will align north along the west side of the north-south road on the same pole line that is being used for Seville 3. A 20,000-gallon water tank for fire protection is also proposed on the site. The addition of the Seville 4 Solar Project will expand the existing solar development in the area and represents an expansion of the Seville Solar Farm Complex.

The introduction of all of these features may be noticeable to travelers along SR 78 and surrounding lands. Therefore, a potentially significant impact is identified for this issue area. Impacts to visual character and quality of the site will be addressed in the EIR.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. The proposed Project does not include lighting. The solar panels would be constructed to absorb light and minimize any potential glare. A glare analysis will be performed to determine if the Project would create glare that is visible from surrounding areas. Therefore, a potentially significant impact is identified for glare impacts. This issue will be discussed in the EIR.

II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. --Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Potentially Significant Impact. A portion of the area to be developed on Lot 8 has been mapped as "Prime Farmland" and "Farmland of Statewide Importance" by the California Farmland Mapping and Monitoring Program (FMMP). Prime farmland is defined as having the best combination of physical and chemical features able to sustain long-term agricultural production. Prime farmland has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Farmland of statewide importance is similar to prime farmland but with minor shortcomings (e.g. as greater slopes, less ability to store soil moisture).

To be considered as "prime farmland" the land must have been used for production of irrigated crops at some time during the two update cycles prior to the mapping date. Although designated as Agriculture on the General Plan Map and zoned A-2, the proposed Project site has not previously been farmed. The California Department of Conservation (CDOC) Land Evaluation Site Assessment (LESA) model will be used to evaluate the potential impacts from conversion of agricultural land to other purposes. Conversion of the agricultural lands to other uses may create a significant impact. This issue will be discussed in the EIR.

- b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?

No Impact. There are no Williamson Act lands within or adjacent to the Project area. Therefore, conversion of land under Williamson Act Contract is not an issue and will not be discussed in the EIR.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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No Impact. Based on the Imperial County General Plan, Conservation and Open Space Element, mixed chaparral, pinyon-juniper habitats, and the montane hardwood-conifer forest are located in restricted areas of the County. Mixed chaparral and pinyon-juniper habitats are located in the extreme southwestern corner of the County and montane hardwood-conifer forest is in the extreme northwestern corner of Imperial County. Thus, there are no existing forest lands, timberlands, or timberland zoned Timberland Production either on or near the Project site that would conflict with existing zoning. This issue will not be discussed in the EIR.

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

No Impact. There are no existing forest lands either on-site or in the immediate vicinity of the Project site. The proposed Project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.

- e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Potentially Significant Impact. The proposed Project would introduce a solar farm complex into an isolated area of the County expanding the existing Seville Solar Farm Complex. The Project would temporarily convert a piece of vacant, undisturbed land designated as Agriculture but never farmed, to a non-agricultural use. Nevertheless, the conversion of land designated for agriculture to a solar facility represents a potentially significant impact that will be discussed in the EIR.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to the following determinations. Would the Project:

- a) Conflict with or obstruct implementation of the applicable air quality plan?

Potentially Significant Impact Unless Mitigation Incorporated. The Project site is located within the Salton Sea Air Basin (SSAB) and is subject to the Imperial County Air Pollution Control District (ICAPCD) Rules and Regulations. Either 146 acres (Fixed Tracker Configuration) or 174 acres (HSAT Configuration) of the 572.10-acre Project site would be disturbed in association with construction of the Seville 4 Solar Project. Construction of the proposed Project would create temporary emissions of dust, fumes, equipment exhaust, and other air contaminants that may conflict with the ICAPCD Rules and Regulations. This is considered a potentially significant impact unless mitigation is incorporated.

- b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Potentially Significant Impact Unless Mitigation Incorporated. Currently, the SSAB is either in attainment or unclassified for all federal and state air pollutant standards with the exception of O₃ (8-hour) and total suspended particulate matter less than 10 microns in diameter (PM₁₀). Air pollutants transported into the SSAB from the adjacent South Coast Air Basin (Los Angeles, San Bernardino County, Orange County, and Riverside County) and from Mexicali (Mexico) substantially contribute to the non-attainment conditions in the SSAB. Thus, a potentially significant impact is identified for this issue area. Construction of the proposed Project may

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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result in a cumulatively considerable net increase of one or more criteria pollutants as a result of point, and non-point source emissions for which the region is in nonattainment under applicable federal and state ambient air quality standards. Thus, a potentially significant impact is identified with regard to violating an air quality standard. Temporary construction air quality emissions have the potential to result in an increase of criteria pollutants. This is considered a potentially significant impact unless mitigation is incorporated. An analysis of air quality impacts is being prepared for the proposed Project and these potential air quality impacts will be addressed in the EIR.

- c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. Refer to item b), above

- d) Expose sensitive receptors to substantial pollutants concentrations?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The Project site and surrounding areas are currently vacant land, open desert and the Seville Solar Farm Complex. No sensitive receptors are located in the immediate vicinity of the Project site. Therefore, impacts to sensitive receptors are considered less than significant.

- e) Create objectionable odors affecting a substantial number of people?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. The proposed Project is the development of a PV solar facility. No malodorous chemicals or substances would be used or generated during Project construction or operations. No impact is identified for this issue area.

IV. BIOLOGICAL RESOURCES *Would the project:*

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. The Project site consists of vacant land. Biological surveys of the project site will focus on documenting the habitat, potential jurisdictional state / federal waters, and wetlands, and documenting suitable threatened, endangered, and sensitive wildlife species habitats. The "Baseline Biological Resources Survey Report" prepared for the Seville Solar Farm Complex will be reviewed and a Biological Resources Assessment will be prepared for the proposed Seville 4 Solar Project. Burrowing owls may have moderate potential to occur on the Project site, if potentially suitable habitat is present. The burrowing owl is a BLM Sensitive Species, a U.S. Fish and Wildlife Service Bird of Conservation Concern and a California Department of Fish and Wildlife (CDFW) Species of Special Concern. Another species with potential to occur on the Project site is the Flat-tailed horned lizard (FTHL). FTHL is a BLM Sensitive species and CDFW Species of Special Concern. The proposed Project could result in potentially significant impacts to burrowing owls (refer to item e] below) as well as FTHL. This is considered a potentially significant impact unless mitigation is incorporated. A full discussion of the findings of the Biological Resources

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Assessment will be provided in the EIR.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. Mesquite thicket is a sensitive vegetation community known to occur in project area. Other potential habitats that could be impacted include jurisdictional streambed (San Felipe Creek) and tamarisk thicket, both of which are sensitive vegetation/land cover types. Therefore, a potentially significant impact unless mitigation is incorporated is identified for impacts to riparian habitat and sensitive natural communities. These impacts will be discussed in the EIR.

- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. San Felipe Creek aligns northwest to southeast through Lot 8. A Jurisdictional Delineation for Waters of the U.S. and Waters of the State will be prepared for the Project. This is considered a potentially significant impact unless mitigation is incorporated.

- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The proposed Project will include the installation of a chain link fence around the perimeter of the site. The fencing would inhibit medium- and large-sized mammals from moving through the Project site. However, small-sized mammals would still be able to access the site. Based on the site's location adjacent to Seville 3 (with Seville 1 and 2 to the northwest) within otherwise relatively undisturbed desert habitat, it is not likely that animals regularly move through Lot 8 (i.e. use it as a wildlife movement corridor). Therefore, when the proposed Project is fenced during construction and/or operation, a less than significant impact is anticipated to migratory wildlife corridors.

- e) Conflict with any local policies or ordinance protecting biological resource, such as a tree preservation policy or ordinance?
- | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. The Imperial County General Plan Open Space and Conservation Element contains an Open Space Conservation Policy that requires detailed investigations to be conducted to determine the significance, location, extent, and condition of natural resources in the County, and to notify any agency responsible for protecting plant and wildlife before approving a project which would impact a rare, sensitive, or unique plant or wildlife habitat. In accordance with this policy, a Biological Resources Assessment will be prepared for the Project site. The Imperial County General Plan Land Use Element Policy notes that the majority of the privately-owned land in the County is designated "Agriculture," which is also the predominate area where burrowing owls create habitats, typically in the brims

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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and banks of agricultural fields. Consistent with these policies, a burrowing owl survey and FTHL survey will be conducted on the Project site if deemed necessary based on the results of the Biological Resources Assessment. Potential for harm to, or damage to habitat of, burrowing owl and FTHL, if present on the Project site, is considered a potentially significant impact unless mitigation is incorporated. The results of Biological Resources Assessment, and burrowing owl survey and FTHL survey, if necessary, will be discussed in the EIR.

- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. Imperial County does not have a Habitat Conservation Plan (HCP). Thus, no conflicts or impacts would occur between the proposed Project and an adopted HCP. Some lands in the County under the jurisdiction of the Bureau of Land Management (BLM) are covered by the California Desert Conservation Area (CDCA) Plan which includes Areas of Critical Environmental Concern (ACEC). The Project site is not within or immediately adjacent to an ACEC of the CDCA. Therefore, no impact would occur.

