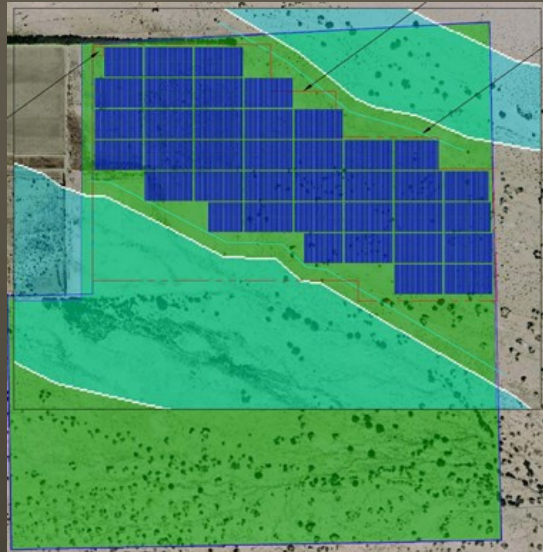


SEVILLE 4 SOLAR PROJECT

SCH. No. 2017061062



FINAL ENVIRONMENTAL IMPACT REPORT

Prepared for



October 2018

Prepared by



FINAL ENVIRONMENTAL IMPACT REPORT

for the

SEVILLE 4 SOLAR PROJECT

SCH. No. 2017061062
GPA#17-0002/ZC#17-0001/CUP#17-0006

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CHAPTER 1.0

INTRODUCTION

This Final Environmental Impact Report (Final EIR) was prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines Section 15132. The County of Imperial (County) is the lead agency for the environmental review of the Seville 4 Solar Project (Project) and has the principal responsibility for approving the Project. This Final EIR assesses the expected environmental impacts resulting from approval of the Project and responds to comments received on the Draft EIR.

1.1 BACKGROUND AND PURPOSE OF THE FINAL EIR

1.1.1 OVERVIEW OF CEQA REQUIREMENTS FOR PREPARATION OF AN EIR

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

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

CEQA requires the preparation of an environmental impact report prior to approving any project which may have a significant effect on the environment. For the purposes of CEQA, the term “project” refers to the whole of an action which has the potential for resulting in a direct physical change or a reasonably foreseeable indirect physical change in the environment (CEQA Guidelines Section 15378[a]). With respect to the Seville 4 Solar Project, the County has determined that the proposed development is a “project” within the definition of CEQA.

1.1.2 ENVIRONMENTAL REVIEW PROCESS OF THE PROJECT

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

1.1.2.1 NOTICE OF PREPARATION AND INITIAL STUDY

In accordance with Section 15082 of the CEQA Guidelines, Imperial County prepared a Notice of Preparation (NOP) of an EIR on June 22, 2017. The County was identified as the lead agency for the proposed Project. The purpose of the notice was to solicit comments on the proposed Project; therefore, it was circulated to interested parties as well as to the public, local, state, and federal agencies. The June 2017 NOP, and comments responding to the NOP, are presented in Appendix A of the Draft EIR.

1.1.2.2 DRAFT EIR

The Draft EIR was finalized in July 2018 and circulated for 50-day public and agency review from July 13, 2018 to August 31, 2018. The Draft EIR contains a description of the Project, description of the environmental setting, identification of Project impacts, and mitigation measures for impacts found to be significant, as well as an analysis of Project alternatives. The Draft EIR was provided to interested public agencies and the public and was made available for review at the Imperial County Planning and Development Services Department, the Imperial County Website, and local libraries.

1.0 INTRODUCTION

1.1.2.3 FINAL EIR

This Final EIR presents the environmental information and analyses that have been prepared for the proposed Project, including comments received addressing the adequacy of the Draft EIR, and responses to those comments.

As required by CEQA, this document responds to all written comments received during the 50-day comment period which began on July 13, 2018 and ended on August 31, 2018. Following the close of the CEQA public review period, the County received seven individual comment letters from agencies and interest groups regarding the Draft EIR. This response to comments document, in conjunction with the Draft EIR, constitutes the Final EIR for the proposed Project. Copies of all comment letters submitted in response to the Draft EIR are presented in Chapter 3.0, Comments and Response to Comments of this document. These comments were reviewed, and revisions were incorporated into the Draft EIR where appropriate. Requirements for the preparation and disposition of the Response to Comments are provided for in Public Resources Code (PRC), Division 13, Section 21092.5 and CEQA Guidelines Section 15088.

In addition to the responses to comments, clarifications, corrections, or minor revisions have been made to the Draft EIR and are included as part of the Errata in Chapter 4.0 of this Final EIR. Due to a printing error, the Biological Resources section omitted a discussion of Impacts and Mitigation Measures. After careful review of the CEQA Guidelines Section 15088.5 regarding instances necessitating Recirculation of an EIR Prior to Certification, the County determined that recirculation was not required if certain criteria are met and if substantial evidence is provided in the record to support such a decision. The discussion below addresses these provisions.

CEQA Guidelines Section 15088.5(a) allows for agencies to avoid recirculation of an EIR under specific circumstances as follows:

“...New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project's proponents have declined to implement...”

Despite the inadvertent omission of the discussion of Impacts and Mitigation Measures in Section 4.12 Biological Resources of the Draft EIR, the Executive Summary Table (pages ES-33 thru ES-39) of the Draft EIR did include all Impacts and Mitigation Measures from Section 4.12 Biological Resources. Therefore, the Impacts and Mitigation Measures were disclosed for review and comment as part of the Draft EIR. While the inadvertently omitted information does assist the reader in understanding how the conclusions were reached and the basis for the mitigation, this information is not considered “significant” because, based on Guidelines Section 15088.5(a), it did not change the EIR *in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect.*

CEQA Guidelines Section 15088.5(a) also enumerates examples that qualify as “significant new information.” Each example was carefully considered regarding the inadvertent omission of pages of Section 4.12 Biological Resources for applicability and whether the omission warranted recirculation.

(1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.

1.0 INTRODUCTION

The information provided as part of the discussion of Impacts and Mitigation Measures in Section 4.12 Biological Resources does not identify a *new significant environmental impact* or a *new mitigation measure* beyond what is disclosed on pages ES-33 thru ES-39 of the Executive Summary Table of the Draft EIR. Therefore, recirculation is not required under CEQA Guidelines Section 15088.5(a)(1)

(2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

The information provided in the discussion of Impacts and Mitigation Measures in Section 4.12 Biological Resources does not identify a *substantial increase in the severity of an environmental impact* beyond what is disclosed on pages ES-33 thru ES-39 of the Executive Summary Table of the Draft EIR. Likewise, adequate mitigation is provided as part of the mitigation measures disclosed therein. Therefore, recirculation is not required under CEQA Guidelines Section 15088.5(a)(2)

(3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project's proponents decline to adopt it.

The information provided in the discussion of Impacts and Mitigation Measures Section 4.12 Biological Resources does not identify a feasible project alternative nor a mitigation measure considerably different from others disclosed on pages ES-33 thru ES-39 of the Executive Summary Table of the Draft EIR. Therefore, recirculation is not required under CEQA Guidelines Section 15088.5(a)(3).

(4) The draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded. (Mountain Lion Coalition v. Fish & Game Com. (1989) 214 Cal.App.3d 1043).

None of the seven comment letters received questioned the adequacy of the environmental analysis on any point, including Biological Resources. Therefore, recirculation is not required under CEQA Guidelines Section 15088.5(a)(4).

The County also considered CEQA Guidelines Section 15088.5(b) which provides another circumstance under which recirculation of the Draft EIR is not required. CEQA Guidelines Section 15088.5(b) states:

"Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."

This guideline is particularly applicable to the inadvertently omitted information of Section 4.12 Biological Resources given that all of the Impacts and Mitigation Measures from the Biological Resources section were included on pages ES-33 thru ES-39 of the Executive Summary Table of the Draft EIR. Thus, all Impacts and Mitigation Measures were disclosed regarding the Project's environmental effects. Of the seven comment letters received on the Draft EIR, only the letter from the California Department of Parks and Recreation, Ocotillo Wells District made one comment with regard to biological resources (specifically Flat-tailed Horned Lizard). This comment was not substantive and did not question the adequacy of the EIR. Moreover, none of the seven commenters noted that the Biological Resources section was incomplete as part of their review comments.

For all of the above reasons, the County has decided not to recirculate the Draft EIR in whole or in part (i.e. only Section 4.12 Biological Resources). The rationale outlined above provides substantial evidence to support this decision in keeping with the provisions of CEQA Guidelines Section 15088.5(e) which states: *A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.*

1.0 INTRODUCTION

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

1.2.2.4 CERTIFICATION OF THE FINAL EIR/PROJECT CONSIDERATION

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

Upon review and consideration of the Final EIR, the County may take action to approve, revise, or reject the Project. A decision to approve the Project would be accompanied by written findings in accordance with CEQA Guidelines Section 15091 and Section 15093. Public Resources Code Section Section 21081.6 also requires lead agencies to adopt a mitigation monitoring and reporting program to describe measures that have been adopted or made a condition of Project approval in order to mitigate or avoid significant effects on the environment.

The CEQA Guidelines identify several types of EIRs, each applicable to different project circumstances. The EIR for the Seville 4 Solar Project has been prepared as a Project EIR pursuant to CEQA Guidelines Section 15161. The analysis associated with a Project EIR focuses primarily on the changes in the environment that would occur as a result of Project implementation.

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

1.2.3 INTENDED USES OF THE EIR

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

- Approval of Project Site Plan
- Approval of a General Plan Amendment
- Approval of a Zone Change
- Approval of a Conditional Use Permit
- Approval of Public Benefit Agreement
- Grading Permits
- Construction Traffic Control Plan
- Building Permits
- Occupancy Permits

1.2.4 ORGANIZATION AND SCOPE OF THE FINAL EIR

This document is organized in the following manner:

CHAPTER 1.0 - INTRODUCTION

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

CHAPTER 2.0 - EXECUTIVE SUMMARY

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

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

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

CHAPTER 4.0 - ERRATA

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

CHAPTER 5.0 - MITIGATION MONITORING AND REPORTING PROGRAM

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

1.0 INTRODUCTION

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This chapter provides an overview of the Seville 4 Solar Project (Project) and the environmental analysis. For additional detail regarding specific issues, please consult the appropriate sections (4.1 through 4.13) (Environmental Consequences) of Chapter 4.0 of the Draft Environmental Impact Report (Draft EIR).

2.1 PURPOSE AND SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

The Draft EIR provided a thorough analysis of the potential environmental effects associated with the implementation of the Seville 4 Solar Project pursuant to the California Environmental Quality Act (CEQA). The EIR analysis focuses upon potential environmental impacts arising from the project. The EIR adopts this approach in order to provide a credible worst-case scenario of the impacts resulting from project implementation.

2.2 PROJECT CHARACTERISTICS

Titan Solar II, LLC (hereafter referred to as “Applicant”) is proposing to build, operate, and maintain a solar generation facility capable of producing approximately 20 mega-watts (MW) on land within the Seville Solar Farm Complex. The Project site is located at 2085 “H” West Highway 78, Borrego Springs, CA 92004 in west-central Imperial County, California, approximately eight miles west of the junction of State Route (SR) 78 and SR 86, and approximately five miles east of the San Diego County line. The actual net electrical output of the Project will depend upon the technology selected and final design and layout. The proposed Project includes the construction, operation and reclamation of:

- A 20-MW solar photovoltaic (PV) energy project on approximately 146 or 174 acres of the 572.10 acres in Lot 8 of Tract Map 00988.
- A 34.5-kilovolt (kV) generator intertie line (Gen-Tie Line) connecting to the existing substation.
- A 34.5/92-kV substation and expansion of the adjacent Imperial Irrigation District (IID) Switching Station in common development interest Lot D of Tract Map No. 00988.
- Internal access roads and infrastructure (i.e. PV modules, inverters, internal transmission lines, security fence, etc.)
- Energy generated by the Seville 4 Solar Project would be conveyed to the IID transmission system via the Gen-Tie Line which starts in the northwest corner of Lot 8 and ends at the proposed Seville 4 Substation in Lot D. From the northwest corner of Lot 8 the Gen-Tie Line crosses the north end of Lot 3 to Lot A (“Utility Quarter”). The Gen-Tie Line continues in Lot A (adjacent to the north end of Lot 2) to the northeast corner of Lot 1 where Lot A turns north. At a point opposite Lots C and D, the Gen-Tie Line will cross east over the main access road (Lot B) and terminate at the proposed Seville 4 Substation in Lot D. After increasing the voltage to 92 kV, the Seville 4 Substation will deliver the generated power to an IID Switching Station which then delivers the power to the existing IID 92-kV transmission line connected to the IID Anza Substation. If feasible, the Gen-Tie Line may be constructed on existing power poles supporting power lines within the property. If not feasible, the Gen-Tie line will be constructed on new power poles.
- Water tank(s) capable of storing 20,0000 gallons for fire protection.

The proposed Seville 4 Solar Project has the following objectives:

- Produce a minimum of 20 MW alternative current, on-peak, renewable power to the electrical grid in California.

2.0 EXECUTIVE SUMMARY

- Assist California in meeting its current and future Renewable Portfolio Standard goals.
- Support the greenhouse gas reduction goals of Assembly Bill 32 (California Global Warming Solutions Act of 2006).
- Site the Project in an area with excellent solar energy resources in order to maximize productivity from the PV panels.
- Use a proven and available solar PV technology to reliably and economically produce electricity during daylight hours.
- Locate the solar power facility as near as possible to the Imperial Irrigation District's (IID) existing electrical transmission facilities with anticipated capacity.
- Minimize environmental impacts by constructing and operating the solar power facility adjacent to existing and approved solar facilities and existing supporting infrastructure (transmission lines and roads).
- Construct and operate a solar power facility that would reduce the historic groundwater use on the Project site.
- Create additional employment and project-related expenditures for local businesses.

2.3 AREAS OF CONTROVERSY

The County of Imperial was identified as the lead agency for the proposed project. In accordance with CEQA Guidelines Section 15082, the County prepared and distributed a Notice of Preparation (NOP) of an EIR on June 22, 2017. This notice was circulated to the public, local, state, federal agencies and other interested parties to solicit comments on the proposed Project. The NOP is presented in Appendix A in the Draft EIR. In addition, an Initial Study was prepared for the project and released for public review at the same time as the NOP. The Initial Study is also included in Appendix A in the Draft EIR. Concerns raised in response to the NOP were considered during the preparation of the Draft EIR. Comments and areas of controversy are summarized in Table 1.0-1 of the Draft EIR.

