



# 1 Introduction

This environmental impact report (EIR) has been prepared to meet the requirements of the California Environmental Quality Act (CEQA) for purposes of evaluating the potential environmental impacts, mitigation measures, and alternatives associated with the proposed Wister Solar Energy Facility Project. This EIR describes the existing environment that would be affected by, and the environmental impacts which could potentially result from the construction and operation of the proposed project as described in detail in Chapter 3.0 of this EIR.

## 1.1 Overview of the Proposed Project

The proposed Wister Solar Energy Facility Project is located on Assessor Parcel Number (APN) 003-240-001. The proposed solar energy facility consists of three primary components: 1) solar energy generation equipment and associated facilities including a substation and access roads (herein referred to as “solar energy facility”); 2) gen-tie line that would connect the proposed on-site substation to the Point of Interconnection (POI) at the existing IID 92 kV “K” line; and, 3) fiberoptic cable.

The proposed Wister Solar Energy Facility Project involves the construction and operation of a 20 megawatt (MW) photovoltaic (PV) solar energy facility on approximately 100 acres of privately-owned land north of Niland. The proposed project would be comprised of solar PV panels on single-axis horizontal trackers, an on-site substation and inverters, transformers, and underground electrical cables.

The power produced by the proposed project would be conveyed to the local power grid via an on-site 92 kilovolt (kV) substation, which will be tied directly to the Imperial Irrigation District’s (IID) 92 kV transmission line. A gen-tie line would connect the Wister substation to the POI at the existing IID 92kV “K” line.

A proposed fiberoptic line from the proposed on-site substation would be connected with the existing Niland Substation approximately two miles to the south, which would then be added to connect the proposed on-site substation to the region’s telecommunications system. The length of the proposed fiber optic telecommunications cable route would be approximately two miles.

### 1.1.1 Agency Roles and Responsibilities

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

#### County of Imperial

Implementation of the project would involve the following approvals by the County of Imperial:

1. **Approval of Conditional Use Permit (CUP) – Solar Energy Facility.** Implementation of the project would require the approval of a CUP by the County to allow for the construction and operation of the proposed solar energy facility project. The project site is located on one privately-owned legal parcel (APN No. 003-240-001) zoned Open Space/Preservation with a Geothermal Overlay (S-2-G). Pursuant to Title 9, Division 5, Chapter 19, the following uses are permitted in the S-2 zone subject to approval of a CUP from Imperial County: *Major facilities relating to the generation and transmission of electrical energy provide[d] such*

*facilities are not under State or Federal law, to [be] approved exclusively by an agency, or agencies of the State or Federal government, and provided such facilities shall be approved subsequent to coordination review of the Imperial Irrigation District for electrical matters. Such uses shall include but be limited to the following:*

- *Electrical generation plants*
  - *Facilities for the transmission of electrical energy (100-200 kV)*
  - *Electrical substations in an electrical transmission system (500 kv/230 kv/161 kV)*
2. **Approval of CUP – Groundwater Well.** Pursuant to Title 9 Division 21: Water Well Regulations, §92102.00, the Applicant will be required to obtain a CUP for the proposed on-site groundwater well. As required by §92102.00, no person shall (1) drill a new well, (2) activate a previously drilled but unused well, (unused shall mean a well or wells that have not been used for a 12 month period) by installing pumps, motors, pressure tanks, piping, or other equipment necessary or intended to make the well operational, (3) increase the pumping capacity of a well, or (4) change the use of a well, without first obtaining a CUP through the County Planning & Development Services Department.
  3. **General Plan Amendment.** An amendment to the County’s General Plan, Renewable Energy and Transmission Element is required to implement the proposed project. CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the Renewal Energy (RE) Overlay Zone. APN No. 003-240-001 (in which the solar energy facility will be located) is immediately adjacent to, but outside of the RE Overlay Zone. Therefore, the applicant is requesting a General Plan Amendment to include/classify APN No. 003-240-001, into the RE Overlay Zone. No change in the underlying general plan land use is proposed.
  4. **Zone Change.** The project site (APN No. 003-240-001) is located immediately adjacent to, but outside of the RE Overlay Zone; therefore, the applicant is requesting a zone change to include/classify APN No. 003-240-001 (which includes the solar energy facility) into the RE Overlay Zone.
  5. **Variance.** A Variance is required to exceed the height limit for transmission towers within the S-2 zone. The existing S-2 zone allows a maximum height limit of 40 feet, whereas implementation of the project may involve the construction of transmission towers of up to 70 feet in height. Therefore, a variance for any structure exceeding the existing maximum height limit of 40 feet would be required.
  6. **Certification of the EIR.** After the required public review for the Draft EIR, the County will respond to written comments, edit the document, and produce a Final EIR to be certified by the Planning Commission and Board of Supervisors prior to making a decision on the project.