V. CULTURAL RESOURCES *Would the project:*

- a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

Potentially Significant Impact Unless Mitigation Incorporated. The Project site is vacant and has not been disturbed in association with past farming of the Allegretti Farms operation. Therefore, there is potential for previously unknown cultural resources to be present on the Project site. If cultural resources are present, a potentially significant impact unless mitigation is incorporated may occur. A cultural resources survey and report will be prepared for the Project site and the results will be discussed in the EIR.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Potentially Significant Impact Unless Mitigation Incorporated. As Lot 8 has not been previously disturbed, the potential for archaeological resources to be discovered is present. A search of the NAHC Sacred Lands File for the Seville Solar Farm Complex did not indicate the presence of Native American cultural sites within the Area of Potential Effect. A survey of the Project site will be conducted. Therefore, impacts to archaeological resources are considered potentially significant unless mitigation is incorporated and will be discussed in the EIR.

- c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact Unless Mitigation Incorporated. Many paleontological fossil sites recorded in Imperial County have been discovered during construction activities. Paleontological resources are typically impacted when earthwork activities such as mass excavation cut into geological deposits (formations) with buried fossils. The site lies near the western boundary of the old meandering shoreline of ancient Lake Cahuilla. However, it is not known if any paleontological resources are located on the Project site. A potentially significant impact unless mitigation is incorporated has been identified for paleontological resources and

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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unique geologic features. This issue will be addressed in the EIR.

- d) Disturb any human remains, including those interred outside of dedicated cemeteries?

Potentially Significant Impact Unless Mitigation Incorporated. As described in item “a)” above, because the Project site has not been disturbed, the presence of subsurface resources may be present. Likewise, the potential exists for previously unknown human remains to be discovered during construction of the proposed Project and is considered a potentially significant impact unless mitigation is incorporated. This issue will be discussed in the EIR.

VI. GEOLOGY AND SOILS *Would the project:*

- a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:

- 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

No Impact. The Project site is not within a designated State of California Alquist-Priolo Earthquake Fault Zone. In addition, no known active faults have been identified on the site. While Fault rupture would most likely occur along established fault traces, fault rupture could occur at other locations. However, the potential for active fault rupture at the site is considered to be very low. Therefore, no impact is anticipated.

- 2) Strong Seismic ground shaking?

Potentially Significant Impact Unless Mitigation Incorporated. The site is located within an active tectonic area with several significant faults capable of producing moderate to strong earthquakes. The Coyote Creek Fault, the Borrego Mountain fault, the Superstition Hills fault and the Elmore Ranch fault are all in close proximity to the site and capable of producing strong ground motions. Therefore, exposure to strong seismic groundshaking is considered a potentially significant impact unless mitigation is incorporated and will be discussed in the EIR.

- 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?

Less than Significant Impact. A Geotechnical Investigation will be prepared for the proposed Project site to examine the potential for seismic-related ground failure. Secondary effects of seismic activity normally considered as possible hazards to a site include several types of ground failure, as well as earthquake-induced flooding. Liquefaction occurs when dynamic loading of a saturated sand or silt causes pore-water pressures to increase to levels where grain-to-grain contact is lost and material temporarily behaves as a viscous fluid.

Seismically induced flooding that might be considered a potential hazard to a site normally includes flooding due to tsunami or seiche (i.e., a wave-like oscillation of the surface of water in an enclosed basin that may be initiated by a strong earthquake) or failure of a major reservoir or retention structure upstream of the site. The Salton Sea is situated approximately 14 miles from the site with an elevation differential greater

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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than approximately 180 feet. In addition, no major reservoir is located near, or upstream of the site. Therefore, the potential for seiche or inundation is considered negligible. Because of the inland location of the site, flooding due to a tsunami is also considered negligible. Therefore, impacts associated with seismic-related ground failure would be less than significant.

- | | | | | |
|----------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|----------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. The majority of the soils in the Project area consist of Vint fine sandy loam. Other soils include Indio-Vint complex, Rositas sand (0-2 percent slopes), Rositas fine sand (0-2 percent slopes), Meloland fine sand, Indio loam, Glenbar complex, Rositas sand (2-5 percent slopes), Carsitas gravelly sand (0-5 percent slopes), and Glenbar clay loam. Soil erosion could result during construction of the proposed Project in association with clearing and grubbing, sheet grading, foundations and cut areas and is considered a potentially significant impact unless mitigation is incorporated. Standard erosion control methods will be required in accordance with County standards including preparation, review and approval of a grading plan by the County Engineer. During operations, both dust and erosion would be controlled by the periodic application of chemical stabilization agents (soil binders) to exposed soil surfaces. Potential for erosion during construction and operations will be discussed in the EIR.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The Project area is underlain by alluvial and eolian deposits consisting of interbedded clean sands, silty sands, silts and sandy silts. Various general types of ground failures which may occur as a consequence of severe ground shaking at the site include ground subsidence, ground lurching, and lateral spreading. The probability of occurrence of each type of ground failure depends on the severity of the earthquake, distance from faults, topography, subsoil and groundwater conditions, in addition to other factors. Based on the site conditions and relatively flat topography, ground subsidence, ground lurching and lateral spreading is considered unlikely at the site.

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial risk to life or property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. As noted in item b) above, the Project site contains soils that consist dominantly of sand. Soils exhibiting a low expansion potential can affect the performance of concrete slabs or structures with shallow foundations. This is considered a potentially significant impact unless mitigation is incorporated. The findings and recommendations of the Preliminary Geotechnical Report with regard to expansive soils will be discussed in the EIR.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

for the disposal of waste water?

No Impact. The Project does not include an Operations and Maintenance Building or septic system. Therefore, no impact would occur with regard to soil capability to support a septic system and this issue will not be discussed in the EIR.

VII. GREENHOUSE GAS EMISSIONS *Would the project:*

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. The proposed Project has the potential to generate greenhouse gas emissions during construction in association with travel required to and from the Project site by construction workers, delivery of materials, and operation of heavy equipment. In comparison, during operations, total daily trips would be few to none. In the long-term, the Project is expected to provide a benefit with respect to reduction of greenhouse gas emissions as a result of generation of renewable power in place of fossil fuels. A Greenhouse Gas Emissions/Climate Change technical report is being completed for the proposed Project. Thus, a potentially significant impact unless mitigation is incorporated is identified for greenhouse gases.

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. Refer to item a), above.

VIII. HAZARDS AND HAZARDOUS MATERIALS *Would the project:*

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|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The Project would not use or store any appreciable quantities of hazardous chemicals on site during normal operations. Fuel that may be used on site during construction would be stored in secondary containment. This impact is considered less than significant.

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|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. While the Project site is part of the 2,440 Allegretti Farm property, it has not historically been farmed. However, equipment or other farm-related items may have been stored on Lot 8. As a result, the Project site may have some pesticide or other contamination present. A Phase I Environmental Site Assessment will be prepared for the Project site. Therefore, impacts associated with the release of hazardous materials are considered potentially significant unless mitigation is incorporated and will be discussed in the EIR.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
No Impact. The Project site is not located within one-quarter mile of an existing school. No impact would occur.				
d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. An Agency Database Record Search was undertaken of available compiled agency database records as part of the environmental review process for the Seville Solar Project. Based on the information available, the site was not found on a hazardous materials list pursuant to California Government Code Section 65962.5. No impact is identified for this issue area.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. The Project site is not located within two miles of a public airport or a private airstrip. The Salton Sea Airport is approximately 9 miles northeast of the Project site and the Ocotillo Airport is approximately 6.75 miles to the northwest. Thus, no impact is identified for these issue areas.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. See item e), above.				
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. As identified in the Seismic and Public Safety Element of the County of Imperial General Plan, the "Imperial County Emergency Plan" addressed the County's planned response to extraordinary emergency situations associated with natural disasters, technological incidents, and nuclear defense operations. The proposed circulation plan for the Project site will be required to provide emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize flood, seismic, and fire hazard. Thus, the proposed Project would not impair the implementation of, or physically interfere with, any adopted emergency response plans or emergency evacuation plans. No impact is identified for this issue area.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
No Impact. The Project site is not characterized as an urban/wildland interface. According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000), the Project site does not fall into an area characterized as either: (1) a wildland area that may contain substantial forest fire risk and hazard; or (2) a very high fire hazard severity zone. Thus, the Project site would not expose people or structures to significant risk of loss injury or death involving wildland fire. No impact is identified for this issue area.				

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IX. HYDROLOGY AND WATER QUALITY *Would the project:*

- a) Violate any water quality standards or waste discharge requirements?

Potentially Significant Impact Unless Mitigation Incorporated. Water quality violations have the potential to occur during construction and operation of the Project. Prior to construction, the Project would file a Notice of Intent with the State Water Resources Control Board (SWRCB) to comply with the general permit for construction activities. In addition, the Project would be required to prepare and implement a Storm Water Pollution Prevention Plan (SWPPP) consistent with the requirements of the SWRCB. Once operational, panel washing activities are not anticipated to generate runoff or contain pollutants (e.g. grease, heavy metals) other than dust. Any runoff from panel washing would evaporate or percolate through the ground, as a majority of the surfaces in the solar field will remain pervious. Thus, violation of water quality standards is considered a potentially significant unless mitigation is incorporated. This issue will be discussed in the EIR.