2.4 PROJECT ALTERNATIVES SUMMARY

CEQA Guidelines Section 15126.6 requires that an EIR describe a range of reasonable alternatives to the project which could feasibly attain the objectives of the project and reduce the degree of environmental impact. In addition to the No Project Alternative and proposed Project, the Draft EIR examined one alternative (Alternative 1 – Environmentally Sensitive Avoidance Alternative). Alternatives are discussed in detail in Chapter 6.0, Alternatives, of the Draft EIR.

2.4.1 PROPOSED PROJECT

A. PROJECT COMPONENTS

Each of the components of the proposed Project is described in detail below. The components would be installed as part of construction, in use during operation, and removed and decommissioned as part of reclamation.

The net electrical output of the proposed Project is anticipated to be approximately 20 MWAC. The actual net electrical output of the Project will depend upon the technology selected and final design and layout.

Solar Technology

The Project proposes to use either thin film or crystalline solar photovoltaic (PV) technology modules mounted on either fixed frames or horizontal single-axis tracker (HSAT) systems. The Fixed-Frame Configuration would occupy 146 acres including 128 acres of panels and an 18-acre retention basin in the southeast portion of the Project site. The HSAT Configuration would occupy 174 acres including 156 acres of panels and six retention basins totaling 18-acres. The entire Project including an additional 7 acres associated with the Gen-Tie, Seville 4 Substation, IID Switch Station, and access road extension would bring total acreage to 153 acres for the Fixed-Frame Configuration and 181 acres for the HSAT Configuration.

Fixed-Frame Configuration (146 Acres Project Site Only)

The Fixed-Frame PV module arrays would be mounted on racks that would be supported by driven piles. The depth of the piles would be dependent on the recommendations of the Geotechnical Report prepared for the Project. The fixed-frame racks would be secured at a fixed tilt of 20° to 25° from horizontal facing a southerly direction. Current Project design would have individual PV modules each approximately 3.25 feet wide by 6.5 feet long (depending on the specific PV technology selected), mounted two high on a fixed frame, providing a two-foot ground clearance and resulting in the tops of the panels at approximately 7.5 feet above the ground.

The preliminary site plan shows the Fixed-Frame PV modules arranged in analysis spaced approximately 20 to 25 feet apart (pile-to-pile) to maximize performance and to allow access for panel cleaning (if necessary). These arrays would be separated from each other and the perimeter security fence by nominal 20-foot wide roads.

HSAT Configuration (174 Acres Project site only)

If HSAT technology is used, the PV modules would rotate around the north-south HSAT axis so that the PV modules would continuously face the sun as it moves across the sky throughout the. The PV modules would reach their maximum height (up to nine feet above the ground, depending on the final design) at both sunrise and sunset when the HSAT is rotated to point the modules at the rising or setting sun. At noon, or when stowed during high winds, when the HSAT system is rotated so that the PV modules are horizontal, the nominal height would be approximately six feet above the ground, depending on the final design.

The individual PV systems would be arranged in large arrays. PV systems would be placed on columns spaced approximately ten feet apart to maximize operational performance and to allow access for panel cleaning and maintenance. Current Project design would have individual HSAT PV modules, each approximately two feet wide by four feet long (depending on the specific PV technology selected), mounted on a frame which is attached to an HSAT system. These HSAT arrays would be separated from each other and the perimeter security fence by nominal 20-foot wide roads consistent with agency emergency access requirements.

Electrical Power System

Electricity generated by the PV modules would be collected by a direct current (DC) collection system routed underground in trenches. This DC power would be delivered to one of the pad-mounted inverters in weatherproof enclosures located within the arrays. The inverters would convert the DC power to 34.5-kV, three-phase alternating current (AC). Underground collection lines would transmit the electricity to the new Project collection station in the northwestern corner of the Project site.

2.0 EXECUTIVE SUMMARY

Gen-Tie

The electrical energy produced by the Seville 4 Solar Project would be conducted to the proposed Seville 4 Substation from the Project collection station via the proposed above-ground 34.5-kV Gen-Tie Line located on common development interest Lot A of Tract Map No. 00988. The electricity would be delivered to the proposed Seville 4 Substation on Lot D.

Substation

A Seville 4 Substation would be constructed in common development interest Lot D of Tract Map No. 00988. This substation would take delivery of the 34.5-kV power from the Project collection station Gen-Tie Line and increase the voltage of the electricity to 92 kV for metering and delivery to the IID electric grid. The substation would include a transformer, circuit breakers, meters, disconnect switches microwave or other communication facilities and an electrical control building. The Project's power would then be transmitted by the IID to the point of interconnection with the utility which has agreed to purchase the output from the Seville 4 Solar Project pursuant to a power purchase agreement (PPA).

Security

Eight-foot-high security fencing would be installed around the perimeter of the Project site at the commencement of construction and site access would be limited to authorized site workers. In addition, a motion detection system and closed-circuit camera system may also be installed. The site would be remotely monitored 24 hours per day 7 days per week. In addition, routine unscheduled rounds may be made by the security team monitoring the site.

Site Access

Primary access to the Property, including Lot 8, is available via an existing private access road from the north off SR 78. This primary access road is provided with 30-foot double swing gates with a coded entry and "Knox Box"® over-ride for emergency vehicle access. Secondary access to the Property is also a gated, private road from SR 78 which continues to be available for access to any agricultural operations on the Property, and for secondary emergency access to the Property.

Internal to the Seville Solar Farm Complex, a network of private roads provide construction, operations and maintenance access to all lots and existing solar facilities developed as part of Seville 1 Solar and Seville 2 Solar. Legal and physical access is provided by a common interest development access road corridor (Lot B) from SR 78 through Lot 6 and Lot 7, then all the way to Lot 8, between Lots 4 and 5 on the east and north and Lot A and Lot 3 on the west and south.

Internal to the Project site, nominal 20-foot wide roads would be developed between the PV arrays as well as around the perimeter of the Project site inside the perimeter security fence. These roads would provide access to all areas for maintenance and emergency vehicles.

Further details of the proposed are described in subsection 2.1.5 of the Draft EIR.

2.4.2 ALTERNATIVE 1 – ENVIRONMENTALLY SENSITIVE AVOIDANCE ALTERNATIVE

The Environmentally Sensitive Avoidance Alternative would shift the eastern boundary of the Fixed-Frame Configuration and HSAT Configuration approximately 200 feet to the west. Both configurations would be adjusted to fit into the same overall footprints in Lot 8 and designed to produce 20 MW of electricity. The purpose of the Environmentally Sensitive Avoidance Alternative is to avoid the Environmentally Sensitive Area containing cultural resources identified in the 200-foot wide eastern strip. This alternative would avoid potential impacts to cultural resources that have not yet been evaluated for eligibility for listing in the California Register of Historic Resources (CRHR).

2.4.3 ALTERNATIVE 2 - NO PROJECT ALTERNATIVE

CEQA Guidelines Section 15126.6(e)(1) requires that a No Project Alternative be analyzed in order to allow the decision-makers to compare the impacts of approving a proposed Project with the impacts of not approving the proposed Project. Under the No Project Alternative, the proposed Seville 4 Solar Project would not be developed. No GPA, Zone Change or CUP application would be approved. The Project site could remain in its existing condition as low gradient desert lands and idle farmland reverting to open desert.

2.5 SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table 2.0-1 displays a summary of impacts and proposed mitigation measures that would avoid or minimize potential impacts. In the table, the level of significance is indicated both before and after the implementation of each mitigation measure. For detailed discussions of all project level mitigation measures, refer to Sections 4.1 through 4.13 in Chapter 4.0 of the Draft EIR.

2.0 EXECUTIVE SUMMARY

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
AESTHETICS			
<p>Adverse Effect on Scenic Vista Impact 4.1.1 Implementation of the proposed Project would result in a minor alteration of views of the Project area from surrounding lands and SR 78. The Project area is not considered a scenic vista nor does it contain any outstanding aesthetic features. Moreover, views of the Project site would be partially obscured by the existing tamarisk windbreak along its northern boundary as well as the set-back from SR 78 and nearby uses. Therefore, adverse effects on a scenic vista are considered less than significant.</p>	LTS	None required.	LTS
<p>Degrade Existing Visual Character or Quality of the Site Impact 4.1.2 The proposed Project would convert existing low gradient desert and idle farmland to a solar generation facility. In addition, the Project includes construction of a Gen-Tie Line, access road, water tank(s), Seville 4 Substation and the IID Switching Station. While the Project would alter existing conditions of the Project area, it would not substantially degrade the existing visual character or quality of the area. Therefore, this impact is considered less than significant.</p>	LTS	None required.	LTS

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>New Source of Substantial Light or Glare Impact 4.1.3 The Project proposes to use either thin film or crystalline solar PV technology modules mounted on either fixed frames or HSAT systems. No lighting is proposed on the Project site. Glare modeling determined that there would be no substantial or prolonged period of glare created by either the fixed-frame configuration or the HSAT configuration. Therefore, impacts associated with creation of substantial light and glare are considered less than significant.</p>	LTS	None required.	LTS
<p>Cumulative Visual Impacts Impact 4.1.4 Implementation of the proposed Project, in conjunction with large scale proposed, approved and reasonably foreseeable renewable energy projects in the Imperial Valley and the Ocotillo Wells Solar Project to the west in San Diego County, would alter the visual character of the region, resulting in a change to public views as well as increased daytime glare and nighttime lighting levels. Such impacts are typically addressed on a project-by-project basis. Therefore, cumulative impacts to visual resources are considered less than cumulatively considerable.</p>	LCC	Implement mitigation measure MM 4.1.3a and MM 4.1.3b. <u>None required.</u>	LCC

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2.0 EXECUTIVE SUMMARY

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
LAND USE			
<p>Conflict With Any Applicable Land Use Plan, Policy, or Regulation Impact 4.2.1 The proposed Project is consistent with the existing General Plan land use designation of Agriculture with a CUP and would not conflict with any County policies or regulations or the OWSRVA north of the Project area. Therefore, conflicts with applicable land use plans, policies and regulations are considered a less than significant impact.</p>	LTS	None required.	LTS
<p>Cumulative Conflicts with Applicable Land Use Plans, Policies, or Regulations Impact 4.2.2 Development of the proposed Project in combination with large scale proposed, approved and reasonably foreseeable renewable energy projects in the region would not incrementally add to conflicts with applicable land use plans, policies and regulations. Each project would be required to be consistent with the applicable plans that apply to the area in which it is located. Thus, this impact is considered less than cumulatively considerable.</p>	LCC	None required.	LCC

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
Cumulative Land Use Compatibility/Conflict Impacts			
<p>Impact 4.2.3 Development of the proposed Project in combination with large-scale proposed, approved and reasonably foreseeable renewable projects in the region would change the land use patterns, present potential land use conflicts, and result in conversion of agricultural. This impact is considered less than cumulatively considerable.</p>	LCC	None required.	LCC
TRANSPORTATION AND CIRCULATION			
<p>Conflict with an Applicable Plan/Level of Service Standard (Near-Term Year 2018) Impact 4.3.1 Implementation of the proposed Project would add traffic to existing volumes on SR 78 during construction and to a lesser degree during operation. The segment of SR 78 north of the Project area and two study area intersections would operate above LOS C without and with the Project construction and operational traffic. Therefore, conflicts with the General Plan Circulation and Scenic Highway Element and impacts to LOS</p>	LTS	None required.	LTS

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
standards would be less than significant under the Near-Term Year 2018 scenario.			
<p>Substantially Increase Hazards Due to a Design Feature Impact 4.3.2 The existing access road off of SR 78 would be used to access the Project area. No new driveways or other design features are proposed that would impact SR 78 or infringe upon emergency access. Therefore, the proposed Project is not anticipated to substantially increase hazards due to a design feature and this impact is considered less than significant.</p>	LTS	None required.	LTS
<p>Cumulative Impacts to Roadway Segment LOS (Near-Term Year 2018 Plus Cumulative Plus Project) Impact 4.3.3 Implementation of the proposed Project in Near-Term Year 2018 in combination with projected cumulative traffic in Year 2018 would add traffic to the segment of SR 78 north of the Project area. However, this segment would continue to operate at LOS B under cumulative conditions. Therefore, impacts to cumulative traffic on SR 78 during Near-Term Year 2018 Plus Cumulative Plus</p>	LCC	None required.	LCC

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
Project conditions are considered less than cumulatively considerable .			
<p>Conflict With an Applicable Plan/Level of Service Standard (Long-Term Year 2050) Impact 4.3.4 Implementation of the proposed Project would add minimal traffic to existing traffic volumes on the segment of SR 78 north of the Project area during operations. This segment of SR 78 would continue to operate at LOS A with the addition of Project operational traffic. Therefore, conflicts with the General Plan Circulation and Scenic Highway Element and impacts to LOS standards would be less than cumulatively considerable under Long-Term Year 2050 Project conditions.</p>	LCC	None required.	LCC
<p>Cumulative Increase in Hazards Due to a Design Feature Impact 4.3.5 Implementation of the proposed Project would not require improvements or modifications to any Project study area highway segments or intersections. Therefore, cumulative increases in hazards due to a design feature are considered less than cumulatively considerable.</p>	LCC	None required.	LCC

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
AIR QUALITY			
<p>Conflict with or Obstruct Air Quality Plan/Violate Air Quality Standard</p> <p>Impact 4.4.1 Implementation of the proposed Project would increase air pollutant emissions during Project construction and operation. The mitigated and unmitigated daily emissions (both winter and summer) of PM₁₀ were calculated to exceed ICAPCD thresholds during construction weeks 3-20 of for both the Fixed-Frame Configuration and HSAT Configuration. No criteria pollutant thresholds were calculated to be exceeded during Project operations. Therefore, the Project's potential to conflict with or obstruct an air quality plan or violate an air quality standard is considered a potentially significant impact during Project construction.</p>	PS	<p>MM 4.4.1a Compliance with ICAPCD Regulation VIII</p> <p>The Project Applicant shall prepare a Dust Control Plan for control of fugitive dust during construction as required by ICAPCD Regulation VIII. The Dust Control Plan shall also include dust control measures to be implemented during the operation and maintenance phase of the Project. The Dust Control Plan shall address construction and earthmoving activities, track-out, open areas and unpaved roads. The Dust Control Plan shall also include information on the dust suppressants to be applied and the specific surface treatment(s) and/or control measures to be utilized to control track-out where unpaved and/or access points join paved public access roads. The Dust Control Plan shall be submitted for ICAPCD review prior to any earthmoving activities.</p> <p>As noted in the Methodology discussion, all construction activity CalEEMod modeling was done incorporating on-site watering three</p>	LTS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
		times daily during the grading activities. Accordingly, the following mitigation measures shall be employed: MM 4.4.1b To reduce fugitive dust, water shall be applied to the all-weather private road at least three times per day and speeds shall be limited to 25 mph during construction. MM 4.4.1c Actively disturbed areas on the Project site would also be watered at least three times a day as necessary to reduce fugitive dust emissions during grading, racking installation, panel installation, system wiring and trenching and inverter installation.	
Expose Sensitive Receptors to Substantial Pollutant Concentrations Impact 4.4.2 Exhaust generated by diesel equipment during construction, operation and maintenance, and reclamation could result in elevated levels of diesel particulate matter emissions. However, the nearest sensitive receptors are over 2.5 miles from Project site. Therefore, exposure of sensitive receptors to substantial pollutant	LTS	None required	LTS