Subsequent ministerial approvals may include, but are not limited to:

- Grading and clearing permits
- Building permits
- Reclamation plan
- Encroachment permits
- Transportation permit(s)

## Other Agencies Reviews and/or Consultations

The following agencies may be involved in reviewing and/or consultations with the project proponent as it relates to construction of the project:

### *Federal*

#### UNITED STATES FISH AND WILDLIFE SERVICE

- The United States Fish and Wildlife Service (USFWS) enforces compliance with regulations related to special-status species or their habitat as required under the Federal Endangered Species Act (ESA).

#### UNITED STATES ARMY CORPS OF ENGINEERS

- Section 404 Permit (Clean Water Act [CWA]). The CWA establishes a program to regulate the discharge of dredge and fill material into waters of the U.S. including wetlands. Activities regulated under this program include fills for development, water resource projects (e.g., dams and levees), infrastructure development (e.g., highways and airports), and conversion of wetlands to uplands for farming and forestry. Either an individual 404b permit or authorization to use an existing USACE Nationwide Permit will need to be obtained if any portion of the construction requires fill into a river, stream, or stream bed that has been determined to be a jurisdictional waterway.

### *State*

#### CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE (TRUSTEE AGENCY)

- The California Department of Fish and Wildlife (CDFW) is a Trustee Agency and enforces compliance with regulations related to California special-status species or their habitats as required under the California Endangered Species Act (CESA).

#### CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

- **National Pollution Discharge Elimination System Construction General Permit Order No. 2009-009-DWQ.** Requires the applicant to file a public Notice of Intent to discharge stormwater and to prepare and implement a stormwater pollution prevention plan (SWPPP).
- **Jurisdictional Waters.** Agencies and/or project proponents must consult with the California Regional Water Quality Control Board (RWQCB) regarding, when applicable, regarding compliance with the CWA Section 401 Water Quality Certification or permitting under California Porter-Cologne Act.

### *Local*

#### IMPERIAL COUNTY FIRE DEPARTMENT

- Review as part of the EIR process including the final design of the proposed fire system.

#### IMPERIAL IRRIGATION DISTRICT

- For any approvals related to the fiber optic cable.

## IMPERIAL COUNTY AIR POLLUTION CONTROL DISTRICT

- Review as part of the EIR process regarding consistency with the Imperial County Air Pollution Control District (ICAPCD) CEQA Air Quality Handbook, the final “Modified” 2009 8-hour Ozone Air Quality Management Plan, the State Implementation Plan for particulate matter less than 10 microns in diameter (PM<sub>10</sub>) in the Imperial Valley, the State Implementation Plan (SIP) for particulate matter less than 2.5 microns in diameter (PM<sub>2.5</sub>), and verification of Rule 801 compliance.

## 1.2 Relationship to Statutes, Regulations, and Other Plans

### 1.2.1 County of Imperial General Plan and Land Use Ordinance

The General Plan provides guidance on future growth in the County of Imperial. Any development in the County of Imperial must be consistent with the General Plan and Land Use Ordinance (Title 9, Division 10).