- b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Less than Significant Impact. The Seville Solar 4 Project will require water during both construction (primarily dust control) and operation (panel washing). Water would be provided by the Ranch Oasis Mutual Water Company established in 1994 by Allegretti & Co. An estimated 275 acre-feet of water would be needed for site grading and dust control over the expected Project construction period.

Water for washing the PV modules, if required, would also be provided by the Ranch Oasis Mutual Water Company. The amount of water needed for this purpose is conservatively estimated at 5 acre-feet per washing, with up to two washings per year or a total of up to 10 acre-feet per year.

A Water Supply Assessment (WSA) was prepared for the Seville Solar Project in accordance with SB 610 (Part 2.10 Div. 6 of the California Water Code) evaluating the amount of water supplies. The findings of the WSA with regard to groundwater availability for the proposed Project will be discussed in the EIR and are anticipated to be less than significant.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

Potentially Significant Impact. In its natural state, San Felipe Creek previously flowed through Lot 8 in a southeasterly direction. However, the creek has been subsequently diverted at the western property boundary of Lot #1 and #6 by an earthen berm and man-made drainage channel and now flows to the south around these lots.

The proposed Project would alter drainage on Lot 8 through the introduction of PV solar panels on driven piles, inverters, etc. While the majority of the site would remain pervious, both configurations propose 18-acres of

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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retention in the southern portion of the site. The Project's modification of existing drainage patterns and potential for off-site flooding and erosion is considered potentially significant and will be examined in the EIR.

- d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?
- | | | | |
|-------------------------------------|--------------------------|--------------------------|--------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|-------------------------------------|--------------------------|--------------------------|--------------------------|

Potentially Significant Impact. See item c), above.

- e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
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Less than Significant Impact. The proposed Project would not generate substantial amounts of runoff as described in item b), above. Water used for panel washing will continue to percolate through the ground as a majority of the surfaces on the Project site will remain pervious. Thus, the proposed Project will not substantially alter the existing drainage pattern of the site, substantially increase the rate of runoff, or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. Therefore, a less than significant impact is identified for these issue areas.

- f) Otherwise substantially degrade water quality?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. The Project is not anticipated to degrade water quality based on the required stormwater permit as well as Best Management Practices (BMPs). This issue is considered less than significant.

- g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. The Project does not include a residential component. Therefore, no homes would be constructed within a 100-year flood zone. No impact would occur.

- h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant. Historic portions of San Felipe Creek that crossed Lot 8 are within a Federal Emergency Management Agency (FEMA) area designated as Flood Zone A (100-year flood zone). Zone A is defined as those areas with a 1% annual chance of flooding (and a 26% chance of flooding over the life of a 30-year project). The remainder of the Lot 8 is within Flood Zone X (an area of moderate flood hazard, between the limits of the 100-year and 500-year floods.) As discussed in item c) above, a berm along the western boundary of Lot #1 and Lot #6 diverts flows from the Creek around Seville 3 (Lots #1, #2 and #3).

The Project does not include a residential component, so no homes would be within a 100-year flood zone. The existing berms which currently divert off-site flow around Seville 3 will be maintained, but any flows which breach the berm(s) will be allowed to flow unimpeded across the Project site and under the solar panels. Thus, based on project design, impacts associated with placing structures in a 100-year floodplain are considered less than significant.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

Potentially Significant Impact. San Felipe Creek is prevented from flowing across Seville 3 by an earthen berm along the western boundary of Lot #6 and Lot #1. Assuming the berm is structurally sound and capable of withholding the off-site flows, the flows generated by the off-site areas west of the Lots #6 and Lot #1 could be fully contained and directed around the southwest corner of Lot #1 to the existing natural watercourse. Nevertheless, the potential for flooding on Lot 8 is considered a potentially significant impact that will be discussed in the EIR.

No dams or levees are in the vicinity of the Project site. Therefore, no impact would occur with regard to exposing people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam.

- j) Inundation by seiche, tsunami, or mudflow?

No Impact. No bays or lakes are located within a two-mile radius of the Project. Furthermore, the Project site and Imperial Valley are over 75-miles inland from the Pacific Ocean. In addition, the Project site and agricultural fields are relatively flat and level. Therefore, there is no potential for the Project site to be inundated by seiches, tsunamis, or mudflows. Thus, no impact is identified for these issues.

X. LAND USE AND PLANNING *Would the project:*

- a) Physically divide an established community?

No Impact. The Project is located on portions of the approximately 2,440-acre Allegretti Farms property in west-central Imperial County. The project represents an expansion of existing solar uses currently developed as part of Seville 1 and Seville 2. Thus, no impact is identified with regard to dividing an established community.

- b) 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?

Potentially Significant Impact Unless Mitigation Incorporated. The proposed Project site is currently zoned A-2 (general agriculture). Per Section 90508.02 (Uses Permitted with a Conditional Use Permit) of Division 5 of Title 9 of the Imperial County Land Use Code, development of the site with a “Solar energy electrical generator” is an allowed use subject to a Conditional Use Permit (CUP). To implement the Project, Lot 8 will require approval of a CUP, a GPA and a Zone Change from Imperial County. Both the GPA and Zone Change would be to the Renewable Energy Overlay Zone. However, impacts associated with the allowed CUP, GPA and Zone Change would be addressed. Therefore, conflicts with applicable land use plan, policy or regulation is considered a potentially significant impact unless mitigation is incorporated. This impact will be examined in the EIR.

- c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. 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 will not be examined in the EIR.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XI. MINERAL RESOURCES *Would the project:*

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. The Project site was historically used for agriculture and is currently vacant. According to the Conservation and Open Space Element of the County of Imperial General Plan, no known mineral resources occur within the Allegretti Farms property nor does the Project site contain any mapped mineral resources. Thus, no impact is identified with regard to mineral resources.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. Refer to item a), above.

XII. NOISE *Would the project result in:*

- | | | | | |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. Short-term noise levels would increase on the Project site and surrounding roadways during construction. Traffic and heavy equipment would increase existing noise levels associated with a vacant property. Construction noise would be limited to the period of heavy equipment operated during daylight hours and to construction traffic. The Project would also generate noise during operations in association with the transformers, inverters, HSAT, substation and transmission line. A noise study will be prepared to identify any potential short-term construction and long-term operational impacts of the proposed Project. These issues will be addressed in the EIR.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. Construction and operation of the proposed Project is not anticipated to create groundborne vibration. As no blasting is anticipated based on the site's characteristics, site preparation activity is not likely to generate groundborne vibration. Therefore, no impacts are identified with regard to groundborne vibration and this issue will not be discussed in the EIR.

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|-------------------------------------|--------------------------|--------------------------|

Potentially Significant Impact Unless Mitigation Incorporated. Long-term operational noise levels will be analyzed as part of the noise study prepared for the Project. Refer to item a), above

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|--|--------------------------|-------------------------------------|--------------------------|--------------------------|
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Potentially Significant Impact Unless Mitigation Incorporated. Short-term construction noise levels will be analyzed as part of the noise study prepared for the Project. Refer to item a), above.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. Refer to item e), above.

XIII. POPULATION AND HOUSING *Would the project:*

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and business) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. The Project does not propose the development of new housing on the Project site nor does it propose construction or extension of new roads (aside from internal access roads). The Project, by its nature as solar generation facility, would not induce growth. Rather it would produce renewable energy to meet existing demands. No impact would occur for this issue.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. The proposed Project site is currently vacant, agricultural land with two habitable residential structures, all of which are currently unoccupied. As a result, development of the proposed solar project would not displace substantial numbers of existing housing or people requiring construction of replacement housing elsewhere. No impact would occur for these issues.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. Refer to item b), above

XIV. PUBLIC SERVICES

- | | | | | |
|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) 1) Fire Protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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Less than Significant Impact. The Project site is within the jurisdiction of the Imperial County Fire Department. The proposed Project will pose a very small fire risk. All vegetation will be removed from the site and the solar facility does not include any flammable materials. The PV modules are typically Class C fire-rated and the remainder of the equipment is of nonflammable material (aluminum, steel, and glass). Up to three 10,000-gallon fire water tanks would be constructed across the Project site and kept filled during operations to fight potential fires. The Project area is accessible from both a primary and secondary access driveway. These driveways are each provided with 30-foot double swing gates with "Knox Box" for keyed entry. Nominal 20-foot wide roads are proposed between the PV arrays, as well as around the perimeter of the Project area inside the perimeter security fence to provide access for operational and emergency vehicles. Thus, impacts to fire protection are anticipated to be less than significant. However, this impact will be discussed in the EIR.

2) Police Protection?