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concentrations is considered a less than significant impact .			
<p>Create Objectionable Odors Affecting a Substantial Number of People Impact 4.4.3 Use of diesel equipment during construction, operation, and reclamation activities could result in temporary emissions of adverse odors. This is considered a less than significant impact.</p>	LTS	None required.	LTS
<p>Violate air Quality Standard/Cause Air Quality Violation Impact 4.4.4 The proposed Project would generate criteria pollutant emissions during construction. However, the short-term construction emissions exceedances of ICAPCD thresholds would be mitigated with implementation of mitigation measures, including those in the ICAPCD's Policy 5. Operational emissions would not exceed ICAPCD thresholds but would still incorporate Applicant-proposed measures, including the requirement for the adoption of an Operational Dust Control Plan (ODCP) detailing how dust emissions will be controlled and maintained during the operational phase of the project, to reduce dust. Therefore, the proposed Project would</p>	LCC	Implement mitigation measures MM 4.4.1a, MM 4.4.1b and MM 4.4.1c.	LCC

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result in a less than cumulatively considerable impact with regard to violating an air quality standard.”			
CLIMATE CHANGE AND GREENHOUSE GASES			
<p>Generation of Greenhouse Gas Emissions Impact 4.5.1 The proposed Project would generate GHG emissions during construction and reclamation activities, primarily related to emissions from construction equipment. Operational emissions would occur to a lesser degree in relation to the use of maintenance equipment. This impact is considered less than significant.</p>	LTS	None required.	LTS
<p>Conflict with an Applicable Plan, Policy, or Regulation Adopted to Reduce Greenhouse Gas Emissions Impact 4.5.2 The proposed Project would not conflict with an applicable plan, policy, or regulation adopted to reduce GHG emissions. No impact would occur.</p>	LTS	None required.	LTS
GEOLOGY AND SOILS			
	PS	MM 4.6.1 Structures <u>within</u> the Project	LTS

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<p>Strong Seismic Ground Shaking Impact 4.6.1 The primary seismic hazard at the Project area has the potential for strong ground shaking during earthquakes along the San Jacinto-Borrego fault. This is considered a potentially significant impact.</p>		<p>area shall be designed and constructed in accordance with the 2016 California Building Code (CBC) and ASCE 7-10 Seismic Parameters.</p>	
<p>Liquefaction Impact 4.6.2 Sand and silty sand are the predominant soils on the Project site. Based on these soil types, the risk of liquefaction induced settlement on the Project site is very low. Therefore, liquefaction is considered a less than significant impact.</p>	LTS	None required.	LTS
<p>Unstable Soils – Seismic/Differential Settlement Impact 4.6.3 Potential for seismic settlement across the Project site is 0.35 inch or less. This is considered minimal and would be addressed through design to address differential movement. Therefore, seismic settlement is</p>	LTS	None required.	LTS

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considered a less than significant impact .			
<p>Erosion Impact 4.6.4 Surface soils on the Project site are generally classified as AASHTO Group A1 and A3, which are highly erodible. Construction, operation, and reclamation activities could result in erosion and loss of top soil on the Project site. Therefore, erosion is considered a potentially significant impact.</p>	PS	<p>MM 4.6.4a All permanent slopes shall not be steeper than 3:1 to reduce wind and rain erosion. Protected slopes with ground cover may be as steep as 2:1. Note: Maintenance with motorized equipment may not be possible at this inclination.</p> <p>MM 4.6.4b Low slope angles (less than 3H:1V) shall be used for unprotected slopes. Where significant exposure is expected, addition of cement to the soil or concrete filled rock facing shall be employed to create a cemented mass that is resistant to water movement.</p> <p>MM 4.6.4c Dressing (fine grading and compacting) of the slopes shall be implemented periodically <u>as needed</u> to fill small rivulets caused by direct rainfall onto the slopes. Surface soils coagulants shall also be considered for wind erosion control of the</p>	LTS

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		sandy ground surface	
<p>Expansive Soils Impact 4.6.5 The near surface soils in the Project site are silty sand and sandy silts. These soils are considered non-expansive. Therefore, impacts associated with expansive soils are considered less than significant.</p>	LTS	None required.	LTS
<p>Soil Corrosivity Impact 4.6.6 Soils within the Project site are corrosive to concrete and metals. This is considered a potentially significant impact.</p>	PS	<p>MM 4.6.6 The Project shall implement the recommendations of the Geotechnical Report regarding structural concrete, non-structural concrete, concrete mixes and corrosivity, driven pile design criteria, settlement, excavations, stormwater detention basin berms, lateral earth pressures, seismic design, soil erosion factors for SWPPP, and all-weather access roadways.</p>	LCC
<p>Cumulative Exposure to Geologic and Seismic Impacts Impact 4.6.7 Implementation of the proposed Project, in combination with existing, approved, proposed, and reasonably foreseeable development, may result in cumulative exposure to geologic and seismic hazards.</p>	LCC	Implement mitigation measures MM 4.6.1, MM 4.6.4a, MM 4.6.4b, MM 4.6.4c, and MM 4.6.6, as well as MM 4.4.1a and MM 4.4.1b	LCC

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
This is considered a less than cumulatively considerable impact .			
CULTURAL RESOURCES, TRIBAL CULTURAL RESOURCES AND PALEONTOLOGICAL RESOURCES			
<p>Impacts to Historical Resources Impact 4.7.1 No historic resources were identified in the survey area. Therefore, no impact to a historic resource would occur as a result of development of the proposed Project.</p>	NI	None required.	NI
<p>Impacts to Archaeological Resources - Prehistoric Isolates Impact 4.7.2 A total of five prehistoric isolates were identified during field surveys of the survey area. As isolates they are ineligible to the CRHR and not significant under CEQA. Therefore, no impact would occur with regard to prehistoric isolates.</p>	NI	None required.	NI

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<p>Impacts to Archaeological Resources Potentially Eligible for the CRHR</p> <p>Impact 4.7.3 Thirteen archaeological sites were identified during field surveys of the Project area. These archaeological sites have not been previously evaluated for eligibility for the CRHR or for significance under CEQA. Therefore, impacts these archeological sites are considered potentially significant.</p>	PS	<p>MM 4.7.3a If avoidance of archaeological sites P-13-008029 (subsumed 08587)/CA-IMP-1266 (subsumed 8010), P-13-008586/CA-IMP-8009, P-13-008606/CA-IMP-8089, P-13-009941/CA-IMP-10004, P-13-009942/CA-IMP-10005, P-13-014438, JL_S_1, JL_S_2, JL_S_3, JL_S_4, JL_S_5, JL_S_6, JL_S_7, JL_S_8, JL_I_3, JL_I_4, JL_I_6A and JL_I_6B is not possible, a formal evaluation for eligibility for the CRHR under CEQA Guidelines and the Imperial County General Plan Renewable Energy and Transmission Element MMRP CUL-1d (Site Characterization, Sitting and Design and Construction) shall be undertaken. Evaluation shall include a combination of surface mapping and collection, excavation, and special analyses designed to understand site formation and human habitation of the resource in a regional context.</p>	LTS

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<p>Impacts to Archaeological Resources Potentially Eligible for the CRHR</p> <p>Impact 4.7.3 Thirteen archaeological sites were identified during field surveys of the Project area. These archaeological sites have not been previously evaluated for eligibility for the CRHR or for significance under CEQA. Therefore, impacts these archeological sites are considered potentially significant.</p>	<p>PS</p>	<p>MM 4.7.3b In keeping with mitigation measures CUL-1d and CUL-3 of the MMRP for the Final Programmatic Environmental Impact Report for the Imperial County Renewable Energy and Transmission Element Update, Imperial County, California, construction monitoring by a qualified archaeologist and a local Native American monitor of all ground disturbance is recommended due to the presence of numerous prehistoric cultural resources within the survey area and 1-mile record search radius.</p>	<p>LTS</p>

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<p>Impacts to Unrecorded Subsurface Archaeological Resources Impact 4.7.4 Unrecorded subsurface archaeological resources in the Project area could potentially be damaged during construction of the proposed Project. This is considered a potentially significant impact.</p>	<p align="center">PS</p>	<p>MM 4.7.4 If subsurface deposits are discovered during construction, all work shall halt within a 200-foot radius of the discovery. A qualified professional archaeologist shall be retained to evaluate the significance of the find. A local Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the NAHC, may also be required. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR. If a potentially-eligible resource is encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility for the CRHR and, if eligible, data recovery as mitigation.</p>	<p align="center">LTS</p>

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Subsurface Human Remains Impact 4.7.5 It is unknown whether there are human remains in the Project area that could be discovered during construction. Therefore, impacts to subsurface human remains are considered a potentially significant impact.</p>	<p>PS</p>	<p>MM 4.7.5 In the event that evidence of human remains is discovered, construction activities within 200 feet of the discovery shall be halted or diverted and the Imperial County Coroner shall be notified (Section 7050.5 of the Health and Safety Code). If the Coroner determines that the remains are Native American, the Coroner will notify the NAHC which will designate a Most Likely Descendant (MLD) for the Project (Section 5097.98 of the Public Resources Code). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641).</p>	<p>LTS</p>

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<p>Impacts to Unknown Fossil Remains Impact 4.7.6 Unknown fossil remains, if discovered in the Project area, could be destroyed by excavation and other earth-moving activities occurring during construction. This is considered a potentially significant impact.</p>	<p align="center">PS</p>	<p>MM 4.7.6a Prior to the start of construction, a paleontological resource monitoring plan shall be prepared. The plan shall include specific locations and construction activities requiring monitoring, procedures to follow for monitoring and fossil discovery, and a curation agreement with the SDNHM or other approved repository.</p> <p>MM 4.7.6b A qualified paleontological monitor shall be present during ground-breaking activities associated with Project construction. The depth of excavation that requires paleontological monitoring shall be determined by the paleontological monitor and the construction contractor based on initial observations during construction earth moving.</p> <p>The paleontological monitor will be equipped to salvage fossils as they are unearthed (to help avoid construction delays) and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates. Monitors are empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens will be prepared. The report and inventory, when</p>	<p align="center">LTS</p>

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		<p>submitted to the Imperial County Department of Planning and Development Services, along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.</p> <p>In general, a paleontological monitor will not be required after possible fossil bearing sediments have been fully explored.</p>	
<p>Cumulative Impacts to Archaeological and Historic Resources Impact 4.7.7 Implementation of the proposed Project, in combination with large-scale proposed, approved and reasonably foreseeable renewable energy projects in the region, has the potential to result in impacts to archaeological and historic resources. However, impacts are addressed on a project-by-project basis. Therefore, this is considered a less than cumulatively considerable impact.</p>	LCC	Implement mitigation measures MM 4.7.6a and MM 4.7.6b.	LCC

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NOISE			
<p>Noise Levels in Excess of Standards/Substantial Temporary Noise Increase Impact 4.8.1 Activities associated with construction would increase short-term noise levels on the Project site and in the vicinity of the Project area. However, no County of Imperial noise standards would be exceeded during construction. Therefore, a less than significant impact would occur in association with temporary noise increases.</p>	LTS	None required.	LTS
<p>Exposure to Groundborne Vibration Impact 4.8.2 Ground-borne vibration levels associated with short-term Project construction and long-term operational activities would not exceed applicable groundborne vibration criterion at nearby land uses. This impact would be considered less than significant.</p>	LTS	None required.	LTS
<p>Long-Term Exposure to Increased Traffic Noise Impact 4.8.3 Long-term operation of the proposed Project would not result in a substantial increase in traffic noise levels. This impact would be considered less than significant.</p>	LTS	None required.	