### 1.2.2 Renewables Portfolio Standard Program

Established in 2002 under Senate Bill (SB) 1078, California's Renewables Portfolio Standard (RPS) was accelerated in 2006 under SB 107 by requiring that 20 percent of electricity retail sales be served by RE resources by 2010. RE sources include wind, geothermal, and solar. Subsequent recommendations in California energy policy reports advocated a goal of 33 percent by 2020. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order (EO) S-14-08 requiring that "... all retail sellers of electricity shall serve 33 percent of their load with RE by 2020." The following year, EO S-21-09 directed the California Air Resources Board (CARB), under its Assembly Bill (AB) 32 authority, to enact regulations to achieve the goal of 33 percent renewables by 2020.

In the ongoing effort to codify the ambitious 33 percent by 2020 goal, SB X12 was signed by Governor Brown, in April 2011. This new RPS preempts the CARB's 33 percent Renewable Electricity Standard and applies to all electricity retailers in the state including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators. All of these entities had to adopt the new RPS goals of 20 percent of retail sales from renewables by the end of 2013, 25 percent by the end of 2016, and the 33 percent requirement being met by the end of 2020.

Governor Brown signed into legislation SB 350 in October 2015, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible RE resources by 2030.

### 1.2.3 California Global Warming Solutions Act of 2006, Assembly Bill 32 (Statutes 2006; Chapter 488; Health and Safety Code Sections 38500 et seq.)

This Act requires the CARB to enact standards that will reduce greenhouse gas (GHG) emissions to 1990 levels by 2020. Electricity production facilities are regulated by the CARB.

#### 1.2.4 Title 17 California Code of Regulations, Subchapter 10, Article 2, Sections 95100 et seq.

These CARB regulations implement mandatory GHG emissions reporting as part of the California Global Warming Solutions Act of 2006.

#### 1.2.5 Federal Clean Air Act

The legal authority for federal programs regarding air pollution control is based on the 1990 Clean Air Act (CAA) Amendments. These are the latest in a series of amendments made to the CAA. This legislation modified and extended federal legal authority provided by the earlier Clean Air Acts of 1963, 1970, and 1977.

The Air Pollution Control Act of 1955 was the first Federal legislation involving air pollution. This Act provided funds for federal research in air pollution. The CAA of 1963 was the first Federal legislation regarding air pollution control. It established a federal program within the U.S. Public Health Service and authorized research into techniques for monitoring and controlling air pollution. In 1967, the Air Quality Act was enacted in order to expand Federal government activities. In accordance with this law, enforcement proceedings were initiated in areas subject to interstate air pollution transport. As part of these proceedings, the Federal government for the first time conducted extensive ambient monitoring studies and stationary source inspections.

The Air Quality Act of 1967 also authorized expanded studies of air pollutant emission inventories, ambient monitoring techniques, and control techniques.

#### 1.2.6 Imperial County Air Pollution Control District

The ICAPCD enforces rules and regulations regarding air emissions associated with various activities, including construction and farming, and operational activities associated with various land uses, in order to protect the public health.

#### 1.2.7 Federal Clean Water Act (33 United States Code Section 1251-1387)

The Federal Water Pollution Control Act (33 United States Code [USC] §§1251-1387), otherwise known as the CWA, is a comprehensive statute aimed at restoring and maintaining the chemical, physical and biological integrity of the nation's waters. Enacted originally in 1948, the Act was amended numerous times until it was reorganized and expanded in 1972. It continues to be amended almost every year. Primary authority for the implementation and enforcement of the CWA rests with the U.S. Environmental Protection Agency (EPA). In addition to the measures authorized before 1972, the Act authorizes water quality programs, requires federal effluent limitations and state water quality standards, requires permits for the discharge of pollutants into navigable waters, provides enforcement mechanisms, and authorizes funding for wastewater treatment works construction grants and state revolving loan programs, as well as funding to states and tribes for their water quality programs. Provisions have also been added to address water quality problems in specific regions and specific waterways.

Important for wildlife protection purposes are the provisions requiring permits to dispose of dredged and fill materials into navigable waters. Permits are issued by the United States Army Corps of Engineers (USACE) under guidelines developed by EPA pursuant to Section 404 of the CWA.