Less than Significant Impact. Police protection to the Project site would be under the jurisdiction of the Imperial County Sheriff Department. The Project site incorporates a variety of security features to protect the site including security fencing around the perimeter of the site prior to commencement of construction. Access to the site would be limited to authorized site construction workers and operations personnel. In addition, a motion detection system and closed-circuit camera system may also be installed. Thus, impacts to police protection are anticipated to be less than significant. However, this impact will be discussed in the EIR.

3) Schools?

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

4) Parks?

No Impact. Refer to item a3) above.

5) Other Public Facilities?

No Impact. Refer to item a3) above.

XV. RECREATION

a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less than Significant Impact. The proposed Project is a solar facility and would not create a demand for recreation or parks in the County. The Ocotillo Wells State Vehicular Recreation Area (SVRA) is located approximately 1.5 miles north of the Project site and immediately north of SR 78. Recreational off-road vehicle riding and primitive camping is popular in the SVRA, and a few developed recreational vehicle (RV) parks are located in the Project vicinity. The Blu-In Café/RV Park is located about 1.5 miles west of the access road to the Project and immediately south of SR 78. Off-road activities would not be adversely affected by construction and operation of the proposed Project. Thus, a less than significant impact is identified for these issues and recreation will not be discussed in the EIR.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment?

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

XVI. TRANSPORTATION / TRAFFIC *Would the project:*

- a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Potentially Significant Impact Unless Mitigation Incorporated. The construction of the proposed Project would result in a temporary increase of traffic on SR 78 and area intersections which may reduce levels of service below County thresholds and result in a potentially significant impact unless mitigation is incorporated. Once operational, the proposed Project would require very few maintenance worker trips. Additional workers would occasionally be required to access the site to clean the solar panels or to perform specific maintenance. Deliveries would occur irregularly. A Traffic Impact Study is being prepared for the project and its findings will be discussed in the EIR.

- b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestions/management agency for designated roads or highways?

Potentially Significant Impact Unless Mitigation Incorporated. Refer to item a) above.

- c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

No Impact. The proposed Project would not result in changes to existing air traffic patterns through an increase in traffic levels or change in location. Thus, no impact is identified for this issue area.

- d) Substantially increases hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The principal access to the project is via the existing private access road extending north from the Seville Solar Farm Complex to SR 78. Traffic volumes in the area are currently quite low. Thus, no impact would occur with regard to an increase in hazards due to a design feature or incompatible uses.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Less than Significant Impact. The proposed circulation plan for the Project will be required to provide emergency access points and safe vehicular travel. The Project site is currently accessed via the Seville Solar Farm Complex private road that extends to SR 78 across approximately one-half mile of public land managed by the BLM. Nominal 20-foot wide roads are proposed between the PV arrays, as well as around the perimeter of the Project area inside the perimeter security fence to provide access for operational and emergency vehicles.

The final site plan would be designed in accordance with the Imperial County Fire Department requirements for access and would not impact the ability to provide emergency access to the site. The Project is not anticipated to hinder the ability of fire or law enforcement to access nearby properties. Thus, a less than significant impact is identified for this issue area. Nevertheless, the adequacy of emergency access will be discussed in the EIR.

f) Conflicts with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

No Impact. The proposed Project is located in a rural, sparsely populated portion of the County void of public transit, bike lanes and pedestrian facilities. Thus, development a 20-MW solar facility would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Thus, no impact is identified for this issue area.

XVII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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a. **Potentially Significant Impact Unless Mitigation Incorporated.** Ten tribes were contacted as part of SB 18 during preparation of the Seville Solar Farm Complex EIR. While AB 52 had not yet taken effect at the time that the NOP for the Seville Solar Farm Complex was issued, no tribal cultural resources were identified. Nevertheless, tribes who have submitted requests to consult under AB 52 will be contacted as part of the environmental review process for this project. Tribal cultural resources impacts are considered potentially significant unless mitigation is incorporated.

1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as define in Public Resources Code Section 5020.1(k), or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant Impact Unless Mitigation Incorporated. Refer to item a), above.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Potentially Significant Impact Unless Mitigation Incorporated. Refer to item a1), above.

XVIII. UTILITIES AND SERVICE SYSTEMS *Would the project:*

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
---	--------------------------	--------------------------	--------------------------	-------------------------------------

No Impact. The proposed project does not include an Operations and Maintenance Building. No wastewater flows would be generated. Therefore, the project would have no impact on wastewater treatment requirements.

b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	--------------------------	-------------------------------------	--------------------------

Less than Significant Impact. No new groundwater wells are proposed as part of the project. Water for the proposed project would be provided by the Ranch Oasis Mutual Water Company. The Water Supply Assessment prepared for the Seville Solar Farm Complex will be referenced with regard to the availability of groundwater to serve the project. No new or expanded water treatment facilities is anticipated. Therefore, this impact is considered less than significant.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
---	--------------------------	-------------------------------------	--------------------------	--------------------------

Potentially Significant Impact Unless Mitigation Incorporated. Both proposed configurations include 18 acres of on-site retention. The HSAT configuration would have multiple basins while the Fixed Tracker configuration would have a single basin. Therefore, impacts associated with construction of new storm water drainage facilities are considered potentially significant unless mitigation is incorporated.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------	-------------------------------------	--------------------------

Less than Significant Impact. The proposed Project is anticipated to result in an increase in water demand/use during construction and operation. During construction, water will be used to facilitate soil compaction and to control fugitive dust on exposed soils. During operation, the Project will use water only for periodic washing of the solar panels and reapplication of the soil binding agent if necessary. It is estimated that up to 275 acre-feet of water would be needed for site grading and dust control over the expected Project

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
--------------------------------------	--	-------------------------------------	----------------

construction period. Water for washing the PV modules, if required, would be provided by the Ranch Oasis Mutual Water Company. The amount of water needed for this purpose is conservatively estimated at 5 acre-feet per washing, with up to two washings per year or a total of up to 10 acre-feet per year.

The quantity of groundwater available was examined in the Water Supply Assessment prepared for the Seville Solar Farm Complex. Existing usage from the Seville Solar Farm Complex will be used to examine potential impacts on water availability. The findings of the WSA and existing usage will be discussed in the EIR. Impacts to water supply are anticipated to be less than significant.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

No Impact. The project does not propose any feature that would generate wastewater. Thus, no impact to a wastewater provider would occur.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. Some solid waste would be generated during demolition and construction of the proposed Project. Such materials would be hauled to an appropriate disposal facility. During operations of the proposed Project, waste generation will be minor. Solid wastes will be disposed of using a locally-licensed waste hauling service. Thus, a less than significant impact is identified for this issue.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Less than Significant Impact. Refer to item f), above.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

Revised 2009- CEQA, Revised 2011- ICPDS, Revised 2016 – ICPDS, Revised 2017 - ICPDS

SECTION 3 - III. MANDATORY FINDINGS OF SIGNIFICANCE

The following are Mandatory Findings of Significance in accordance with Section 15065 of the CEQA Guidelines.

- a) **Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?**
-

Potentially Significant Impact. Implementation of the proposed Project has the potential to result in potentially significant impacts to agricultural resources, hydrology and water quality, and Tribal Cultural Resources. In addition, the Project is anticipated to result in potentially significant impacts unless mitigation is incorporated to the following: air quality, biological resources, cultural resources, geology and soils, greenhouse gases, hazards and hazardous materials, land use, noise, transportation/traffic, and utilities and services. These issues will be further evaluated in the EIR.

- b) **Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**
-

Potentially Significant Impact. The proposed Project has the potential to result in a cumulatively considerable net increase of one or more criteria pollutants for which the Project region is in non-attainment under applicable federal and state ambient air quality standards. Therefore, a potentially significant cumulative impact may occur. An analysis of air quality impacts is being prepared for the proposed Project and will be discussed in the EIR.

- c) **Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?**
-

Potentially Significant Impact. The proposed Project has the potential to result in significant environmental effects which could directly or indirectly cause adverse effects on human beings. As demonstrated in this Initial Study, the proposed Project has the potential to result in potentially significant impacts unless mitigation is incorporated to air quality, noise, geology and soils, and hazards and hazardous materials. These impact areas could result in direct or indirect adverse effects on human beings. Thus, these issues will be discussed in the EIR.

IV. PERSONS AND ORGANIZATIONS CONSULTED

This section identifies those persons who prepared or contributed to preparation of this document. This section is prepared in accordance with Section 15129 of the CEQA Guidelines.

A. COUNTY OF IMPERIAL

- Jim Minnick, Director of Planning & Development Services
- Michael Abraham, AICP, Assistant Director of Planning & Development Services
- Patricia Valenzuela, Project Planner
- Imperial County Air Pollution Control District
- Department of Public Works
- Fire Department
- Ag Commissioner
- Environmental Health Services
- Sheriff's Office

B. OTHER AGENCIES/ORGANIZATIONS

- BLM
- CDFW
- USFWS
- Cal Trans

(Written or oral comments received on the checklist prior to circulation)

V. REFERENCES

1. "County of Imperial General Plan EIR", prepared by Brian F. Mooney & Associates in 1993; and as Amended by County in 1996, 1998, 2001, 2003, 2006 & 2008, 2015, 2016.
2. County of Imperial. Seville Solar Farm Complex EIR. Sch. No. 2013091039. October 2014.