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<p>Long-Term Exposure to Increased Stationary-Source Noise Impact 4.8.4 Long-term operation of the proposed Project is not anticipated to exceed applicable noise standards at the Project site’s property line. Therefore, long-term exposure to increased stationary-source noise is considered a less than significant impact.</p>	LTS	None required.	LTS
<p>Contribution to Cumulative Noise Levels Impact 4.8.5 The proposed Project would not result in a substantial contribution to cumulative noise levels. Therefore, cumulative noise impacts would be considered less than cumulatively considerable.</p>	LCC	None required.	LCC

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AGRICULTURAL RESOURCES			
<p>Conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance Impact 4.9.1 The proposed Project would temporarily convert Farmland of Local Importance and Other Land to non-agricultural uses. This land has not been farmed in several years and would be reclaimed to its existing condition following decommissioning of the Project. Therefore, conversion of Farmland of Local importance is considered a less than significant impact.</p>	LTS	None required.	LTS

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<p>Indirect Environmental Effects of Conversion of Farmland Impact 4.9.2 The proposed Project would not result in the indirect conversion of other farmland to a non-agricultural use. Therefore, this impact is considered less than significant.</p>	LTS	None required.	LTS
<p>Cumulative Agricultural Resources Impacts Impact 4.9.3 Implementation of the proposed Project would incrementally add to the temporary conversion of agricultural land in Imperial County. The acreage of farmland on the Project site is limited and has not been farmed in several years. Upon decommissioning of the Project, the site will be reclaimed to open desert and idle farmland. Therefore, temporary impacts to agricultural resources are considered less than cumulatively considerable.</p>	LCC	None required.	LCC

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HAZARDS AND HAZARDOUS MATERIALS			
<p>Hazardous Materials Transport, Use, Disposal and Accidental Release Impact 4.10.1 The proposed Project does not involve the use of large quantities of hazardous materials that would present a risk to the public or the environment through transport, use, or disposal. This is considered a less than significant impact.</p>	LTS	None required.	LTS
<p>Create a Hazard Through Reasonably Foreseeable Upset/Release of Hazardous Materials Impact 4.10.2 A portion of the Project site was historically used for agricultural production. Based on prior uses, on-site soils may contain low levels of residual pesticide residue which would be below regulatory threshold limits. Therefore, the potential for the Project site to create a hazard through reasonably foreseeable upset or release of hazardous materials is considered a less than significant impact.</p>	LTS	None required.	LTS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Cumulative Hazards and Hazardous Materials Impact Impact 4.10.3 The proposed Project, in combination with other reasonably foreseeable projects in the vicinity of Lot 8, would increase the density of development in the area, thus potentially increasing the potential for the presence hazards and use of hazardous materials. However, this is considered to be a less than cumulatively considerable impact.</p>	LCC	None required.	LCC
HYDROLOGY AND WATER QUALITY			
<p>Violate Water Quality Standards or Waste Discharge Requirements Impact 4.11.1 Implementation of the proposed Project would generate small amounts of runoff during construction and operation. This impact is considered less than significant.</p>	LTS	None required.	LTS

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2.0 EXECUTIVE SUMMARY

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Result in Depleted Groundwater Supplies or Interfere Substantially with Groundwater Recharge Impact 4.11.2 The proposed Project would purchase groundwater from the Ranch Oasis Mutual Water Company. The Project would require less water than has historically been required in association with past agricultural operations. The Project includes retention basins that would allow for groundwater recharge. Therefore, impacts to groundwater supplies and recharge are considered less than significant.</p>	LTS	None required.	LTS
<p>Result in Substantial Flooding On- or Off-Site/Create or Contribute Runoff Exceeding Capacity Impact 4.11.3 Implementation of the proposed Project would generate on-site runoff. Existing drainage patterns would be maintained and the Project site would remain largely pervious. Therefore, impacts associated with flooding or exceedance of existing drainage capacity are considered less than significant.</p>	LTS	None required.	LTS

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Result in Substantial Erosion or Siltation On- or Off-site Impact 4.11.4 Implementation of the proposed Project could generate erosion during construction. Compliance with the provisions of the Construction General Stormwater Permit and Stormwater Pollution Prevention Plan would address erosion or siltation on- or off-site. Therefore, this impact is considered less than significant.</p>	<p>LTS</p>	<p>None required.</p>	<p>LTS</p>
<p>Result in Placement of People or Structures within an Area Subject to Flood Hazards Impact 4.11.5 Implementation of the proposed Project would result in development within areas identified by FEMA as Flood Zone A. Project construction and operations would not result in the placement of habitable structures or people within the flood zone. Construction and operations would require the presence of construction workers and employees within Flood Zone A. Therefore, this impact is considered potentially significant.</p>	<p>PS</p>	<p>MM 4.11.5 Construction and operation activities within Flood Zone A shall be halted during flash flood warnings and events or any other flooding events as predicted by local weather forecasts or the National Weather Service to which the Project site is subject. Upon notification of potential flood events in the Project vicinity, any non-stationary equipment and personnel located within Flood Zone A shall be relocated outside of the flood zone until such time as the threat of flooding has passed.</p>	<p>LTS</p>

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Cumulative Impacts to Hydrology and Water Quality			
<p>Impact 4.11.6 The proposed Project, in combination with other large scale proposed, approved and reasonably foreseeable renewable energy projects in the Salton Sea watershed would contribute to the cumulative effects of changes in runoff patterns ultimately discharging to the Salton Sea, degradation of water quality, and reduction of groundwater supply. This impact is considered less than cumulatively considerable.</p>	LCC	None required.	LCC
BIOLOGICAL RESOURCES			
<p>Impacts to Sensitive Vegetation Community/Land Cover Type Impact 4.12.1 Construction of the proposed Project would primarily result in the removal of idle farmland and disturbed habitat as well as a small portion of mesquite series-disturbed and tamarisk thicket. None of these vegetation communities and land cover types are considered special status habitats. Therefore, impacts to a sensitive vegetation community or land cover type is considered less than significant.</p>	LTS	None required.	LTS

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Jurisdictional Areas Impact 4.12.2 Construction of the proposed Project would avoid potential federal and state jurisdictional areas located outside of the Project area. Thus, impacts to jurisdictional areas are considered less than significant.</p>	LTS	None required.	LTS
<p>Impacts to Special Status Species – Flat-tailed horned lizard Impact 4.12.3 A survey of the Project site did not identify any suitable habitat or food sources for flat-tailed horned lizard. Thus, impacts to flat-tailed horned lizard are considered less than significant.</p>	LTS	None required.	LTS
<p>Impacts to Special Status Species – Loggerhead Shrike Impact 4.12.4 Loggerhead shrike was observed during biological surveys of the Project area. Impacts to loggerhead shrike would be considered potentially significant unless mitigation is incorporated.</p>	PS	<p>MM 4.12.4a If construction or other Project activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The focus of the survey will be detecting nesting activities of bird and raptor species on the Project site, including presence of loggerhead shrike. The survey should be completed no more than 3 days prior to initial</p>	LTS

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Special Status Species – Loggerhead Shrike Impact 4.12.4 Loggerhead shrike was observed during biological surveys of the Project area. Impacts to loggerhead shrike would be considered potentially significant unless mitigation is incorporated.</p>	<p align="center">PS</p>	<p>ground disturbance. The nesting bird survey should include the Project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist should establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities will need to be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.</p> <p>The Applicant shall develop and implement a Worker Environmental Awareness Program (WEAP) prior to the start of construction. The WEAP shall be submitted to the Imperial County Planning and Development Services Department for review and approval prior to the issuance of building permits. The WEAP training shall cover the following:</p> <ul style="list-style-type: none"> • The potential presence and ecology of sensitive biological resources found on-site, such as loggerhead shrike, flat-tailed horned lizard, burrowing owl, potential jurisdictional waters, and nesting avian species; • Flagging/fencing of exclusion areas; • Proper implementation of protective measures to avoid impacts to special-status 	<p align="center">LTS</p>

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Special Status Species – Loggerhead Shrike Impact 4.12.4 Loggerhead shrike was observed during biological surveys of the Project area. Impacts to loggerhead shrike would be considered potentially significant unless mitigation is incorporated.</p>	<p>PS</p>	<p>species and sensitive vegetation communities (i.e. mesquite series east of the Project site boundary);</p> <ul style="list-style-type: none"> • The reasons, need, and method by which employees should report on wildlife mortality, follow nest management protocols, disposal of carcasses, comply with applicable regulations (including the consequences of noncompliance), and the appropriate agencies (CDFW, USFWS) and personnel (ICPDSD) that should be contacted after incidents; and • Other permit requirements and environmental issues. • All construction site personnel shall be required to attend the WEAP training in conjunction with hazard and safety training prior to working on-site. 	<p>LTS</p>

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Special Status Species – Burrowing Owl Impact 4.12.5 The burrowing owl is a CDFW Species of Special Concern. The Project site provides marginally suitable foraging habitat although no owls were discovered during surveys conducted on the Project site. Nevertheless, this species is migratory and could be present during Project construction. Therefore, impacts to burrowing owl are considered potentially significant.</p>	PS	<p>MM 4.12.5 Pre-construction surveys for burrowing owl are recommended. The surveys should follow the methods described in the CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012). Two surveys should be conducted, with the first survey being scheduled between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and second survey being conducted no more than 24-hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the Project site during the surveys, the Project should consult with CDFW and follow the methods listed in the CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012) for avoidance and/or passive relocation.</p>	LTS
<p>Impacts to Nesting and Migratory Birds Impact 4.12.6 The proposed Project could result in direct impacts to avian nesting protected under California Fish and Wildlife Code and the MBTA. This is considered a potentially significant impact.</p>	PS	<p>Implement mitigation measures MM 4.12.4a, MM 4.12.4b and MM 4.12.5. A Bird and Bat Conservation Strategy (BBCS) shall be developed by the Project Applicant in coordination with the County of Imperial, USFWS, and CDFW. The BBCS will include the following components:</p>	LTS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Nesting and Migratory Birds Impact 4.12.6 The proposed Project could result in direct impacts to avian nesting protected under California Fish and Wildlife Code and the MBTA. This is considered a potentially significant impact.</p>	<p>PS</p>	<ul style="list-style-type: none"> • A description and assessment of the existing habitat and avian and bat species; • An avian and bat risk assessment and specific measures to avoid, minimize, reduce, or eliminate avian and bat injury or mortality during all phases of the project. • A post-construction monitoring plan that will be implemented to assess impacts on avian and bat species resulting from the Project. The post-construction monitoring plan will include a description of standardized carcass searches, scavenger rate (i.e., carcass removal) trials, searcher efficiency trials, and reporting. Statistical methods will be used to estimate Project avian and bat fatalities if sufficient data is collected to support statistical analysis. • An injured bird response plan that delineates care and curation of any and all injured birds. • A nesting bird management strategy to outline actions to be taken for avian nests detected within the impact footprint during operation of the Project. • A conceptual adaptive management and decision-making framework for reviewing, 	<p>LTS</p>

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Nesting and Migratory Birds Impact 4.12.6 The proposed Project could result in direct impacts to avian nesting protected under California Fish and Wildlife Code and the MBTA. This is considered a potentially significant impact.</p>	<p align="center">PS</p>	<p>characterizing, and responding to monitoring results.</p> <ul style="list-style-type: none"> Monitoring studies following commencement of commercial operation of each CUP area. Monitoring results will be reviewed annually by the Applicant and the County of Imperial, in consultation with CDFW and USFWS, to inform adaptive management responses. <p>During Project construction, incidental avian carcasses or injured birds found during construction shall be documented. Should a carcass be found by Project personnel, the carcass shall be photographed, the location shall be marked, the carcass shall not be moved, and a qualified biologist shall be contacted to examine the carcass. When a carcass is detected, the following data shall be recorded (to the extent possible): observer, date/time, species or most precise species group possible, sex, age, estimated time since death, potential cause of death or other pertinent information, distance and bearing to nearest structure (if any) that may have been associated with the mortality, location (recorded with a Global Positioning System [GPS]), and condition of carcass.</p> <p>Utility lines constructed above-ground shall</p>	<p align="center">LTS</p>

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Impacts to Nesting and Migratory Birds Impact 4.12.6 The proposed Project could result in direct impacts to avian nesting protected under California Fish and Wildlife Code and the MBTA. This is considered a potentially significant impact.</p>	<p>PS</p>	<p>conform to Avian Power Line Interaction Committee (APLIC) standards.</p> <p>Post-construction monitoring studies shall be conducted by a third-party independent contractor for at least 2 years following commencement of commercial operation of the Project. Monitoring results shall be reviewed annually by the Applicant and the County of Imperial, in consultation with CDFW and USFWS, to determine if and to what extent post-construction monitoring studies shall be continued in future years.</p>	<p>LTS</p>
<p>Impacts to Wildlife Movement Impact 4.12.7 The proposed Project would be developed on a parcel that is a mixture of desert and idle agricultural land surrounded by open desert. Therefore, impacts of the proposed</p>	<p>LTS</p>	<p>None required.</p>	<p>LTS</p>

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
Project site on wildlife movement are considered less than significant .			
<p>Cumulative Impacts to Biological Resources Impact 4.12.8 Implementation of the proposed Project in combination with other proposed, approved and reasonably foreseeable large-scale renewable energy projects, could have cumulative impacts on special status species, sensitive vegetation communities, and jurisdictional waters. However, impacts to biological resources are addressed and mitigated on a project-by-project basis. Therefore, cumulative impacts to biological resources are considered less than cumulatively considerable.</p>	LTS	None required.	LTS
PUBLIC SERVICES AND UTILITIES			
<p>Impacts to ICFD Services Impact 4.13.1 The proposed Project would develop a solar generation facility on low gradient farmland and idle farmland in a remote area of Imperial County. The location of the facility and its size could result in increased demand on ICFD services. The lack of paved roads would</p>	PS	<p>MM 4.13.1 The Project Applicant shall pay a fair share contribution towards capital purchases (e.g. specialized equipment) which may be required to assist in servicing the Project; costs for services during construction and the life of the Project; and/or training as negotiated with the ICFD.</p>	LTS

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>inhibit the ICFD’s ability to serve the Project. Therefore, impacts to ICFD service are considered potentially significant.</p>			
<p>Cumulative Impacts to ICFD Services Impact 4.13.2 Development of the proposed Project, in combination with other large-scale proposed, approved and reasonably foreseeable renewable energy projects in the ICFD service area, would increase demand for fire protection. However, each individual project would be required to incorporate fire safety features and worker safety protocols in compliance with all applicable fire and occupational safety standards and codes. Therefore, cumulative impacts to ICFD services are considered less than cumulatively considerable.</p>	LCC	Implement mitigation measure MM 4.13.1.	LCC
<p>Impacts to ISCO Services Impact 4.13.3 Implementation of the proposed Project may result in increased demands for service for the ISCO’s Salton City Substation during construction and operation. The ISCO does not have proper vehicles to access the site’s</p>	PS	MM 4.13.3 The Project Applicant shall pay a fair share contribution towards the purchase of a marked and equipped four-wheel drive patrol vehicle for the ISCO.	LTS

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
unpaved roads. Therefore, impacts to ICSSO services are considered a potentially significant .			
<p>Cumulative Impacts to ICSSO Services Impact 4.13.4 Development of the proposed Project, in combination with other proposed, approved and reasonably foreseeable projects in Imperial County would result in an increased cumulative demand for law enforcement. However, cumulative projects would not cause the ICSSO the need to expand its facilities. Therefore, impacts to law enforcement services are less than cumulatively considerable.</p>	LCC	Implement mitigation measure MM 4.13.3.	LCC
<p>Impacts to Groundwater Supply Impact 4.13.5 The proposed Project will require groundwater in association with both construction and operation activities. The groundwater resources were found to be adequate to meet</p>	LTS	None required.	LTS