### 1.2.8 Federal Clean Water Act and California Porter-Cologne Water Quality Control Act

The project is located within the Colorado River Basin RWQCB, Region 7. The CWA and the California Porter-Cologne Water Quality Control Act require that Water Quality Control Plans (more commonly referred to as Basin Plans) be prepared for the nine state-designated hydrologic basins in California. The Basin Plan serves to guide and coordinate the management of water quality within the region.

### 1.2.9 Federal Endangered Species Act

The ESA (16 USC 1531-1544) provides protection for plants and animals whose populations are dwindling to levels that are no longer sustainable in the wild. The Act sets out a process for listing species, which allows for petition from any party to list a plant or animal. Depending on the species, USFWS or the National Marine Fisheries Service (NMFS) will determine whether listing the species is warranted. If it is warranted, the species will be listed as either threatened or endangered. The difference between the two categories is one of degree, with endangered species receiving more protections under the statute.

### 1.2.10 National Historic Preservation Act

Federal regulations (36 Code of Federal Regulations [CFR] Part 800.2) define historic properties as "any prehistoric or historic district, site, building, structure, or object included, or eligible for inclusion in, in the National Register of Historic Places (NRHP)." The term "cultural resource" is used to denote a historic or prehistoric district, site, building, structure, or object, regardless of whether it is eligible for the NRHP.

### 1.2.11 California Endangered Species Act

CESA is enacted through Government Code Section 2050. Section 2080 of the California Fish and Game Code (FGC) prohibits "take" of any species that the commission determines to be an endangered species or a threatened species. Take is defined in Section 86 of the FGC as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

CESA allows for take incidental to otherwise lawful development projects. CESA emphasizes early consultation to avoid potential impacts to rare, endangered, and threatened species and to develop appropriate mitigation planning to offset project-caused losses of listed species populations and their essential habitats.

### 1.2.12 California Lake and Streambed Program (Fish and Game Code Section 1602)

CDFW is responsible for conserving, protecting, and managing California's fish, wildlife, and native plant resources. To meet this responsibility, the FGC (Section 1602) requires an entity to notify CDFW of any proposed activity that may substantially modify a river, stream, or lake.

## 1.3 Purpose of an EIR

The purpose of an EIR is to analyze the potential environmental impacts associated with a project. CEQA (Section 15002) states that the purpose of CEQA is to: (1) inform the public and governmental decision makers of the potential, significant environmental impacts of a project; (2) identify the ways



that environmental damage can be avoided or significantly reduced; (3) prevent significant, avoidable damage to the environment by requiring changes in projects through the use of alternatives or mitigation measures when the governmental agency finds the changes to be feasible; and (4) disclose to the public the reasons why a governmental agency approved the project in the manner the agency chose if significant environmental effects are involved.

## 1.4 EIR Process

### 1.4.1 Availability of Reports

This Draft EIR and documents incorporated by reference are available for public review at the County of Imperial Planning and Development Services Department, 801 Main Street, El Centro, California 92243. Copies are also available for review at the City of El Centro Public Library, 1140 N. Imperial Avenue, El Centro, California. Documents at these locations may be reviewed during regular business hours.

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Comments received during the public review period of the Draft EIR will be reviewed and responded to in the Final EIR. The Final EIR will then be reviewed by the Imperial County Planning Commission and Board of Supervisors as a part of the procedure to adopt the EIR. Additional information on this process may be obtained by contacting the County of Imperial Planning and Development Services Department at (442) 265-1736.

### 1.4.2 Public Participation Opportunities/Comments and Coordination

#### Notice of Preparation

The County of Imperial issued a notice of preparation (NOP) for the preparation of an EIR for the Wister Solar Energy Facility Project on November 6, 2019. The NOP was distributed to city, county, state, and federal agencies, other public agencies, and various interested private organizations and individuals in order to define the scope of the EIR. The NOP was also published in the Imperial Valley Press on November 6, 2019. The purpose of the NOP was to identify public agency and public concerns regarding the potential impacts of the project, and the scope and content of environmental issues to be addressed in the EIR. Correspondence in response to the NOP was received from the following entities and persons:

- Native American Heritage Commission
- IID
- Imperial County Department of Public Works
- Augustine Band of Cahuilla Indians

The comments submitted on the NOP during the public review and comment period are included as Appendix A to this EIR.