VI. NEGATIVE DECLARATION – County of Imperial

The following Negative Declaration is being circulated for public review in accordance with the California Environmental Quality Act Section 21091 and 21092 of the Public Resources Code.

Project Name: Not Applicable

Project Applicant: Not Applicable

Project Location: Not Applicable

Description of Project: Not Applicable

VII. FINDINGS

This is to advise that the County of Imperial, acting as the lead agency, has conducted an Initial Study to determine if the project may have a significant effect on the environmental and is proposing this Negative Declaration based upon the following findings:

- The Initial Study shows that there is no substantial evidence that the project may have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- The Initial Study identifies potentially significant effects but:
- (1) Proposals made or agreed to by the applicant before this proposed Mitigated Negative Declaration was released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
 - (2) There is no substantial evidence before the agency that the project may have a significant effect on the environment.
 - (3) Mitigation measures are required to ensure all potentially significant impacts are reduced to levels of insignificance.

A NEGATIVE DECLARATION will be prepared.

If adopted, the Negative Declaration means that an Environmental Impact Report will not be required. Reasons to support this finding are included in the attached Initial Study. The project file and all related documents are available for review at the County of Imperial, Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 (442) 265-1736.

NOTICE

The public is invited to comment on the proposed Negative Declaration during the review period.

Date of Determination Jim Minnick, Director of Planning & Development Services

The Applicant hereby acknowledges and accepts the results of the Environmental Evaluation Committee (EEC) and hereby agrees to implement all Mitigation Measures, if applicable, as outlined in the MMRP.

Applicant Signature

Date

SECTION 4

VIII. RESPONSE TO COMMENTS

(ATTACH DOCUMENTS, IF ANY, HERE)

IX. MITIGATION MONITORING & REPORTING PROGRAM (MMRP)

(ATTACH DOCUMENTS, IF ANY, HERE)

Not Applicable.

S:\CEQA RULES\CEQA Rules 2016\2016 Update of Rules and Regs\Initial Study - Environmental Checklist
Template 2017.docx



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

Notice of Preparation

June 22, 2017

To: Reviewing Agencies

Re: Seville 4 Solar Project
SCH# 2017061062

Attached for your review and comment is the Notice of Preparation (NOP) for the Seville 4 Solar Project draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Patricia Valenzuela
Imperial County
801 Main Street
El Centro, CA 92243

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,


Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

RECEIVED
JUN 26 2017
IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

**Document Details Report
State Clearinghouse Data Base**

SCH# 2017061062
Project Title Seville 4 Solar Project
Lead Agency Imperial County

Type NOP Notice of Preparation
Description The project would consist of the construction, operation and reclamation a 175-acre, 20 MW solar PV energy project on a portion of Imperial County APN 018-170-057-000, Lot 8 of Tract Map No. 00988. The project would use the existing private access road extending south from Hwy 78 to the Seville Solar Farm Complex. The project would also include internal access roads and infrastructure (i.e. PV modules, inverters, internal transmission lines, security fence, etc.). Additionally, the project would require construction of 12.5 kV or 34.5 kV gen-tie line located on common development internet lot A of tract map no. 00988 and delivered to the proposed project substation.

Lead Agency Contact

Name Patricia Valenzuela
Agency Imperial County
Phone 442-265-1749 **Fax**
email
Address 801 Main Street
City El Centro **State** CA **Zip** 92243

Project Location

County Imperial
City
Region
Cross Streets 8 mi west of juncton of SR 78 and SR 86
Lat / Long 33° 6' 40.5" N / 116° 0' 7.39" W
Parcel No. 018-170-057-000
Township 12S **Range** 9E **Section** 23 **Base** SBBM

Proximity to:

Highways 78
Airports
Railways
Waterways San Filippe Creek
Schools
Land Use vacant/A-2/Ag

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Noise; Public Services; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Solid Waste; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Colorado River Board; Department of Conservation; Cal Fire; Office of Historic Preservation; Department of Water Resources; Department of Fish and Wildlife, Region 6; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; California Highway Patrol; Caltrans, District 11; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 7

Date Received 06/22/2017 **Start of Review** 06/22/2017 **End of Review** 07/21/2017

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # **2017061062**

Project Title: Seville 4 Solar Project

Lead Agency: Imperial County Planning and Development Services Dept Contact Person: Patricia Valenzuela
Mailing Address: 801 Main Street Phone: 442-265-1749
City: El Centro Zip: CA County: 92243

Project Location: County: Imperial City/Nearest Community: Borrego Springs
Cross Streets: 8 miles west of the junction of SR 78 and SR 86 Zip Code: 92024
Longitude/Latitude (degrees, minutes and seconds): 33 ° 6 ' 40.59" N / 116 ° 0 ' 7.39" W Total Acres: 340
Assessor's Parcel No.: 018-170-057-000 Section: 23 Twp.: 12S Range: 9E Base: SBB&M
Within 2 Miles: State Hwy #: 78 Waterways: San Filippe Creek
Airports: N/A Railways: N/A Schools: N/A

Document Type:

CEQA: NOP Draft EIR NEPA: NOI Other: Joint Document
 Early Cons Supplement/Subsequent EIR EA Final Document
 Neg Dec (Prior SCH No.) Draft EIS Other: _____
 Mit Neg Dec Other: _____ FONSI

Local Action Type:

General Plan Update Specific Plan Rezone Annexation
 General Plan Amendment Master Plan Prezone Redevelopment
 General Plan Element Planned Unit Development Use Permit Coastal Permit
 Community Plan Site Plan Land Division (Subdivision, etc.) Other: _____

Governor's Office of Planning & Research
JUN 22 2017
STATE CLEARINGHOUSE

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____
 Industrial: Sq.ft. _____ Acres _____ Employees _____
 Educational: _____
 Recreational: _____
 Water Facilities: Type _____ MGD _____
 Transportation: Type _____
 Mining: Mineral _____
 Power: Type Solar Facility MW 20
 Waste Treatment: Type _____ MGD _____
 Hazardous Waste: Type _____
 Other: _____

Project Issues Discussed in Document:

Aesthetic/Visual Fiscal Recreation/Parks Vegetation
 Agricultural Land Flood Plain/Flooding Schools/Universities Water Quality
 Air Quality Forest Land/Fire Hazard Septic Systems Water Supply/Groundwater
 Archeological/Historical Geologic/Seismic Sewer Capacity Wetland/Riparian
 Biological Resources Minerals Soil Erosion/Compaction/Grading Growth Inducement
 Coastal Zone Noise Solid Waste Land Use
 Drainage/Absorption Population/Housing Balance Toxic/Hazardous Cumulative Effects
 Economic/Jobs Public Services/Facilities Traffic/Circulation Other: CEQA Appendix F

Present Land Use/Zoning/General Plan Designation:

Vacant/A-2/Agriculture

Project Description: *(please use a separate page if necessary)*

The Project would consist of the construction, operation and reclamation a 175-acre, 20 MW solar photovoltaic (PV) energy project on a portion of Imperial County Assessor Parcel 018-170-057-000, Lot 8 of Tract Map No. 00988. The Project would use the existing private access road extending south from Highway 78 to the Seville Solar Farm Complex. The Project would also include internal access roads and infrastructure (i.e. PV modules, inverters, internal transmission lines, security fence, etc.). Additionally, the Project would require construction of 12.5-kilovolt (kV) or 34.5-kV gen-tie line located on common development internet Lot A of Tract Map No. 009988 and delivered to the proposed Project substation.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

Resources Agency

Resources Agency
Nadell Gayou

Dept. of Boating & Waterways
Denise Peterson

California Coastal Commission
Elizabeth A. Fuchs

Colorado River Board
Lisa Johansen

Dept. of Conservation
Crina Chan

Cal Fire
Dan Foster

Central Valley Flood Protection Board
James Herota

Office of Historic Preservation
Ron Parsons

Dept of Parks & Recreation
Environmental Stewardship Section

S.F. Bay Conservation & Dev't Comm.
Steve Goldbeck

Dept. of Water Resources
Nadell Gayou

Fish and Wildlife Region 4
Julie Vance

Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

Fish & Wildlife Region 6
Tiffany Ellis
Habitat Conservation Program

Fish & Wildlife Region 6 I/M
Heidi Calvert
Inyo/Mono, Habitat Conservation Program

Dept. of Fish & Wildlife M
William Paznokas
Marine Region

California Department of Education
Lesley Taylor

OES (Office of Emergency Services)
Monique Wilber

Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

Dept. of General Services
Cathy Buck
Environmental Services Section

Housing & Comm. Dev.
CEQA Coordinator
Housing Policy Division

Delta Protection Commission
Erik Vink

Delta Stewardship Council
Kevan Samsam

California Energy Commission
Eric Knight

Independent Commissions, Boards

Fish & Wildlife Region 1
Curt Babcock

Fish & Wildlife Region 1E
Laurie Harnsberger

Fish & Wildlife Region 2
Jeff Drongesen

Fish & Wildlife Region 3
Craig Wightman

Native American Heritage Comm.
Debbie Treadway

Public Utilities Commission
Supervisor

Santa Monica Bay Restoration
Guangyu Wang

State Lands Commission
Jennifer Deleong

Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Cal State Transportation Agency CalSTA