**TABLE 2.0-1
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
Project water demands. Therefore, impacts to groundwater supply are considered less than significant .			
<p>Water Distribution and Storage Impacts Impact 4.13.6 The proposed Project would require water distribution and storage infrastructure. Any required improvements would occur within the Project site and would not disrupt any off-site areas. Therefore, impacts associated with water conveyance infrastructure are considered less than significant.</p>	LTS	None required.	LTS
<p>Cumulative Groundwater Supply Impacts Impact 4.13.7 Development of the proposed Project would result in a reduced demand for groundwater from the Ocotillo-Clark Valley Groundwater Basin compared to historical demand. The WSA prepared for Seville Solar Farm Complex, which includes the proposed Project, demonstrated that there is adequate groundwater to serve Project development</p>	LCC	None required.	LCC

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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>over the next 20 years. No other projects were identified within the cumulative setting to affect groundwater supply. Therefore, cumulative groundwater supply impacts are considered less than cumulatively considerable.</p>			
<p>Cumulative Water Distribution and Storage Impacts Impact 4.13.8 The proposed Project would result in an increased demand for on-site water distribution and storage. No municipal water infrastructure is available on or in the vicinity of the Project area. The Project includes construction of the needed water distribution and storage facilities. Therefore, cumulative impacts to water distribution and storage are considered less than cumulatively considerable.</p>	LCC	None required.	LCC
<p>Impacts to Solid Waste Service and Landfill Capacity Impact 4.13.9 Solid waste would be generated during demolition, construction and reclamation of the proposed Project. Such materials would be picked up by a locally-licensed waste hauling service and disposed of at a local</p>	LTS	None required.	LTS

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SUMMARY OF IMPACTS AND MITIGATION MEASURES**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
landfill with sufficient capacity to accept this waste. Thus, a less than significant impact is identified with regard to solid waste service and landfill capacity.			
<p>Cumulative Impacts to Solid Waste Service and Landfill Capacity Impact 4.13.10 Implementation of the proposed Project, in combination with other large-scale proposed, approved and reasonably foreseeable renewable energy projects in the County of Imperial, would result in cumulative demand for solid waste service and landfill capacity. However, the proposed Project would not generate a substantial quantity of waste, pick-up service is available to serve the Project and sufficient landfill capacity is available. Therefore, cumulative impacts to solid waste service and landfill capacity are considered less than cumulatively considerable.</p>	LCC	None required.	LCC
<p>Impacts to Electrical Service and Infrastructure Impact 4.13.11 The proposed Project would not increase the demand for electrical services from IID</p>	LTS	None required	LTS

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<p>in association with construction or operation of the Fixed-Frame and HSAT Configurations. No new improvements are required to the IID infrastructure to serve the Project. Therefore, impacts to electrical service and infrastructure are considered less than significant.</p>			
<p>Cumulative Impacts to Electric Service Impact 4.13.12 Implementation of the proposed Project, in combination with other large-scale proposed, approved and reasonably foreseeable renewable energy projects in the County of Imperial, would result in a minimal increase in the current use of IID electricity and a substantial increase in solar energy generation. Therefore, cumulative impacts to electrical service are considered less than cumulatively considerable.</p>	LCC	None required.	LCC
ENERGY RESOURCES			
<p>Wasteful, Inefficient, and Unnecessary Consumption of Energy Impact 7.1.1 The Project would not use energy in a wasteful manner. The impact would be less than significant.</p>	LTS	None required.	LTS
<p>Contribution to Cumulative Energy Usage Impact 7.1.2 The proposed Project, combined with other large-scale proposed, approved and reasonably foreseeable renewable energy</p>	LCC	None required.	LCC

**TABLE 2.0-1
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IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>projects, would not develop land uses and patterns that cause wasteful, inefficient, and unnecessary consumption of energy or that would have excessive energy requirements for daily operation. Therefore, impacts to energy usage are less than cumulatively considerable.</p>			

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CHAPTER 3.0

**COMMENTS AND
RESPONSE TO COMMENTS**

3.0 COMMENTS AND RESPONSE TO COMMENTS

3.1 INTRODUCTION

This chapter includes all comments received on the Draft EIR during the 50-day public and agency review period (45-day minimum per CEQA, plus five days per County of Imperial Guidelines). No new significant environmental impacts or issues beyond those already identified in the Draft EIR for the Seville 4 Solar Project were raised during the public review period. Acting as lead agency under CEQA, Imperial County directed responses to the comments received on the Draft EIR. Pursuant to CEQA Guidelines Section 15088.5, none of the comments received during the comment period involve any new significant impacts or “significant new information” that would require recirculation of the Draft EIR. This issue is discussed further in Chapter 1.0, Introduction under 1.1.2.3 Final EIR.

3.2 LIST OF COMMENTERS

The following individuals and representatives of organizations and agencies submitted written comments on the Draft EIR.

**TABLE 3.0-1
LIST OF COMMENTERS ON THE DRAFT EIR**

COMMENTS RECEIVED BY IMPERIAL COUNTY			
LETTER or E-MAIL	INDIVIDUAL OR SIGNATORY	AFFILIATION	DATE
1	Victoria Martin Tribal Secretary	Augustine Band of Cahuilla Indians	July 19, 2018
2/2A	Donald Vargas Compliance Administrator II	Imperial Irrigation District	August 6, 2018
3	Steve Quartieri Interim District Superintendent Ocotillo Wells District	California Department of Parks and Recreation	August 27, 2018
4	Jacob Armstrong Branch Chief Local Development and Intergovernmental Review Branch	California Department of Transportation	August 28, 2018
5	Scott Morgan Director, State Clearinghouse	Governor’s Office of Planning and Research	August 28, 2018
6	Axel Salas, EIT APC Environmental Coordinator	Imperial County Air Pollution Control District	August 31, 2018
7	Manuel Ortiz Assistance County Engineer	County of Imperial Department of Public Works	August 31, 2018

3.0 COMMENTS AND RESPONSE TO COMMENTS

3.3 COMMENTS AND RESPONSES

3.3.1 REQUIREMENTS FOR RESPONDING TO COMMENTS ON A DRAFT EIR

CEQA Guidelines Section 15088 requires that lead agencies evaluate all comments on environmental issues received on the Draft EIR and prepare a written response. The written response must address the environmental issue(s) raised and provide a detailed response. Rationale must be provided when specific comments or suggestions (e.g., additional mitigation measures) are not accepted. In addition, the written response must be a good faith and reasoned analysis. As long as a good faith effort at full disclosure is made in the EIR (CEQA Guidelines Section 15204), lead agencies need only to respond to significant environmental issues associated with the project and do not need to provide all the information requested by commenters.

CEQA Guidelines Section 15204 recommends that commenters provide detailed comments that focus on the sufficiency of the Draft EIR in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. CEQA Guidelines Section 15204 also notes that commenters should provide an explanation and evidence supporting their comments. Pursuant to CEQA Guidelines Section 15064, an effect shall not be considered significant in the absence of substantial evidence.

CEQA Guidelines Section 15088 also recommends that where the response to comments results in revisions to the Draft EIR, those revisions should be noted as a revision to the Draft EIR or in a separate section of the Final EIR. Revisions necessitated by comments appear as part of the response as well as in Chapter 4.0, Errata of this Final EIR.

3.3.2 COMMENTS AND RESPONSE TO COMMENTS

Written comments on the Draft EIR are reproduced on the following pages, along with responses to those comments. To assist in referencing comments and responses, the letters are coded using numbers (e.g., Comment Letter 1) and each issue raised in the comment letter is assigned a number that correlates with the letter (e.g. 1-1, 1-2, 1-3, etc.).

Where changes to the Draft EIR text result from responding to comments, those changes are included in the response and demarcated with revision marks (underline for new text, ~~strike-out~~ for deleted text). Comment-initiated text revisions to the Draft EIR and minor staff-initiated changes are compiled in their entirety and are demarcated with revision marks in Chapter 4.0, Errata, of this Final EIR.

3.0 COMMENTS AND RESPONSE TO COMMENTS



AUGUSTINE BAND OF CAHUILLA INDIANS

PO Box 846 84-481 Avenue 54 Coachella CA 92236

Telephone: (760) 398-4722

Fax (760) 369-7161

Tribal Chairperson: Amanda Vance

Tribal Vice-Chairperson: William Vance

Tribal Secretary: Victoria Martin

LETTER 1

RECEIVED

JUL 30 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

July 19, 2018

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

RE: Seville 4 Solar Project

Dear Mr. Minnick-

Thank you for the opportunity to offer input concerning the development of the above-identified project. We appreciate your sensitivity to the cultural resources that may be impacted by your project, and the importance of these cultural resources to the Native American peoples that have occupied the land surrounding the area of your project for thousands of years. Unfortunately, increased development and lack of sensitivity to cultural resources has resulted in many significant cultural resources being destroyed or substantially altered and impacted. Your invitation to consult on this project is greatly appreciated.

1-1

At this time we are unaware of specific cultural resources that may be affected by the proposed project. We encourage you to contact other Native American Tribes and individuals within the immediate vicinity of the project site that may have specific information concerning cultural resources that may be located in the area. We also encourage you to contract with a monitor who is qualified in Native American cultural resources identification and who is able to be present on-site full-time during the pre-construction and construction phase of the project. Please notify us immediately should you discover any cultural resources during the development of this project.

1-2

1-3

1-4

1-5

Very truly yours,

Victoria Martin
Tribal Secretary

3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 1

Commenter: Victoria Martin, Tribal Secretary, Augustine Band of Cahuilla Indians

Date of Letter: July 19, 2018

Response to Comment 1-1: Introductory comments noting appreciation for sensitivity to cultural resources that may be impacted by the Project. No response is necessary.

Response to Comment 1-2: Comment states that at this time the Augustine Band of Cahuilla Indians are unaware of specific cultural resources that may be affected by the proposed Project. This comment is noted.

Response to Comment 1-3: Comment encourages the County to contact other Native American Tribes and individuals in the vicinity of the Project. As noted on page 4.7-15 of the Draft EIR, on June 26, 2017, the County sent letters to 20 Native American individuals and organizations on a list generated by the Native American Heritage Commission (NAHC). The NAHC was contacted again to determine if any Cahuilla Native American individuals and organizations should also be contacted as the proposed Project is located near the southern boundary of the Cahuilla's ethnographic territory. On June 27, 2017, the NAHC provided an additional 17 Cahuilla Native American individuals and organizations to contact for further information. Letters were sent to the additional 17 contacts on June 28, 2017.

Response to Comment 1-4: Comment encourages the County to contract with a qualified Native American monitor during pre-construction and construction of the Project. Mitigation measure MM 4.7.3b on page 4.7-25 of the Draft EIR includes provision of construction monitoring by a qualified local Native American monitor of all ground disturbance. Mitigation measure MM 4.7.4 on page 4.7-26 of the Draft EIR also notes that a local Native American monitor following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the NAHC, may also be required.

Response to Comment 1-5: The Commenter requests that the County notify the Augustine Band of Cahuilla Indians if any cultural resources are discovered during development of the Project. This comment is noted.

3.0 COMMENTS AND RESPONSE TO COMMENTS



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Since 1911

August 6, 2018

LETTER 2

Mr. Jim Minnick
Director
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: Draft EIR for the Seville 4 Solar Project

Dear Mr. Minnick:

On July 19, 2018, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, the Notice of Availability of the Draft Environmental Impact Report for the Seville 4 Solar Project. The applicant, Titan Solar II, LLC; proposes to develop an approximately 20 MW solar energy generation facility on approximately 174 acres or 146 acres (depending on the solar panel configuration) of the 572.10-acre portion of Lot 8 of Tract Map No. 00988. The project consists of the solar generation facility, an extension of the existing private access road, a 34.5kV Gen-Tie line, the project's substation and the expansion of the adjacent IID Switching Station. The project site is located, in west-central Imperial County, CA, approximately eight miles southwest of the junction of State Route 78 and SR 86, and approximately three miles east of the San Diego County line.

2-1

The IID has reviewed the DEIR and finds that the comments provided in the July 13, 2018 district letter on the project's Initial Study & Environmental Analysis (see attached letter) continue to apply.

2-2

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.

2-3

Respectfully,

Handwritten signature of Donald Vargas

Donald Vargas
Compliance Administrator II

RECEIVED

AUG 06 2018

IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES

- Kevin Kelley - General Manager
Mike Pacheco - Manager, Water Dept.
Enrique B. Martinez - Manager, Energy Dept.
Jamie Asbury - Deputy Manager, Energy Dept., Operations
Enrique De Leon - Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Vance Taylor - Asst. General Counsel
Robert Laurie - Asst. General Counsel
Michael P. Kemp - Superintendent, Regulatory & Environmental Compliance
Harold Walk Jr. - Supervisor, Real Estate
Randy Gray - ROW Agent, Real Estate
Jessica Lovecchio - Environmental Project Mgr. Sr., Water Dept.

IMPERIAL IRRIGATION DISTRICT • P.O. BOX 937 • IMPERIAL, CA 92251

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS



LETTER 2A

www.iid.com

Since 1911

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.

2A-1

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

2A-2

2A-3

IMPERIAL IRRIGATION DISTRICT • P.O. BOX 937 • IMPERIAL, CA 92251

3.0 COMMENTS AND RESPONSE TO COMMENTS

Patricia Valenzuela
July 13, 2017
Page 2

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

2A-3
Con't

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.

2A-4

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.

2A-5

Respectfully,



Donald Vargas
Compliance Administrator II

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Vickon 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.

3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 2

Commenter: Donald Vargas, Compliance Administrator II, Imperial Irrigation District
Date of Letter: August 6, 2018

Response to Comment 2-1: Introductory remarks describing the Project and indicating that IID received a letter from the County on July 19, 2018. No response is required.

Response to Comment 2-2: Comment states that the IID has reviewed the Draft EIR and that the comments previously provided on July 13, 2017 on the Project's Initial Study still apply. The July 13, 2017 are included as Letter 2A. This comment is noted.

Response to Comment 2-3: Comment provides closing remarks and contact information. No response is required.

RESPONSE TO COMMENT LETTER 2A

Commenter: Donald Vargas, Compliance Administrator II, Imperial Irrigation District
Date of Letter: July 13, 2017

Response to Comment 2A-1: Introductory remarks describing the Project and indicating that IID received a letter from the County on June 27, 2018. No response is required.

Response to Comment 2A-2: Commenter indicates that the Project may require temporary construction power and provides details on how to obtain a formal application for electrical service. This comment is noted.

Response to Comment 2A-3: Commenter indicates that the Project may require an encouragement permit and provides details on how the Applicant can obtain an encroachment permit from the IID. This comment is noted.