## Scoping Meeting and Environmental Evaluation Committee

During the NOP public review period, the Wister Solar Energy Facility Project was discussed as an informational item at the County's Environmental Evaluation Committee meeting on November 14, 2019.

Additionally, a scoping meeting for the general public as well public agencies was held on November 14, 2019 at 6:00 p.m., to further obtain input as to the scope of environmental issues to be examined in the EIR. The NOP, which included the scoping meeting date and location, was published in the Imperial Valley Press on November 6, 2019. The meeting was held by the Imperial County Planning & Development Services Department in the Board of Supervisors Chambers located at the County Administration Center at 940 Main Street, El Centro, California. At the scoping meeting, members of the public were invited to ask questions regarding the proposed project and the environmental review process, and to comment both verbally and in writing on the scope and content of the EIR. No written or verbal comments were received during the scoping meeting.

### 1.4.3 Environmental Topics Addressed

Based on the analysis presented in the NOP and the information provided in the comments to the NOP, the following environmental topics are analyzed in this EIR.

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources (includes Tribal Cultural Resources)
- Geology and Soils
- GHG Emissions
- Hydrology/Water Quality
- Land Use and Planning
- Transportation/Traffic
- Utilities/Service Systems

#### Eliminated from Further Review in Notice of Preparation

The initial study (IS)/NOP completed by the County (Appendix A of this EIR) determined that environmental effects to Agriculture and Forestry Resources, Energy, Hazards and Hazardous Materials, Mineral Resources, Noise and Vibration, Recreation, Population/Housing, Public Services, Utilities (Wastewater, Stormwater, and Solid Waste), and Wildfire would not be potentially significant. Therefore, these impacts are not addressed in this EIR; however, the rationale for eliminating these issues is briefly discussed below:

#### *Agriculture Resources*

According to the farmland maps prepared by the California Department of Conservation (2017), the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation 2017). The proposed project would not convert Important Farmland to non-agricultural uses.

The project site is currently designated by the General Plan as "Recreation" and is zoned Open Space/Preservation with a Geothermal Overlay (S-2-G). According to the 2016/2017 Imperial County Williamson Act Map produced by the California Department of Conservation's Division of Land Resource Protection, the project site is not located on Williamson Act contracted land (California Department of Conservation 2016). The proposed project has no potential to conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, implementation of the proposed project would not impact agriculture resources.





### *Forestry Resources*

No portion of the project site or the immediate vicinity is zoned or designated as forest lands, timberlands, or Timberland Production. As such, the proposed project would not result in a conflict with existing zoning or cause rezoning. Therefore, implementation of the proposed project would not impact forestry resources.

### *Energy*

The use of energy associated with the project includes both construction and operational activities. Construction activities consume energy through the use of heavy construction equipment and truck and worker traffic. The proposed project will use energy-conserving construction equipment, including standard mitigation measures for construction combustion equipment recommended in the ICAPCD CEQA Air Quality Handbook (ICAPCD 2017). The use of better engine technology, in conjunction with the ICAPCD's standard mitigation measures will reduce the amount of energy used for the project.

Implementation and operation of the proposed project would promote the use of renewable energy and contribute incrementally to the reduction in demand for fossil fuel use for electricity-generating purposes. The project would generate renewable energy resources and is considered a beneficial effect. Based on these considerations, the proposed project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

The project will help California meet its Renewable Portfolio Standard of 50 percent of retail electricity sales from renewable sources by the end of 2030. The electricity generation process associated with the project would utilize solar technology to convert sunlight directly into electricity. Solar PV technology is consistent with the definition of an "eligible renewable energy resource" in Section 399.12 of the California Public Utilities Code and the definition of "in-state renewable electricity generation facility" in Section 25741 of the California Public Resources Code (PRC). The proposed project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The proposed project would result in a less than significant impact related to energy.