Caltrans - Division of Aeronautics
Phillip Crimmins

Caltrans - Planning HQ LD-IGR
Christian Bushong

California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

Dept. of Transportation

Caltrans, District 1
Rex Jackman

Caltrans, District 2
Marcelino Gonzalez

Caltrans, District 3
Eric Federicks - South
Susan Zanchi - North

Caltrans, District 4
Patricia Maurice

Caltrans, District 5
Larry Newland

Caltrans, District 6
Michael Navarro

Caltrans, District 7
Dianna Watson

Caltrans, District 8
Mark Roberts

State Water Resources Control Board
Phil Crader
Division of Water Rights

Dept. of Toxic Substances Control
CEQA Tracking Center

Department of Pesticide Regulation
CEQA Coordinator

State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

State Water Resources Control Board
Div. Drinking Water #

State Water Resources Control Board
Cindy Forbes - Asst Deputy
Division of Drinking Water

State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

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State Water Resources Control Board
Div. Drinking Water #

NATIVE AMERICAN HERITAGE COMMISSION

Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710



June 26, 2017

Patricia Valenzuela
Imperial County
801 Main Street
El Centro, CA 92243

Sent via e-mail: patriciavalenzuela@co.imperial.ca.us

RE: SCH# 2017061062; Seville 4 Solar Project, Community of Borrego Springs; Imperial County, California

Dear Ms. Valenzuela:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
- The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
- Avoidance and preservation of the resources in place, including, but not limited to:
 - Planning and construction to avoid the resources and protect the cultural and natural context.
 - Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - Protecting the cultural character and integrity of the resource.
 - Protecting the traditional use of the resource.
 - Protecting the confidentiality of the resource.
 - Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.
3. Contact the NAHC for:
- a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,



Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst

cc: State Clearinghouse

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DEPARTMENT OF PARKS AND RECREATION
Off-Highway Motor Vehicle Recreation Division
1725 23rd Street, Suite 200
Sacramento, California 95816

Lisa Ann L. Mangat, Director

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JUL 24 2017

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

July 19, 2017

Patricia Valenzuela
Imperial County
801 Main Street
El Centro, CA 92243

RE: Comments on Notice of Preparation for Seville 4 Solar Project (SCH# 2017061062)

Dear Ms. Valenzuela:

The Ocotillo Wells District of the California Department of Parks and Recreation (State Parks) appreciates the opportunity to comment on the Notice of Preparation (NOP) for the Seville 4 Solar Project (Project). We understand that this Project is an extension of the 2013 Seville Solar project for which a similar NOP was provided. Based on the similarities in size and scope of the 2013 project and the current Seville 4 Solar Project NOP, you will find that our comments and recommendations are also similar to those that were provided in 2013. We do recognize and appreciate that the Seville 4 Solar Project NOP has incorporated some of our 2013 concerns.

Ocotillo Wells State Vehicular Recreation Area (OWSVRA) is an Off Highway Vehicle (OHV) park operated by the Ocotillo Wells District of State Parks. OWSVRA encompasses over 85,000 acres directly east of Anza-Borrego Desert State Park, west of State Route 86 and north of SR 78; primarily between State Route 78 and County Road S-22. Annual visitation to OWSVRA varies from 500,000 to over 1 million. OWSVRA also hosts over 50,000 people to its interpretive programs, which include stargazing, wildlife, and wildflower viewing.

State Parks is a State Agency as defined by the California Environmental Quality Act (CEQA) § 21082.1, a Trustee Agency as used by CEQA, its Guidelines and as defined by CCR § 15386 for the resources affected by this proposed project. Our mission is to provide for the health, inspiration, and education of the people of California by helping preserve the state's extraordinary biodiversity, protecting its most valued natural and cultural resources, and creating opportunities for high quality outdoor recreation.

As the governmental entity responsible for the stewardship of OWSVRA, we have a continued interest and concern with regards to any alterations of land use adjacent to the park. The long-term health of the OWSVRA is dependent on the health of the surrounding area ecosystems. Biotic boundaries of the park extend beyond its jurisdictional boundaries and must be managed with an eye toward wildlife corridors and regional concerns.

In general, based on our review of the NOP, we have found that the proposed project may result in significant and unavoidable impacts to OWSVRA. State Parks presents the

following questions and recommendations as you prepare the EIR in relation to direct and proximity effects on OWSVRA:

Aesthetics:

The Seville 4 Solar Project site is located adjacent to SR 78, which is the southern boundary of OWSVRA. Exhibit "B" indicates that the Seville 4 Solar Project will be 'set back' further from SR 78 than the existing Seville Solar 1 and 2. However, the project site is still within the view shed of OWSVRA. Potential aesthetic impacts are of concern because many visitors come to OWSVRA to escape nearby urban centers to enjoy unbroken views of natural vistas while camping with friends and family. Although the Seville 4 Solar Project is located approximately 1.5 miles south of SR 78 (OWSVRA boundary), the solar panel field will be visible, as is the existing Seville Solar operation, from various points of interest (vistas/hills) within OWSVRA. Any glare from the field of panels will detract from the aesthetic value of the open desert landscape. Additionally, the size, placement, and color of the 20,000 gallon water tank that is described in the Project should consider similar concerns. If possible, utilizing the existing tamarisk trees as a natural screen as well as incorporating design and color that complement the surrounding landscape may lessen the aesthetic impacts. Please provide a full description of the proposed water tank. Although the Project indicates "no lighting", we would suggest that even security lighting can affect the night sky; an aesthetic resource that is highly desirable to the park visitor and necessary for our night sky park interpretive programs. Any lighting should be of minimum wattage, directionally oriented, and shielded (hood lighting) to minimize off-site migration of light. Fencing should also be designed and placed to be visually compatible with the surrounding desert vistas. We look forward to working with the project proponent to ensure the measures put forth, as stated above, are addressed in the EIR.

Air Quality:

Please identify what "mitigation" will be incorporated to address air quality impacts. Specifically, methods and treatment of soils in and around the project site both during and after construction (water, binders, etc). Given the evaporation rate within the desert environment the project should incorporate an analysis on how effective the use of water as a dust suppressant is. If soil amendments or binders are used, a maintenance plan for these surface should be provided. Additionally, long-term restoration of the bladed area should be discussed in the environmental document to ensure that the full scale of air quality concerns are addressed.

Biological:

The potential cumulative impacts of further expansion of the Seville Solar Farm on sensitive species such as burrowing owl, kit fox, flat-tailed horned lizard, and fringe-toed lizard should be considered, not just within the project area, but also in the vicinity and OWSVRA. The security fencing mentioned could provide predator perching opportunities which could impact flat-tailed horned lizards, in particular. Focal surveys should be completed to inform the EIR, as needed. Mitigation for these species should be identified in the immediate area and within or adjacent to the project.

July 19, 2017

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Additionally, it appears in the aerial photographs that undisturbed land may be affected by the proposed project. Please clearly identify how much undisturbed desert habitat corridors and linkages would be affected. In the NOP, it states that it is not likely that there is use of the lot as a wildlife corridor. Please provide further information to support this statement in the EIR. Biotic boundaries extend beyond the park boundaries, and ensuring connectivity of habitat for wildlife, especially the sensitive species mentioned above, is very important and we are concerned that loss of this connectivity and foraging habitat will significantly impact the park.

The EIR should discuss the potential for the solar panels to cause a "lake effect," in which birds may perceive the solar field as a water body. Solar fields are known to present a hazard to migratory birds, and the proximity to the Salton Sea, could increase the risk. This was not discussed in the NOP/IS and should be evaluated further.

State Parks recommends that the project proponent pre plan for the early reintroduction of native vegetation to expedite in their growth, and increase the visual quality of operational structures. We also recommend that landscaping needs to address materials used and possible problematic importation of various exotics species.

Geology and Soils:

We anticipate the Project to have a high potential for soil erosion, particularly during construction, even with the implementation of mitigation measures. We would like specific information about the potential application of chemical stabilization agents to be discussed in the EIR, as some soil binders have the potential for environmental effects.

Hydrology and Water Quality:

We agree with the NOP that the project may substantially alter the existing drainage and erosion patterns. Water use and the limited water table in the Ocotillo Wells area should be specifically addressed in the EIR as our park operations are dependent on well water and local wildlife is dependent on seeps and springs within the SVRA. If stormwater is to be used for irrigation, the effects upon the Ocotillo-Clark Valley Groundwater Basin should be addressed, particularly in regards to basin recharge and the groundwater budget. The EIR should address the water use by the project and cumulative effects in the area.

Recreation:

The OWSVRA boundary is at SR 78 which is approximately 1.5 miles north of the proposed Project. It should also be noted that OWSVRA, via a Memorandum of Understanding, administers Bureau of Land Management (BLM) land to the north of Highway 78 that is also in the direct vicinity and view shed of the proposed project.