Response to Comment 2A-4: Commenter states that new, relocated, modified or reconstructed IID facilities will need to be included as part of the Project's CEQA documentation. The comment also notes that any and all mitigation necessary as a result of construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent. This comment is noted. The Project does not include any new, relocated, modified or reconstructed IID facilities.

Response to Comment 2A-5: Comment provides closing remarks and contact information. No response is required.

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS



State of California • Natural Resources Agency
DEPARTMENT OF PARKS AND RECREATION

Edmund G. Brown Jr., Governor

Lisa Ann L. Mangat, Director

Ocotillo Wells District
California State Parks
5172 Highway 78, #10
Borrego Springs, CA 92004

LETTER 3

August 27, 2018

Patricia Valenzuela
Planner IV
Imperial County Planning and Development Services Department
801 Main Street
El Centro, CA

RE: Draft Environmental Impact Report (DEIR) for Seville 4 Solar (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 DEIR for the Seville 4 Solar Project (Project). Since 2013, the district has provided comments on the Seville Solar project and met with County planning staff to address our concerns. We do recognize and appreciate that the Project has incorporated some of our concerns.

3-1

As the governmental entity responsible for the stewardship of Ocotillo Wells State Vehicular Recreation Area (OWSVRA), we have a strong interest and concern about contemplated alterations of land use adjacent to the park. The long-term health of the OWSVRA is dependent on the health of the area ecosystems because the biotic boundaries of the park extend beyond its jurisdictional boundaries and must be managed with an eye toward wildlife corridors and regional concerns.

3-2

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.

3-3

OWSVRA is an off-highway vehicle (OHV) park operated by the Ocotillo Wells District of State Parks. OWSVRA encompasses over 85,000 acres directly west of Anza-Borrego Desert State Park, east of State Route (SR) 86; primarily between State Route 78 and County Road S-22. Visitors to OWSVRA vary from 500,000 to over 1 million annually.

3-4

3.0 COMMENTS AND RESPONSE TO COMMENTS

<p>OWSVRA also hosts over 50,000 people to its interpretive programs which include stargazing, wildlife, and wildflower viewing.</p>	<p>3-4 Con't</p>
<p>Portions of the Seville Solar Farm Complex project are located immediately adjacent to the OWSVRA boundary and the remainder of the project is located south of the park, but within the park viewshed and biological community.</p>	<p>3-5</p>
<p>We initially submitted a letter to the County in July of 2017, detailing our concerns with the Seville 4 Solar Project. Through discussions with the County and Project Proponent, as well as clarifications offered in the DEIR, we feel that many of those concerns have been addressed. However, there are a few remaining issues that we wish to address prior to the EIR being finalized.</p>	<p>3-6</p>
<p>First, we noticed and appreciated that our comments from the Notice of Preparation were included in Table 1.0-1 Summary of NOP Comments. These comments are currently attributed to the Department of Parks and Recreation – Colorado Desert District, however this should be corrected to Department of Parks and Recreation – Ocotillo Wells District. While both Colorado Desert and Ocotillo Wells are districts within the Department of Parks and Recreation, only Ocotillo Wells District submitted a comment letter.</p>	<p>3-7</p>
<p>Second, in Section 4.1 Aesthetics, the viewshed of recreational riding along the roads and trails within OWSVRA is considered. However, the analysis in the DEIR does not consider the popularity of camping near the intersection of Poleline Road (Road 191) and SR 78. Due to the presence of bathrooms, flat and stable surfaces for RVs, and easy access to many areas of the park, this is a very popular camping location. Many campers within OWSVRA value the scenery and the lack of development within the park. Individuals camping in this area would be looking at the Seville expansion from the northeast, which may not be sufficiently blocked by tamarisk and is not considered within the DEIR. At minimum, the DEIR should address potential impacts to camping within OWSVRA.</p>	<p>3-8</p>
<p>Third, in Section 4.2.1 Land Use, it states that OWSVRA can be accessed from SR 78 approximately 20 miles west of SR 86. Depending on the intended meaning of this statement, some clarification is needed. The Ocotillo Wells District office is approximately 20 miles west of SR 86. However, visitors can access OWSVRA from many different locations along SR 78, including two locations near the Project – Road 183 (Tarantula Wash) and Road 191.</p>	<p>3-9</p>
<p>Fourth, in Section 4.7 Cultural Resources, when discussing the survey results for P-13-001266 / IMP-1266 (including subsumed P-13-008587 / IMP-8010), Road 191 is addressed as an OWSVRA road. We want to clarify that while the road runs through OWSVRA, we do not have ownership of the road, particularly outside of the boundary of the park. Additionally, within OWSVRA, there are two parallel roads that run along Road 191 – one is maintained by Imperial Irrigation District and the other is maintained by State Parks.</p>	<p>3-10</p>
<p>Fifth, in Section 4.12 Biological Resources, it states that flat-tailed horned lizards (<i>Phrynosoma mcallii</i>; FTHL) are presumed absent from the project area based on the one survey that was completed for the Biological Resources Assessment. Due to their</p>	<p>3-11</p>

3.0 COMMENTS AND RESPONSE TO COMMENTS

cryptic coloration, FTHL can be difficult to spot, and the one survey may not be sufficient for determining if FTHL are in fact absent from the project area. OWSVRA completes annual occupancy surveys within the park, in which pre-selected plots are visited for one hour six times during the season. In several cases, no FTHL were observed until the last visit. Additionally, while the area has been previously disturbed, from our experience this is not always a definitive qualifier on FTHL presence or absence. Within OWSVRA, Tarantula Wash has some of the highest quality FTHL habitat and due to the abundance of FTHL we've encountered, it's where we complete some of our most intensive surveys for FTHL. It may be prudent to define avoidance measures or a worker's awareness training for this species even though they weren't identified in the Biological Resources Assessment.

3-11

3-12

We request that the Lead Agency and Project Proponent continue to work with State Parks, where appropriate, to address the above concerns prior to release of the EIR.

3-13

We appreciate the opportunity to comment on the proposed project. Thank you for your consideration of these comments. Please contact Steve Quartieri at (760) 587-1160 or steve.quartieri@parks.ca.gov if you have further questions.

3-14

Sincerely,



Steve Quartieri
Interim District Superintendent
Ocotillo Wells District

cc: State Clearinghouse
Dan Canfield, Acting Deputy Director, Off-Highway Motor Vehicle Recreation
Division
DPLA Environmental Review Unit
DPR Acquisition and Development Unit

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 3

Commenter: Steve Quartieri, Interim District Superintendent, Ocotillo Wells District, California
Department of Parks and Recreation

Date of Letter: August 28, 2018

Response to Comment 3-1: Introductory statement noting that the District provided comments on the Seville Solar Project dating back to September 2013 and expressing appreciation that the Project addresses some of the District's concerns. No response is required.

Response to Comment 3-2: Commenter states that the long-term health of the Ocotillo Wells State Vehicular Recreation Area (OWSVRA) is depending on the health of the area ecosystems because the boundaries of the park extend beyond its jurisdictional boundaries. This comment is noted.

Response to Comment 3-3: The Commenter indicates that State Parks is a State Agency and a Trustee Agency under the California Environmental Quality Act. Commenter also states the mission of the Agency. This comment is noted.

Response to Comment 3-4: The Commenter provides details on the size and number of visitors to the OWSVRA on an annual basis. The Commenter also describes the activities available to visitors. This comment is noted.

Response to Comment 3-5: The Commenter notes that portions of the Seville Solar Farm Complex project are located immediately adjacent to the OWSVRA boundary and the remainder of the project is located south of the park but within the park viewshed and biological community. This comment is noted.

Response to Comment 3-6: The Commenter states that a letter was submitted to the County on July 2017 detailing concerns with the Seville 4 Solar Project. The Commenter notes that a few issues remain to be addressed prior to the EIR being finalized. This comment is noted and responded to further in Response to Comment 3-7 thru 3-11.

Response to Comment 3-7: The Commenter appreciates that comments from the Notice of Preparation were included in Table 1.0-1 of the Draft EIR. However, the source of the comments needs to be corrected to identify the Department of Parks and Recreation Ocotillo Wells District. As shown on the following pages, the text in Table 1.0-1 on pages 1.0-13 thru 1.0-15 of the Draft DEIR has been revised as follows in response to this comment.

3.0 COMMENTS AND RESPONSE TO COMMENTS

**TABLE 1.0-1
SUMMARY OF NOP COMMENTS**

Agency/Individual	Issue Noted or Area of Controversy
<p>Garratt Aitchison, District Superintendent State of California, Department of Parks and Recreation - Colorado Desert District <u>Ocotillo Wells District</u></p>	<p>Concerned that the proposed Project may result in significant and unavoidable impacts to the Ocotillo Wells State Vehicular Recreation Area (OWSVRA) with regard to the following:</p> <ul style="list-style-type: none"> • Aesthetics <p>The project site is within the view shed of OWSVRA. Water tanks, fencing and security lighting may affect views.</p> <ul style="list-style-type: none"> • Air Quality <p>Methods and treatment of soils in and around the project site both during and after construction (water, binders, etc.) should be identified. Long-term restoration of the bladed area should be discussed.</p> <ul style="list-style-type: none"> • Biological <p>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. Mitigation for these species should be identified in the immediate area and within or adjacent to the project.</p> <p>Fencing could provide predator perching opportunities which could impact flat-tailed horned lizards.</p> <p>Focused surveys should be completed to inform the EIR, as needed.</p> <p>Identify how much undisturbed desert habitat corridors and linkages would be affected.</p> <p>Concerned that loss of connectivity and foraging habitat will significantly impact the park.</p> <p>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.</p> <p>Project proponent should pre-plan for the early reintroduction of native vegetation to expedite in their growth, and increase the visual quality of operational structures.</p> <ul style="list-style-type: none"> • Geology and Soils <p>Provide specific information about the potential application of chemical stabilization agents to be discussed in the EIR.</p>

3.0 COMMENTS AND RESPONSE TO COMMENTS

**TABLE 1.0-1
SUMMARY OF NOP COMMENTS**

Agency/Individual	Issue Noted or Area of Controversy
<p>Garratt Aitchison, District Superintendent State of California, Department of Parks and Recreation - Colorado Desert District <u>Ocotillo Wells District</u></p>	<ul style="list-style-type: none"> • Hydrology and Water Quality The EIR should address the water use by the project and cumulative effects in the area. • Recreation Recreational impacts 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. Potential aesthetic impacts from glare as well as public safety impacts need to be analyzed in the EIR. 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 Inquires if identified truck trips to export or import material to the jobsite, as well as other associated construction traffic, will create the need for traffic control signs/devices for the park visitors as they ingress and egress on State Highway 78. Inquires if the Project restrict or eliminate, either temporarily or permanently, access between OWSVRA and the Superstition OHV area. Inquires how the construction schedule for numerous projects will affect traffic along the 78 corridor over time. Inquires how often will there be periodic maintenance events and the volume of traffic associated with those events. • Tribal Cultural Resources 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. • Noise Address why the noise impacts are potentially significant and why they would continue past the short-term construction periods in the EIR.

3.0 COMMENTS AND RESPONSE TO COMMENTS

**TABLE 1.0-1
SUMMARY OF NOP COMMENTS**

Agency/Individual	Issue Noted or Area of Controversy
Garratt Aitchison, District Superintendent State of California, Department of Parks and Recreation - Colorado Desert District <u>Ocotillo Wells District</u>	Address proximity effects from this project on the camping, visual, interpretive and public safety operations at the OWSVRA. <ul style="list-style-type: none"> • 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. <p>Requests 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.</p> <p><i>The above issues are addressed as appropriate throughout the document including Sections 4.1 Aesthetics, 4.3 Transportation and Circulation, 4.4 Air Quality, 4.5 Climate Change, 4.7 Cultural Resources, 4.8 Noise, 4.11 Hydrology and Water Quality, and Section 4.12 Biological Resources.</i></p>

Response to Comment 3-8: The Commenter states that the analysis in the Draft EIR does not consider the camping near the intersection of Poleline Road and SR 78 in the Aesthetics section. The Commenter asserts that campers in this area would be looking at the Project from the northeast which may not be sufficiently blocked by tamarisk. The Commenter requests that the EIR address potential impacts to camping within the OWSVRA.

The Commenter correctly states that camping was not considered in the Draft EIR. Campgrounds are located on the north side of SR 78 which is more one-and-a-half miles away from the proposed Project. Views directly south from the intersection of Poleline Road and SR 78 would be obscured by the presence of the Anza Substation in the foreground on the south side of SR 78. Tamarisk along the northern boundary of the Seville 4 Project site, in combination with the distance of the site from the campgrounds, would serve to obscure views of the Project from campers. It should also be noted that the existing solar facilities developed as part of the Seville Solar Farm Complex are approximately one-half mile south of SR 78 and partially obscured by a row of tamarisk extending east-west along the northern boundary of the facilities. At this distance, the existing facility is barely visible looking south from SR 78.

Response to Comment 3-9: The Commenter requests clarification regarding a statement on page 4.2-2 of the Draft EIR regarding access to the Project site. The Commenter states that the Ocotillo Wells District Office is approximately 20 miles west of SR 86 and that the OWSVRA can be accessed from two locations near the Project. The text on page 4.2-2 of the Draft EIR has been revised as follows to provide clarification:

“The OWSVRA can be accessed from multiple locations along SR 78, including Road 183 (Tarantula Wash) and Road 191 near the Project site. The Ocotillo Wells District Office is approximately 20 miles west of SR 86 (BLM n.d.).”

3.0 COMMENTS AND RESPONSE TO COMMENTS

Response to Comment 3-10: The Commenter states that Road 191 is not under the ownership of the OWSVRA. The Commenter also notes that there are two roads parallel to Road 191. The text on page 4.7-8 of the Draft EIR has been revised to clarify the text in response to this comment.

“P-13-001266 / IMP-1266 (Including subsumed P-13-008587 / IMP-8010)

Only a small portion of P-13-001266/IMP-1266 intersects the survey area, including the previously subsumed resource P-13-008587/IMP-8010. Approximately 60 buffware body sherds were identified within the portion of the site that lies with the survey area. A small percentage of the buffware body sherds show evidence of burning. P-13-001266/IMP-1266 also includes one grayware body sherd; five wonderstone interior flakes; 10+ volcanic interior flakes; six quartzite interior flakes; three obsidian interior flakes; one petrified wood interior flake; one jasper primary flake; and five fire-affected rocks (FAR). The site has been impacted by vehicular traffic along Road 191 (~~an OWSVRA road~~, refer to Figure 4.2-1 in Section 4.2, Land Use), which cuts through the western boundary of the site. Two roads parallel Road 191: one is maintained by the Imperial Irrigation District and the other is maintained by State Parks.”