### *Hazards and Hazardous Materials*

Construction of the proposed project will involve the limited use of hazardous materials, such as fuels and greases to fuel and service construction equipment. No extremely hazardous substances are anticipated to be produced, used, stored, transported, or disposed of as a result of project construction. No operations and maintenance facilities, or habitable structures are proposed on-site. Operation of the project will be conducted remotely. Regular, routine maintenance of the project may result in the potential to handle hazardous materials. However, the hazardous materials handled on-site would be limited to small amounts of everyday use cleaners and common chemicals used for maintenance.

The applicant will be required to comply with State laws and County Ordinance restrictions, which regulate, and control hazardous materials handled on-site. Such hazardous wastes would be transported off-site for disposal according to applicable State and County restrictions and laws governing the disposal of hazardous waste during construction and operation of the project. Based on these considerations, a less than significant impact would occur.

The project site is not located within 0.25 mile of an existing or proposed school. Therefore, the proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No impact would occur.

Based on a review of the Cortese List conducted in October 2019, the project site is not listed as a hazardous materials site. Therefore, the proposed project would not create a significant hazard to the public or the environment and no impact would occur.

The project site is not located within two miles of a public airport or public use airport. Therefore, the proposed project would not result in airport hazards for people residing or working in the project area and no impact would occur.

The proposed project is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The project applicant will be required, through the conditions of approval, to prepare a street improvement plan for the project that will include emergency access points and safe vehicular travel. In addition, local building codes would be followed to minimize flood, seismic, and fire hazard. Therefore, the proposed project would result in a less than significant impact associated with the possible impediment to emergency plans.

### *Mineral Resources*

The project site is not used for mineral resource production and the applicant is not proposing any form of mineral extraction. According to Figure 8: Imperial County Existing Mineral Resources of the Conservation and Open Space Element of the General Plan, no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. Therefore, the proposed project would not result in the loss of availability of any known mineral resources that would be of value to the region and the residents of California nor would the proposed project result in the loss of availability of a locally important mineral resource.

Based on a review of the California Department Division of Oil, Gas, and Geothermal Resources Well Finder, there is one idle geothermal well (Well No. 02591491) located in the northwest quarter of the project parcel (California Department of Oil, Gas, and Geothermal Resources n.d.). This geothermal well would be avoided by the proposed project. Implementation of the proposed project would not impact geothermal wells.

### *Noise and Vibration*

The Imperial County Title 9 Land Use Ordinance, Division 7, Chapter 2, Section 90702.00 - Sound level limits, establishes one-hour average sound level limits for the County's land use zones. Industrial operations are required to comply with the noise levels prescribed under the general industrial zones. Therefore, the project is required to maintain noise levels below 75 decibels (dB) (averaged over one hour) during any time of day.

The project would be expected to comply with the Noise Element of the General Plan which states that construction noise, from a single piece of equipment or a combination of equipment, shall not exceed 75 dB, when averaged over an eight hour period, and measured at the nearest sensitive receptor. Construction equipment operation is also limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 9 a.m. to 5 p.m. on Saturdays. Compliance with Imperial County's standards for construction noise levels would result in less than significant noise impacts during project construction.

Ground-borne vibration and ground-borne noise could originate from earth movement during the construction phase of the proposed project. Construction of the proposed project may require post driving and vibratory rollers and has the potential to result in temporary vibration impacts on structures and humans. However, the project site is in a generally rural area and surrounded by relatively undisturbed desert lands. Sensitive receptors located within one mile of the project site consist of a few scattered rural homes west of the site. There are no sensitive receptors within 1,500 feet of the



project site boundary. The project would be expected to comply with all applicable requirements for long-term operation, as well as with measures to reduce excessive ground-borne vibration and noise to ensure that the project would not expose persons or structures to excessive ground-borne vibration. No further analysis is warranted.

The project site is not located within two miles of a public airport or private airstrip. Therefore, the proposed project would not expose people residing or working in the project area to excessive noise levels and no impact would occur.