In review of the NOP, we noticed that recreational impacts were not fully addressed. These effects would range from potential interruption of wildlife and OHV travel corridors between OWSVRA and the BLM Areas of Critical Environmental Concern (ACEC's) and Superstition BLM OHV area, to potential night sky impacts to our Interpretive Program's stargazing events. The park is designated a Watchable Wildlife site and is a destination for desert

wildlife enthusiasts. Potential aesthetic impacts from glare as well as public safety impacts also need to be analyzed in the EIR. We disagree with the NOP that "no impact" would occur within OWSVRA. OWSVRA is a premier recreation destination that not only provides OHV recreation opportunities, but also provides numerous types of non OHV recreational opportunities as mentioned above. We strongly request that the project proponents work with State Parks staff during the development of the EIR to appropriately mitigate any impacts to recreation, visitor services, and associated public safety at OWSVRA.

Transportation/Traffic:

Visitation and traffic at OWSVRA and along Hwy 78 is at its peak from October through March. In regards to the elevated traffic on SR 78 during the construction and operations phases of the project, we offer the following questions that State Parks would like project proponents to address in the EIR: Will the identified truck trips to export or import material to the jobsite, as well as other associated construction traffic, create the need for traffic control signs/devices for the park visitors as they ingress and egress on State Highway 78? Will the project restrict or eliminate, either temporarily or permanently, access between OWSVRA and the Superstition OHV area? How would the construction schedule for numerous projects affect traffic along the 78 corridor over time? How often will there be periodic maintenance events and what would the traffic associated with those events be? The proposed project schedule needs to be addressed in the EIR.

Tribal Cultural Resources:

Per the NOP/IS, we agree that there is potential for significant impact of cultural sites within the project area. Due to the Project's proximity to the Ancient Lake Cahuilla shoreline, there is a high potential for impacts to cultural resources and possibly human remains. The project should be designed to avoid these impacts. We look forward to reviewing the cultural mitigation avoidance measures in the EIR.

Noise:

Please address why the noise impacts are potentially significant and why they would continue past the short-term construction periods in the EIR. Also, an analysis of the desert wind hitting the solar panels and creating noise should be addressed. There will be proximity effects from this project on the camping, visual, interpretive and public safety operations at OWSVRA that we request be fully addressed in the EIR.

Utilities and Service Systems:

If the Project includes the construction of new stormwater drainage facilities, the potential change in the Ocotillo-Clark Groundwater Basin should be addressed in the EIR. As stated previously, OWSVRA operations are reliant on groundwater, and the natural seeps and springs are of critical importance to the wildlife within and surrounding the park.

We request that the Lead Agency and project proponent work with State Parks, where appropriate, to address the above questions and concerns prior to release of the EIR.

July 18, 2017
Page 5 of 5

Overall, we are concerned about the possible cumulative impacts of this project on OWSVRA, its visitors, and its wildlife. It is important that all land use decisions adjacent to OWSVRA be compatible with the park and the tremendous resources found there.

We appreciate the opportunity to comment on the proposed project. Thank you for your consideration of these comments and please contact Garratt Aitchison at (760) 767-4953 or garratt.aitchison@parks.ca.gov if you have additional questions.

Sincerely,



Garratt Aitchison
District Superintendent

cc: State Clearinghouse
Dan Canfield – via electronic email dan.canfield@parks.ca.gov
DPLA Environmental Review Unit
DPR Acquisition and Development Unit

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Department of Toxic Substances Control

Matthew Rodriguez
Secretary for
Environmental Protection

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

July 5, 2017

RECEIVED

JUL 07 2017

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

Ms. Patricia Valenzuela
Planner IV
Imperial County Planning & Development Services Department
801 Main Street
El Centro California, 92243
PatriciaValenzuela@co.imperial.ca.us

NOTICE OF PREPARATION (NOP) FOR A DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR SEVILLE 4 SOLAR PROJECT (SCH# 2017061062)

Dear Ms. Valenzuela:

The Department of Toxic Substances Control (DTSC) has reviewed the subject NOP. The following project description is stated in the NOP: "The Applicant, Titan Solar II LLC, proposes to develop approximately 175 acres of the 572.10 acres comprising Lot 8 in order to construct and operate an approximate 20-megawatt (MW) solar photovoltaic (PV) project. The Project will require a Conditional Use Permit (CUP) in association with the proposed solar use as well as a Zoning Change and a General Plan Amendment (GPA)."

Based on the review of the submitted document, DTSC has the following comments:

1. The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. A Phase I Environmental Site Assessment may be appropriate to identify any recognized environmental conditions.
2. If there are any recognized environmental conditions in the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction.
3. If the proposed project involves the demolition of existing structures, lead-based paints or products, mercury, and asbestos containing materials (ACMs) should be addressed in accordance with all applicable and relevant laws and regulations if buildings are modified/demolished.

4. The NOP states, "Potentially Significant Impact Unless Mitigation Incorporated. While the Project site is part of the 2,440 Allegretti Farm property, it has not historically been farmed. However, equipment or other farm-related items may have been stored on Lot 8. As a result, the Project site may have some pesticide or other contamination present." If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.
5. DTSC recommends evaluation, proper investigation and mitigation, if necessary, of onsite areas with current or historic PCB-containing transformers.
6. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).
7. If the project development involves soil export/import, proper evaluation is required. If soil contamination is suspected or observed in the project area, then excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if imported soil was used as backfill onsite and/or backfill soil will be imported, DTSC recommends proper evaluation/sampling is necessary to ensure the backfill material is free of contamination.
8. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the EIR should identify how any required investigation and/or remediation will be conducted and the appropriate government agency to provide regulatory oversight.

If you have any questions regarding this letter, please contact me at (714) 484-5380 or email at Johnson.Abraham@dtsc.ca.gov.

Sincerely,



Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Brownfields and Environmental Restoration Program – Cypress

kl/sh/ja

cc: See next page.

Ms. Patricia Valenzuela
July 5, 2017
Page 3

cc: Governor's Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Schools Evaluation and Brownfields Cleanup
Brownfields and Environmental Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2017061062

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July 7, 2017



**U.S. Customs and
Border Protection**

Diane Robinson
Imperial County Planning & Development Services Dept.
801 Main Street
El Centro, CA 92243

Ms. Diane Robinson,

On June 26, 2017, the U.S. Border Patrol, El Centro Sector received a *Notice of Preparation* for the *Seville 4 Solar Project*. In the notice, your agency requested that recipients respond as to how the proposed project might impact their abilities to execute their statutory responsibilities.

Based on the documentation and our understanding thereof, it appears that the Seville 4 Solar Project will consist of the construction and operation of an approximately 20 megawatt solar photovoltaic solar panel field on 175 acres. The attached documentation suggests that the project is an expansion of existing solar fields already in use in the area. This proposed project will add solar panels adjacent to existing solar fields located at Allegretti Farm's parcels.

At this juncture we do not see any significant impact to our current or future operations in this area. Our agents will still be able to conduct operations around the secured solar fields. Once the project is completed our Community Liaison Agents can contact the solar company to coordinate access for Border Patrol personnel should it become necessary.

Sincerely,

A handwritten signature in black ink, appearing to read "Dirk Saar".

Dirk Saar
Logistics Director
U.S. Border Patrol
El Centro Sector

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JUL 14 2017

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

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DEPARTMENT OF TRANSPORTATION
DISTRICT 11
DIVISION OF PLANNING AND LOCAL ASSISTANCE
4050 TAYLOR ST, M.S. 240
SAN DIEGO, CA 92110
PHONE (619) 688-3137
FAX (619) 688-4299
TTY 711
www.dot.ca.gov



*Making Conservation
A California Way of Life.*

July 19, 2017

11-IM-78
4.0 PM
Seville 4 Solar Plant
SCH# 2017061062
NOP DEIR

Ms. Patricia Valenzuela
Imperial County Planning & Development Services
801 Main Street,
El Centro, CA 92243

Dear Ms. Valenzuela:

The California Department of Transportation (Caltrans) has reviewed the Notice of Preparation (NOP) of the Draft Environmental Impact Report (DEIR) for the Seville 4 Solar Farm Project (SCH# 2017061062) near State Route 78 (SR-78).

Caltrans has the following comments:

Thank you for including Caltrans in the environmental review process for the project referenced above. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

A traffic impact study (TIS) is necessary to determine this proposed project's near-term and long-term impacts to the State facilities – existing and proposed – and to propose appropriate mitigation measures.

The TIS should include an analysis of the multimodal travel demand expected from the proposed project. This analysis should also identify potentially significant adverse impacts from such demands and avoidance, minimization, and mitigation measures needed to address them.

The data used in the TIS should not be more than 2 years old.

Caltrans endeavors that any direct and cumulative impacts to the State Highway System be eliminated or reduced to a level of insignificance pursuant to the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) standards. Mitigation measures to State facilities should be included in TIS. Mitigation

identified in the traffic study, subsequent environmental documents, and mitigation monitoring reports, should be coordinated with Caltrans to identify and implement the appropriate mitigation.