Response to Comment 3-11: The Commenter is concerned that the EIR’s conclusion that there are no Flat-Tailed Horned Lizards on the site based on only one survey may not be sufficient. The Commenter suggests that avoidance measures be defined or that this species be included in a Worker Awareness Training. Mitigation Measure MM 4.12.4b on page 4.12-38 of the Draft EIR regarding Loggerhead Shrike states in part that “The Applicant shall develop and implement a Worker Environmental Awareness Program (WEAP) prior to the start of construction”. Page 4.12-37 of the Draft EIR indicated that while no specific mitigation measures are required for Flat-Tailed Horned Lizards, Worker Environmental Awareness Program training (refer to mitigation measure MM 4.12.4b) would educate construction workers to be watchful of flat-tailed horned lizard during construction activities.” In addition, page 4.12-45 of the Draft EIR explicitly states “...flat-tailed horned lizard would be included in the Worker Environmental Awareness Program for the Project and monitors would be vigilant to report any siting of flat-tailed horned lizard during construction.”

Response to Comment 3-12: The Commenter requests that the Lead Agency and Project Proponent continue to work with State Parks. This comment is noted.

Response to Comment 3-13: Commenter provides closing remarks and contact information. No response is required.

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS

DEPARTMENT OF TRANSPORTATION

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
PHONE (619) 688-6960
FAX (619) 688-4299
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

LETTER 4

August 28, 2018

11-IMP-78
PM 6.03
Seville 4 Solar Project
SCH# 2017061062
DEIR

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

Dear Ms. Valenzuela:

Thank you for including the California Department of Transportation (Caltrans) in the Draft Environmental Impact Report (DEIR). The project is located in the State Route 78 (SR-78). West of State Route 86. 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.

4-1

Caltrans has the following comments:

The complex was developed with a primary access road extending south from SR-78 and internal access roads across portions of the Property to each lot. The primary access has 30-foot double swing gates with a coded entry and "Knox Box" over-ride." Additionally, Section 4.3.2 Impact, states that this access off of SR-78 is an existing access road and no new driveways or other design features are proposed that would impact SR-78 or infringe upon emergency access. It is also stated that it would be used as the primary construction and permanent access for the Project with an anticipated low Project trip generation (8 daily trips and 4 peak hour trips). Therefore, it is understood that no new access is being proposed on SR-78 for this project.

4-2

4-3

4-4

Hauling

Project work that requires use of oversized or excessive load vehicles on State roadways requires a transportation permit. Caltrans may, upon permit application and if good cause appears, issue a special permit to operate or move a vehicle or combination of vehicles or special mobile equipment of a size or weight of vehicle or load exceeding the maximum limitations specified in the California Vehicle Code. See the weight limitation table at the following link:

4-5

<http://www.dot.ca.gov/trafficops/trucks/weight.html>

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

3.0 COMMENTS AND RESPONSE TO COMMENTS

Ms. Patricia Valenzuela,
August 28, 2018
Page 2

The Caltrans Transportation Permits Issuance Branch is responsible for the issuance of these special transportation permits for oversize/overweight vehicles on the State Highway System.

4-5
Con't

Please contact the Caltrans Transportation Permits Issuance Branch, Sacramento, CA (916) 322-1297. Additional information is provided online at:
<http://www.dot.ca.gov/trafficops/permits/index.html>

If it is determined that traffic restrictions and detours are needed on or affecting State highways, a Transportation Management Plan (TMP) or construction Traffic Impact Study (TIS) may be required of the developer for approval by Caltrans prior to construction. TMPs must be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*. Further information is available for download at the following web address:
http://www.dot.ca.gov/trafficops/tm/docs/TMP_Guidelines.pdf

4-6

Utilities

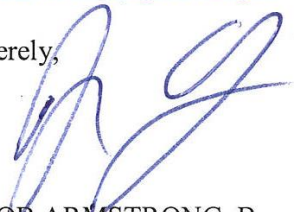
It is understood that no new utility crossings on State Facilities will occur as a result of this project. However, if any work is performed within Caltrans' Right-of-Way (R/W), an encroachment permit will be required.

4-7

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

4-8

Sincerely,



JACOB ARMSTRONG, Branch Chief
Local Development and Intergovernmental Review Branch

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 4

Commenter: Jacob Armstrong, Branch Chief, Local Development and Intergovernmental Review Branch, California Department of Transportation

Date of Letter: August 28, 2018

Response to Comment 4-1: The Commenter provides introductory remarks explaining the Local Development-Intergovernmental Review Program. This comment is noted.

Response to Comment 4-2: The Commenter notes that the Project was developed with a primary access road extending south from SR 78. The primary access has 30-foot double swing gates with a “Knox Box.” This comment is noted.

Response to Comment 4-3: The Commenter notes that the access off of SR 78 is an existing access road and no new driveways or other design features are proposed that would infringe upon emergency access. This comment is noted.

Response to Comment 4-4: The Commenter notes that SR 78 would be used as the primary construction and permanent access for the Project with a trip generation of 8 daily trips and 4 peak hour trips. No new access is being proposed on SR 78 for the Project. This comment is noted.

Response to Comment 4-5: The Commenter provides information regarding permits for oversized or excessive load vehicles. A permit is needed for oversize loads and, if warranted, a special permit may be issued. This comment is noted.

Response to Comment 4-6: The Commenter provides information regarding traffic restrictions or detours. A Traffic Impact Study was prepared for the Project and is discussed in Section 4.3, Transportation and Circulation of the Draft EIR. If a Transportation Management Plan (TMP) is required, the Commenter states that the TMP must be prepared in accordance with Caltrans’ Manual on Uniform Traffic Control Devices. A link to a website is provided. This comment is noted.

Response to Comment 4-7: The Commenter states that no new utility crossings on State Facilities will occur as a result of this Project. However, if any work is performed within Caltrans Right-of-Way, an encroachment permit will be required. This comment is noted.

Response to Comment 4-8: The Commenter provides closing remarks and contact information. No response is required.

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

LETTER 5

August 28, 2018

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

Subject: Seville 4 Solar Project
SCH#: 2017061062

Dear Patricia Valenzuela:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 27, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

5-1
5-2

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

RECEIVED
AUG 29 2018
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
1400 10TH STREET, SACRAMENTO, CA 95812-3044

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
1-916-322-2318 FAX 1-916-558-3184 www.opr.ca.gov

3.0 COMMENTS AND RESPONSE TO COMMENTS

Document Details Report State Clearinghouse Data Base

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

Type EIR Draft EIR

Description The project consists of the construction, operation and reclamation of a 146 or 174-acre, 20 MW solar PV energy project on 572.10 acres in a portion of Imperial County APN 018-170-057-000, Lot 8 of Tract Map No. 00988 in west-central. 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.). The project will connect to the existing substation via a tie-in at Lot 3 to an existing pole line that connects the Seville 3 Solar Project to the substation. A 20,000-gallon water tank for fire protection and 14-acre retention basin for stormwater are also proposed on the site.

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
Lat / Long 33° 6' 40.5" N / 116° 0' 7.39" W
Cross Streets 8 mi west of junction of SR 78 and SR 98
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 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; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 6; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 11; Regional Water Quality Control Board, Region 7; California Energy Commission; Native American Heritage Commission; Public Utilities Commission

Date Received 07/13/2018 **Start of Review** 07/13/2018 **End of Review** 08/27/2018

Note: Blanks in data fields result from insufficient information provided by lead agency.

3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 5

Commenter: Scott Morgan, Director, State Clearinghouse

Date of Letter: August 28, 2018

Response to Comment 5-1: The Commenter indicates that the Draft EIR was circulated to State agencies for review and that the Project has complied with State Clearinghouse review requirements pursuant to CEQA. This comment is noted.

Response to Comment 5-2: The Commenter provides contact information for the State Clearinghouse. No response is required.

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS

H NINTH STREET
RO, CA 92243-2850

TELEPHONE: (442) 265-1800
FAX: (442) 265-1799

AIR POLLUTION CONTROL DISTRICT



August 31, 2018

LETTER 6

RECEIVED

AUG 31 2018

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

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

SUBJECT: Notice of Availability of Draft EIR for Seville 4 Solar Project

Dear Mr. Minnick,

On July 12, 2018, The Air District received a Notice of Availability of the Draft Environmental Impact Report (DEIR) for Seville 4 Solar Project. Upon further review, the DEIR indicated that the proposed project consists of the construction, operation, and reclamation of a 20 MW solar generation facility, which will use either thin film or crystalline solar photovoltaic (PV) technology modules mounted on either fixed frames or horizontal single-axis tracker (HSAT) systems.

6-1

More specifically, the fixed-frame configuration would require 146 acres of land including 128 acres for the panels and an 18-acre retention basin in the southeast portion of the project site. The HSAT configuration would require 174 acres of land including 156 acres for panels and six retention basins totaling 18-acres. A direct current (DC) collection system, which would be routed underground, would collect the electricity generated by the PV modules. The electrical energy produced would be conducted to the proposed Seville 4 Substation from the project collection station via the proposed aboveground 34.5 kV gen-tie line. A new project substation would be constructed and would take delivery of the 34.5 kV power from the project collection station gen-tie line and increase the voltage of the electricity to 92 kV for metering and delivery to the IID electrical grid. 8-foot high security fencing would be installed around the perimeter of the project site. Primary access to the property would be available via an existing private access road from the north off SR-78. Internal to the project site, 20-foot wide roads would be developed between the PV arrays as well as around the perimeter of the project site inside the perimeter security fence. These roads would provide access to all areas for maintenance and emergency vehicles.

6-2

After review, the Air District would like to make the following comments:

When exploring the impacts of renewable projects, it is a common misconception to believe that these types of projects are not a significant source of air pollution. While it is true that renewable projects are typically cleaner projects during their operational phases, in most cases construction and cumulative impacts still exist. PM₁₀ and NO_x emissions are the primary pollutants of concern for the construction and operational phases of these types of projects. This is due to the shorter construction periods of these types of renewable projects, which tend to cause high levels of NO_x emissions because of the use of large amounts of construction equipment, as well as high levels of PM₁₀ during earthmoving activities.

6-3

For construction related impacts, the Air District cannot concur with the "less than cumulatively considerable" finding provided in the DEIR. Elevated levels of PM₁₀ and NO_x have been observed during construction of renewable energy projects in the past. This is mainly due to the high number of construction

6-4

AN EQUAL OPPORTUNITY / AFFIRMATIVE ACTION EMPLOYER

3.0 COMMENTS AND RESPONSE TO COMMENTS

equipment onsite and in use during the construction phase of these projects. Most of the time, the NO_x emissions from the use of heavy-duty equipment will exceed the 100 lbs/day threshold of significance for construction activities. It is for this reason the Air District adopted Policy 5. Policy 5 allows projects like these to mitigate construction related air quality impacts by allowing project proponents to offset excess NO_x emissions by payment of an in-lieu fee. While the DEIR does briefly mention Policy 5 on page 4.4-8, it provides no commitment. In order for the project to maintain a less than significant finding, it must abide by Policy 5. As part of Policy 5, submittal of monthly construction equipment lists will be required during the construction phase of the project in order to assure that thresholds of significance for NO_x have not been exceeded during construction activities. If the Air District's emission analysis does find that thresholds of significance for NO_x have been exceeded during construction activities, in order for the applicant to maintain a less than significant finding, the project proponent may choose to offset excess emissions under Policy 5 by implementing an offsite mitigation project, payment of in-lieu fee, or both.

6-4
con't

Regarding PM₁₀ construction emissions, the Air District would like to clarify that mitigation measures found of page 4.4-36 of the DEIR are already required as part of the Air District's Fugitive Dust Regulation VIII. Additionally, it should be noted that since CalEEMod was used in determining construction related impacts, by default CalEEMod only allows a 50% reduction of PM₁₀ emissions regardless of the amount of daily watering. Therefore, the findings for construction impacts in the DEIR are inconsistent. However, compliance can be achieved by the submittal of a Dust Control Plan for Air District approval.

6-5

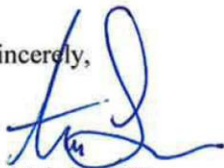
In regards to operations, the Air District cannot concur with the "less than cumulatively considerable" finding provided in the DEIR. This is because, as you may already know, Imperial County is a nonattainment area for PM₁₀ and experiences high wind events multiple times throughout the year. The project will be located in a known PM₁₀ emitting area. Although the DEIR indicated the use of chemical stabilization agents (soil binders), to assure the continued application of Best Available Control Measures (BACM), the Air District requires an Operational Dust Control Plan (ODCP) detailing how dust emissions will be controlled and maintained during the operational phase of the project. Additionally, as part of the ODCP, a site visit to confirm the elements of any draft ODCP will also be required before the Air District can concur with the Certificate of Occupancy. After this, no less than a 12-month site visit will typically occur. Please note that an ODCP is intended to provide pertinent information specific to your operation for the reduction of fugitive dust emissions created by the ongoing operations at your facility.

6-6

Air District Rules and Regulations can be found on our website at www.co.imperial.ca.us/AirPollution under the "Planning" tab. Should the applicant have any further questions, please contact our office at (442) 265-1800.

6-7

Sincerely,



Axel Salas, EIT
APC Environmental Coordinator

3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 6

Commenter: Axel Salas, EIT, APC Environmental Coordinator, Imperial County Air Pollution Control District

Date of Letter: August 31, 2018

Response to Comment 6-1: The Commenter provides introductory comments. No response is required.

Response to Comment 6-2: The Commenter describes the Project. No substantive comment on the Draft EIR is provided. No response is required.

Response to Comment 6-3: The Commenter asserts that that shorter construction periods of renewable energy Projects tend to cause high levels of NO_x and PM₁₀ emissions. This comment does not address a substantive issue with regard to the analysis of Air Quality contained in the Draft EIR. This comment is noted for the decision-makers consideration.

Response to Comment 6-4: The Commenter states that the ICAPCD cannot concur with a “less than cumulative considerable” finding with regard to PM₁₀ and NO_x. Additional language has been added to the text of Impact 4.4.4 on page 4.4-40 of the Draft EIR and the subsequent construction impact discussion to address the comment.