### *Population/Housing*

Development of housing is not proposed as part of the project. No full-time employees are required to operate the project. The project facility will be monitored remotely. It is anticipated that maintenance of the facility will require minimal site presence to perform periodic visual inspections and minor repairs. On intermittent occasions, the presence of additional workers may be required for repairs or replacement of equipment and panel cleaning; however, due to the nature of the facility, such actions will likely occur infrequently. Therefore, the proposed project would not result in a substantial growth in the area, as the number of employees required to operate and maintain the facility is minimal.

No housing exists within the project site and no people reside within the project site. Therefore, the proposed project would not displace substantial numbers of people or housing, necessitating the construction of replacement housing elsewhere. The proposed project would result in no impact to population and housing.

### *Public Services*

**Fire Protection.** Fire protection and emergency medical services in the area are provided by the Imperial County Fire Department. The project site is located in the unincorporated area of Imperial County. According to the Seismic and Public Safety Element of the General Plan (County of Imperial 1997), the potential for a major fire in the unincorporated areas of the County is generally low. Both the access and service roads (along the perimeter of the project facility) would have turnaround areas to allow clearance for fire trucks per fire department standards (70 feet by 70 feet, and 20-foot-wide access road). Based on these considerations, the project would not result in a need for fire facility expansion and a less than significant impact would occur.

**Police Protection.** Police protection services in the project area is provided by the Imperial County Sheriff's Department. Although the potential is low, the proposed project may attract vandals or other security risks. The increase in construction related traffic could increase demand on law enforcement services. However, the project site would be fenced with a 6-foot high chain link security fence topped with barbed wire and points of ingress/egress would be accessed via locked gates. In addition, periodic on-site personnel visitations for security would occur during operations and maintenance of the proposed project, thereby minimizing the need for police surveillance. This is considered a less than significant impact.

**Schools.** The proposed project does not include the development of residential land uses that would result in an increase in population or student generation. Construction of the proposed project would not result in an increase in student population within the Imperial County's School District since it is anticipated that construction workers would commute in during construction operations. The proposed project would have no impact on Imperial County schools.

**Parks and Other Public Facilities.** No full-time employees are required to operate the project. The project facility will be monitored remotely. It is anticipated that maintenance of the facility will require

minimal site presence to perform periodic visual inspections and minor repairs. Therefore, substantial permanent increases in population that would adversely affect local parks, libraries, and other public facilities are not expected. The project is not expected to have an impact on parks, libraries, and other public facilities.

### *Recreation*

The project site is not used for formal recreational purposes. Also, the proposed project would not generate new employment on a long-term basis. As such, the project would not significantly increase the use or accelerate the deterioration of regional parks or other recreational facilities. The temporary increase of population during construction that might be caused by an influx of workers would be minimal and not cause a detectable increase in the use of parks. Additionally, the project does not include or require the expansion of recreational facilities. Therefore, no impact is identified for recreation.

### *Utilities and Service Systems*

**Wastewater Facilities.** The project would generate a minimal volume of wastewater during construction. During construction activities, wastewater would be contained within portable toilet facilities and disposed of at an approved site. No habitable structures are proposed on the project site, such as O&M buildings; therefore, there would be no wastewater generation from the proposed project. The proposed project would not require or result in the relocation or construction of new or expanded wastewater facilities.

**Storm Water Facilities.** The proposed project does not require expanded or new storm drainage facilities because the proposed solar facility would not generate a significant increase in the amount of impervious surfaces that would increase runoff during storm events. Water from solar panel washing would continue to percolate through the ground, as a majority of the surfaces within the project site would remain pervious. The proposed project would not require or result in the relocation or construction of new or expanded storm water facilities.

**Water Facilities.** The proposed project is not anticipated to result in a significant increase in water demand/use during operation; however, water will be needed for solar panel washing and dust suppression. During operation, water would be trucked to the project site from a local water source. Therefore, the proposed project would not require or result in the relocation or construction of new or expanded water facilities.

**Power, Natural Gas, and Telecommunication Facilities.** The proposed project would involve construction of power facilities and would include a fiber optic connection. However, these are components of the project as evaluated in the EIR. The proposed project would not otherwise generate the demand for or require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities that would in turn, result in a significant impact to the environment.