Glint/Glare:

The NOP has stated that the DEIR for the project will prepare a glare analysis to determine any impacts associated with glint/glare in the surrounding area and vehicles traveling on SR-78. Please provide the analysis to Caltrans when it becomes available.

Access:

The NOP identifies that the project will be using the existing private access extending south from SR-78 (2.99 PM) to the existing Seville Solar Farm Complex. An encroachment permit was obtained by Seville Solar Holding Company, LLC to construct a commercial driveway to the existing access road of the Seville 3 Solar Plant under Permit No. 11-14-6RC-0715. The work was completed on October 28, 2015, in accordance with all permit requirements and conditions.

If you have any questions, please contact Mark McCumsey at (619) 688-6802 or by email at mark.mccumsey@dot.ca.gov

Sincerely,



MAURICE EATON, Acting Chief
Local Development and Intergovernmental Review Branch



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July 13, 2017

Ms. Patricia Valenzuela
Planner IV
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Initial Study & Environmental Analysis for the Seville 4 Solar Project

Dear Ms. Valenzuela:

On June 27, 2017, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a Request for Agency Comments on the Initial Study & Environmental Analysis for the Seville 4 Solar Project, where the applicant, Titan Solar II, LLC; proposes to construct and operate a 20 MW solar photovoltaic facility on 175 acres of the 572.10-acre portion of APN 018-170-057-000 known as Lot 8 of Tract Map No. 00988, that was created as part of the major subdivision/tract map of the 2,440-acre Allegretti Farms property for the Seville Solar Farm Complex and located approximately eight miles west of SR78 and SR 86, west of Brawley. CA.

The IID has reviewed the IS and EA and has the following comments:

1. Given that the project will likely require temporary construction power from the existing overhead primary line near a portion of the S-59 distribution circuit out of Anza Substation, applicant should be advised to contact the IID Customer Project Development Office, 333 S. Waterman Ave., El Centro, CA at (760) 482-3300 and speak with the area's project manager to initiate the customer service application process. In addition to submitting a formal application for electrical service (which can be accessed at: <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit site plans, approved project construction CAD files (electronic and hard copy), plan and profile drawings of proposed gen-tie and or collector lines, electrical panel specifications, electrical loads, project schedule and estimated in-service date. A circuit study may be required for the project. The applicant will be responsible for all fees, environmental compliance documentation, rights of way and encroachment permits related to providing electrical service to the project.
2. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion can be found at the IID website: <http://www.iid.com/home/showdocument?id=271>. The IID Real Estate

Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

3. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and distribution lines, etc.) need to be included as part of the project's CEQA and/or NEPA documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any and all mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.** E.g., the gen-tie should be considered a part of the project and as such assessed and mitigated.

Should you have any questions, please do not hesitate to contact me at 760-482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Vicken Kasarjian – Manager, Energy Dept.
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Jesse Montaño – Transmission, Planning and Engineering Oversight
Carlos Vasquez - Planning and Engineering Manager, Energy Dept
Samuel E. Singh – Supt. Customer Project Development, Energy Dept.
Michael P. Kemp – Superintendent, Regulatory & Environmental Compliance
Harold Walk Jr. – Supervisor, Real Estate
Randy Gray – ROW Agent, Real Estate
Jessica Lovecchio – Biologist, Water Dept.



July 21, 2017

Jim Minnick, ICPDS
Planning & Development Services Director
801 Main Street
El Centro, CA 92243

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IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

SUBJECT: Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for Seville 4 Solar Project

Dear Mr. Minnick,

The NOP to prepare a Draft EIR for the Seville 4 Solar Project has been reviewed by the Imperial County Air Pollution Control District (Air District). As you know, the Air District's established programs to keep the air in Imperial County from declining are found within the Rules and Regulations of the Air District, the California Environmental Quality Act (CEQA), the most current CEQA Air Quality Handbook for Imperial County, the Air District State Implementation Plans (SIP's) for Ozone and PM₁₀, and the Air District non-attainment status. Currently, the "moderate" non-attainment status for ozone, serious" non-attainment status for PM₁₀, non attainment for PM_{2.5} are the driving criteria in establishing the thresholds for NO_x, ROG, PM₁₀, SO_x and CO. These thresholds and their significance are explained within the pages of the Imperial County CEQA Air Quality Handbook. Section 6 of the CEQA handbook describes the preparation of the Air Quality Analysis for an Environmental Impact Report (EIR). **However, in the event that any of the protocols conflict with the provisions of CEQA or its Guidelines, the provisions of CEQA or its Guidelines shall control.**

The following is a synopsis of the information pertinent to the development of an Air Quality analysis. A **comprehensive Air Quality Analysis** of the construction and operational impacts of the project is required. A thorough analysis should include a description, impacts and health consequences of all air quality and associated emissions. The analysis should be conducted using the Air Districts approved modeling factors.¹ The analysis should include short and long term emissions as well as daily and yearly emission calculations. Project alternatives should be included along with a thorough emissions analysis per alternative. A description of the Air District attainment status, State and Federal, is required as is describing any regulatory restrictions to the project. All temporary construction and grading impacts should quantify fugitive dust and combustion emissions and propose mitigation measures.

¹The most current modeling tool recently adopted is CalEEMod.

A health risk assessment such as a diesel exhaust screening level should be included for projects anticipating the use of heavy-duty diesel equipment.² A health risk assessment should also be conducted for projects locating near already existing facilities with a potential to emit toxics. Typically, these health risk assessments are of a quantitative nature but can be a mixed qualitative and quantitative analysis. In any case, the relative human exposure, location of the project, distance to sensitive receptors all should be considered when developing the risk assessment.

Projects anticipating heavy volumes of traffic should conduct hot spot modeling.³ Hot spot modeling will help determine compliance with the state CO standard at intersections and roadway links as determined by traffic impact analysis. In addition, existing and proposed projects must have a cumulative impact analysis. For each sub analysis and risk assessment mitigation measures should be identified, quantified for effectiveness and incorporated into the environmental document (i.e. Environmental Impact Report EIR or Environmental Impact Statement EIS). All mitigation measures must follow District Rules and Regulations including the most current CEQA Air Quality Handbook. Consultation with the most recent Clean Air Plans (SIP's), District Rules and Regulations and other Air District approved programs is recommended for effective applicability of standards. When it becomes apparent that on-site mitigation is insufficient to reduce the impacts to insignificance then off-site mitigation should be discussed and appropriately applied. Finally, in accordance with Assembly Bill 32 known as the Global Warming Solutions Act of 2006 and the most recent amendments to the CEQA Guidelines dated March of 2010, a discussion of the impacts from Green House Gas emissions and its relation to Climate Change is required.

The EIR shall discuss combined cumulative impacts of a project when the project's incremental effect is cumulatively considerable, as defined in section 15065 (c)(a)(3) of the California Environmental Quality Act (CEQA) Guidelines.⁴ Cumulative impacts are those that result from past, present, and reasonably foreseeable future actions, combined with the potential impacts of this project. A cumulative effect assessment looks at the collective impacts posed by individual land use plans and projects. Cumulative impacts can result from individually minor, but collectively substantial impacts taking place over a period of time.

In addition, all construction sites regardless of size must adhere to the requirements of Regulation VIII, Fugitive Dust Control. This regulation is comprised of six individual rules which combined apply Best Available Control Measures to any size construction or earthmoving activity. Aside from the standard of measurement, is the requirement of a dust control plan, notification 10 days prior to the commencement of construction to the Air District, and the submittal of the equipment list that shall be used in the construction and operation of the project is important. Finally, all new residential and commercial projects are subject to the requirements of the Air District's Rule 310 – Operational Development Fees by which provide the Air District with a mitigation method for the emissions produced in the operation of the proposed project.

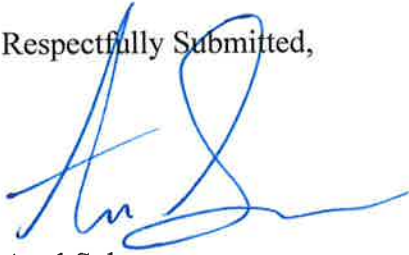
² Guidelines and procedures as approved by the California Air Resources Board and the Office of Environmental Health Hazard Assessment (OEHHA)

³ Using APCD approved hot spot modeling such as CALINE4, developed by and available through the California Department of Transportation.

⁴ CEQA Guidelines, Section 15130, describes when a cumulative impact analysis is warranted and what elements are necessary for an adequate discussion of cumulative impacts. The definition of cumulative impacts, under CEQA, can be found in Section 15355 of the CEQA Guidelines. A definition of cumulative impacts, under NEPA, can be found in 40 CFR, Section 1508.7 of the CEQ Regulations

The Imperial County's Rule book can be found at <http://co.imperial.ca.us> under "Air Pollution Control." We encourage all developers, construction companies, cities and interested parties to obtain a copy of the Regulation VIII, Fugitive Dust Control. Should you have any questions please do not hesitate to call the office at (442) 265-1800.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read 'Axel Salas', with a large, stylized flourish at the end.

Axel Salas
APC Environmental Coordinator

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