**Solid Waste Facilities.** Solid waste generation would be minor for the construction and operation of the project. Solid waste would be disposed of using a locally licensed waste hauling service, most likely Allied Waste. Trash would likely be hauled to the Niland Solid Waste Site (13-AA-0009) located in Niland. The Niland Solid Waste Site has approximately 318,669 cubic yards of remaining capacity and is estimated to remain in operation through 2056 (CalRecycle n.d.). Therefore, there is ample landfill capacity in the County to receive the minor amount of solid waste generated by construction and operation of the project.

Additionally, because the proposed project would generate solid waste during construction and operation, the project would be required to comply with state and local requirements for waste reduction and recycling; including the 1989 California Integrated Waste Management Act and the 1991 California Solid Waste Reuse and Recycling Access Act of 1991. Also, conditions of the CUP would contain provisions for recycling and diversion of Imperial County construction waste policies.

Further, when the proposed project reaches the end of its operational life, the components would be decommissioned and deconstructed. When the project concludes operations, much of the wire, steel, and modules of which the system is comprised would be recycled to the extent feasible. The project components would be deconstructed and recycled or disposed of safely, and the site could be converted to other uses in accordance with applicable land use regulations in effect at the time of closure. Commercially reasonable efforts would be used to recycle or reuse materials from the decommissioning. All other materials would be disposed of at a licensed facility. A less than significant impact is identified for this issue.

#### *Wildfire*

According to the Draft Fire Hazard Severity Zone Map for Imperial County prepared by the California Department of Forestry and Fire Protection, the project site is not located in or near state responsibility areas or lands classified as very high hazard severity zones (California Department of Forestry and Fire Protection 2007). Therefore, no impact is identified for wildfire.

### 1.4.4 Areas of Controversy and Issues to be Resolved

Section 15123(b)(2) of the CEQA Guidelines requires that an EIR identify areas of controversy known to the Lead Agency, including issues raised by other agencies and the public as well as issues to be resolved. A primary issue associated with this solar farm project, and other solar facility projects that are proposed in the County, is the corresponding land use compatibility and fiscal/economic impacts to the County. Through the environmental review process for this project, other areas of concern and issues to be resolved include groundwater supply; relocation, modification, or reconstruction of IID facilities; and access.

### 1.4.5 Document Organization

The structure of the Draft EIR is identified below. The Draft EIR is organized into 11 chapters, including the Executive Summary.

- The **Executive Summary** provides a summary of the proposed project, including a summary of project impacts, mitigation measures, and project alternatives.
- **Chapter 1 Introduction** provides a brief introduction of the proposed project; relationship to statutes, regulations and other plans; the purpose of an EIR; public participation opportunities; availability of reports; and comments received on the NOP.
- **Chapter 2 Project Description** provides a description of the Wister Solar Energy Facility Project. This chapter also defines the goals and objectives of the proposed project, provides details regarding the individual components that together comprise the project, and identifies the discretionary approvals required for implementation of the project.
- **Chapter 3 Environmental Analysis** provides a description of the existing environmental setting and conditions, an analysis of the environmental impacts of the project for the following environmental issues: aesthetics; air quality; biological resources; cultural resources (includes

tribal cultural resources); geology and soils; GHG emissions; hydrology/water quality; land use and planning; transportation/traffic; and utilities/service systems. This chapter also identifies mitigation measures to address potential impacts to the environmental issues identified above.

- **Chapter 4 Analysis of Long-Term Effects** provides an analysis of growth inducing impacts, significant irreversible environmental changes, and unavoidable adverse impacts.
- **Chapter 5 Cumulative Impacts** discusses the impact of the proposed project in conjunction with other planned and future development in the surrounding areas.
- **Chapter 6 Effects Found Not to be Significant** lists all the issues determined to not be significant as a result of the preparation of this EIR.
- **Chapter 7 Alternatives** analyzes the alternatives to the proposed project.
- **Chapter 8 References** lists the data references utilized in preparation of the EIR.
- **Chapter 9 EIR Preparers and Organizations Contacted** lists all the individuals and companies involved in the preparation of the EIR, as well as the individuals and agencies consulted and cited in the EIR.