“Violate air Quality Standard/Cause Air Quality Violation

Impact 4.4.4 The proposed Project would generate criteria pollutant emissions during construction. However, the short-term construction emissions exceedances of ICAPCD thresholds would be mitigated with implementation of mitigation measures, including those in the ICAPCD’s Policy 5. Operational emissions would not exceed ICAPCD thresholds but would still incorporate Applicant-proposed measures, including the requirement for the adoption of an Operational Dust Control Plan (ODCP) detailing how dust emissions will be controlled and maintained during the operational phase of the project, to reduce dust. Therefore, the proposed Project would result in a **less than cumulatively considerable impact** with regard to violating an air quality standard.”

Construction

The projects listed in Table 3.0-1 are large scale renewable energy projects. As such, the majority of air emissions from these projects would be generated during construction with drastically reduced emissions occurring during operations and maintenance.

The construction phase of the proposed Project may contribute to a net increase in criteria pollutants PM₁₀. As noted above, the Imperial Valley is classified as non-attainment for federal and state PM₁₀ standards. Thus, the Project’s contribution to existing criteria pollutants could be cumulatively considerable without mitigation. However, as described under Impact 4.4.1 above, implementation of mitigation measures MM 4.4.1a, MM 4.4.1b and MM 4.4.1c, and ICAPCD’s Policy 5, would reduce construction-phase PM₁₀ and NO_x emissions to less than significant levels, resulting in a **less than cumulatively considerable contribution** to existing criteria pollutants. In addition, all other cumulative projects are required to comply with Regulation VIII and would also be assumed to implement mitigation measures to reduce their individual construction air quality emissions. In this way, each individual cumulative project would reduce construction emissions on a project-by-project basis resulting in less than cumulatively considerable contributions to

3.0 COMMENTS AND RESPONSE TO COMMENTS

existing criteria pollutants. Because the proposed Project would mitigate air quality emissions associated with construction, and other cumulative projects would also mitigate construction emissions on a project-by-project basis, emissions resulting in a violation of an air quality standard would be reduced to **less than cumulatively considerable.**”

Response to Comment 6-5: The ICAPCD clarifies that the mitigation measures found of page 4.4-36 of the Draft EIR are already required as part of the ICAPCD’s Fugitive Dust Regulation VIII. The Commenter further notes that CalEEMod by default only allows a 50% reduction of PM10 emissions regardless of the amount of daily watering. The Commenter goes on to state that findings for construction impacts in the Draft EIR are inconsistent, but that compliance can be achieved by submitting a Dust Control Plan for to the Air District for approval. This comment is noted for the decision-makers consideration.

Response to Comment 6-6: The Commenter states that the ICAPCD cannot concur with a “less than cumulative considerable” finding with regard to operational emissions. Page 4.4-41 of the Draft EIR has been revised to include language regarding application of Best Available Control Measures (BACM) and the requirement of an Operational Dust Control Plan (ODCP) has been added to the operational discussion in response to the comment.

“Operation

Emissions resulting from operations of the Project for all criteria pollutants would be limited and very low in number (limit operational maintenance, periodic panel washing). Such levels of emissions should not cause localized exceedances or contribute cumulatively to existing exceedances of the State or federal ozone and PM10 standards. Further, the Project would implement Applicant-proposed mitigation measures to periodically apply chemical stabilization agents (soil binders) to exposed soil surfaces during operations. Finally, to assure the continued application of Best Available Control Measures (BACM), the ICAPCD requires the submittal and compliance with an Operational Dust Control Plan (ODCP) detailing how dust emissions will be controlled and maintained during the operational phase of the project. Therefore, the proposed Project would result in a **less than cumulatively considerable contribution** to air quality standard violations during operations. Moreover, operation of the proposed Project, in combination with other cumulative projects identified in Table 3.0-1, would result in **less than cumulatively considerable** impacts to air quality standards and air quality violations.”

Response to Comment 6-7: The comment provides a link to the ICAPCD’s website with Air District Rules and Regulations and provides contact information. This comment is noted.

3.0 COMMENTS AND RESPONSE TO COMMENTS



COUNTY OF IMPERIAL

DEPARTMENT OF PUBLIC WORKS

155 S. 11th Street El Centro, CA 92243

Tel: (442) 265-1818 Fax: (442) 265-1858

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Public Works works for the Public

August 31, 2018

LETTER 7

Imperial County Planning & Development Services
Mr. Jim Minnick, Director
801 Main Street
El Centro, CA 92243

Attention: David Black, Planner IV

SUBJECT: Draft EIR for Seville 4 Solar.
GPA 17-0002/ZC17-0001/CUP 17-0006
Located 8 miles west of the junction of SR 78 and SR 86.
APN 018-170-057-000

Dear Mr. Minnick:

This letter is in response to your submittal received by this Department on July 12, 2018 for the above mentioned project. The applicant proposes to construct, operate a 20-MW solar photovoltaic energy project on approximately 146 or 174 acres in Lot B of Tract Map 60938.

7-1

Department staff has reviewed the package information and the following comments shall be addressed:

Draft EIR:

Traffic Impact Analysis Review Comments.

7-2

- 1. The proposed project location is South of SR 78, there are no County roads in the nearby vicinity. Caltrans should be contacted for any traffic concerns along SR 78, HWY 86 and project entrance.
2. It is notice that all the appendices are not included.

7-3

The Following Conditions will be required as the project moves through the permitting process.

- 1. All of the conditions as applicable required under Tract 988, as recorded by the Board of Supervisors on October 21, 2014, M.O. #33e of Imperial County shall remain the same. (As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).
2. The applicant shall furnish a Drainage and Grading Plan/Study to provide for property grading and drainage control, which shall also include prevention of sedimentation of damage to off-site properties. The Study/Plan shall be submitted to the Department of Public Works for review and approval. The applicant shall implement the approved plan. Employment of the appropriate Best Management Practices (BMP's) shall be included. (Per Imperial County Code of Ordinances, Chapter 12.10.020 B).
3. No road right of way conditions required. (As directed by Imperial County Board of Supervisors per Minute Order #6 dated 11/22/1994 per the Imperial County Circulation Element Plan of the General Plan).

7-4

PRIVATE PROJECTS ADMIN(2) PRIVATE PROJECTS SEVILLE SOLAR PLANT DEIR Seville Solar Final DEIR 1st Review DEIR - Seville 4 Solar (draft).docx

3.0 COMMENTS AND RESPONSE TO COMMENTS

7-4
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4. Each parcel created or affected by this project shall abut a maintained road and/or have legal and physical access to a public road before the project documents are recorded.
5. The applicant for grading plans and/or improvement plans is responsible for researching, protecting, and preserving survey monuments per the Professional Land Surveyor's Act (8771 (b)). This shall include a copy of the referenced survey map and tie card(s) (if applicable) for all monuments that may be impacted by the project whether it be on-site or off-site.
6. At time of development, if required, **by Section 8762(b) of the Professional Land Surveyors Act**, a record of survey shall be filed with the County Recorder of Imperial County.
7. As-Built Plans shall be required prior to ICPWD signing the final Certificate of Occupancy letter.

INFORMATIVE:

The following items are for informational purposes only. The applicant is responsible to determine if the enclosed items affect the subject project.

7-5

- All solid and hazardous waste shall be disposed of in an approved solid waste disposal site in accordance with existing County, State and Federal regulations. **(Per Imperial County Code of Ordinances, Chapter 8.72).**
- All on-site traffic area shall be hard surfaced to provide all weather access for fire protection vehicles. Fire/OES Standards as well as those of the Air Pollution Control District (APCD). **(Per Imperial County Code of Ordinances, Chapter 12.10.020 A).**
- The project may require a National Pollutant Discharge Elimination System (NPDES) permit and Notice of Intent (NOI) from the Regional Water Quality Control Board (RWQCB) prior to County approval of onsite grading plan **(40 FR 122.28).**
- Public Works requests that the project proponent be aware of all survey land control monument, property and right of way monuments, general land office (GLO) corners, vertical control monuments and horizontal control monuments in the area of construction. If the monuments are in or near the proposed area of construction and may be destroyed, damaged, covered or in any way disturbed; they shall provide a Record of survey and/or corner record card prior to and again after construction and reconstruct said monument with a durable monument in the exact location as prior to construction. Preservation and perpetuation of these monuments is per **Professional Land Surveyor Act, Article 5, and Section 8771**. Imperial County Public Works Survey office should be visited for research in locating data for the above mentioned monuments.
- A Transportation Permit may be required from road agency(s) having jurisdiction over the haul route(s) for any hauls of heavy equipment and/or large vehicles which impose greater than legal loads on riding surfaces, including bridges. **(Per Imperial County Code of Ordinances, Chapter 12.10.020 B).**
- As this project proceeds through the planning and the approval process, additional comments and/or requirements may apply as more information is received.
- Per Section 12.10.020 - Street Improvement Requirements of Imperial County Ordinance:

P:\PRIVATE PROJECTS ADMIN\2) PRIVATE PROJECTS\DEIR\Seville Solar Farm\Tr 988 ADEIR Seville Solar Farm\ADEIR 1st Review\DEIR - Seville 4 Solar (draft).docx

3.0 COMMENTS AND RESPONSE TO COMMENTS

7-5
con't

a. For the purpose of establishing proper standards, specification and directions for design and construction of any road, or other land division improvements required to be constructed in the unincorporated territory of Imperial County, the document entitled "Engineering Design Guidelines Manual for the Preparation and checking of Street Improvement, Drainage, and Grading Plans within Imperial County" revision dated September 15, 2008, is hereby adopted and made a part of this division by reference, three copies of which are on file in the office of the clerk of the board of supervisors and for use and examination by the public. Copies of the manual can also be found at the Imperial County Department of Public Works.

• Per Section 12.10.030 - Building Permits of Imperial County Ordinance:

a. No building permit for any structure or building or major addition to a building or structure shall be issued until the improvements required by Section 12.10.010 of this chapter have been installed or a deferral agreement has been executed and recorded as provided in Section 12.10.040 of this chapter. In addition, no building permit shall be issued until there has been compliance with Chapter 12.12 of this title and the requirement that an encroachment permit be obtained.

7-6

Should you have any questions, please do not hesitate to contact this office. Thank you for the opportunity to review and comment on this project.

Respectfully,

John A. Gay, PE
Director of Public Works

By:



Manuel Ortiz
Assistant County Engineer

OB/dm

3.0 COMMENTS AND RESPONSE TO COMMENTS

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3.0 COMMENTS AND RESPONSE TO COMMENTS

RESPONSE TO COMMENT LETTER 7

Commenter: Manuel Ortiz, Assistant County Engineer, County of Imperial, Department of Public Works
Date of Letter: August 31, 2018

Response to Comment 7-1: The Commenter provides introductory comments and indicates that the Department of Public Works has reviewed the Draft EIR. This comment is noted.

Response to Comment 7-2: The Commenter states that there are no County roads in the vicinity of the Project and indicates that Caltrans should be contracted for any traffic concerns along SR 78, Highway 86 and the project entrance. The analysis in the Draft EIR notes that no new access driveways would be constructed off of SR 78. Caltrans has also provided a letter on the Project (refer to Letter 4). Access off SR 78 is discussed as part of Response to Comment 4-4. This comment is noted.

Response to Comment 7-3: The Commenter states that not all appendices are included. Appendices for the EIR can be found on the County's website: <http://www.icpds.com/?pid=6232>. The Traffic Appendix is Appendix C.

Response to Comment 7-4: The Commenter provides a list of conditions that are required as the Project moves through the permitting process. These conditions do not address the adequacy of the environmental analysis but are noted for the decision-makers consideration.

Response to Comment 7-5: The Commenter provides a list of items for informational purposes only. This list of items does not address the adequacy of the environmental analysis but are noted for the decision-makers consideration.

Response to Comment 7-6: The Commenter provides closing remarks. No response is required.

3.0 COMMENTS AND RESPONSE TO COMMENTS

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CHAPTER 4.0

ERRATA

4.1 INTRODUCTION

This Errata has been prepared in response to additional information that became available subsequent to publication of the Draft EIR for the Seville 4 Solar Project (proposed Project) which was circulated for a 50-day public review period in compliance with Public Resources Code 21091 from July 13 through August 31, 2018.

The minor modifications to the text of the Draft EIR detailed below reflect clarifications that do not constitute significant new information and do not change any of the impact conclusions of the Draft EIR. These minor modifications do not constitute changes to the Project or environmental setting nor would they result in any new significant environmental impacts. In addition, these minor revisions to the text, as described below, would not cause a substantial increase in the severity of any environmental impacts. Rather, these changes merely clarify portions of the text. Amended text is identified by page number. Clarifications to the draft EIR text are shown with underline and text removed from the draft EIR is shown with ~~striketrough~~.

4.2 CHANGES AND EDITS TO THE DRAFT EIR

The following changes and edits represent revisions to information included in the Draft EIR based upon: (1) additional or revised information required to prepare a response to a specific comment; (2) updated information required due to the passage of time; and/or (3) typographical errors. Given the minor changes associated with the document, the information added to the EIR does not meet the requirements for recirculation pursuant to Section 150885.5 of the State CEQA Guidelines.

A brief description of what the change or edit is provided as well as a reference to where the change or edit occurs in the document (page number, paragraph, sentence, table, etc). Changes to the portion of text are included in quotes ("").

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EXECUTIVE SUMMARY

Page ES-7, Table ES-1 Summary of Impacts, mitigation measure MM 4.1.4 has been revised to eliminate the mitigation measure reference.

**TABLE ES-1
SUMMARY OF IMPACTS**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
AIR QUALITY			
<p>Cumulative Visual Impacts Impact 4.1.4 Implementation of the proposed Project, in conjunction with large scale proposed, approved and reasonably foreseeable renewable energy projects in the Imperial Valley and the Ocotillo Wells Solar Project to the west in San Diego County, would alter the visual character of the region, resulting in a change to public views as well as increased daytime glare and nighttime lighting levels. Such impacts are typically addressed on a project-by-project basis. Therefore, cumulative impacts to visual resources are considered less than cumulatively considerable.</p>	LCC	<p>Implement mitigation measure MM 4.1.3a and MM 4.1.3b. <u>None required.</u></p>	LCC

4.0 ERRATA

Page ES-15, Table ES-1 Summary of Impacts, mitigation measure MM 4.6.1 has been revised to change the word “with” to “within”:

**TABLE ES-1
SUMMARY OF IMPACTS**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
GEOLOGY AND SOILS			
Strong Seismic Ground Shaking			
Impact 4.6.1 The primary seismic hazard at the Project area has the potential for strong ground shaking during earthquakes along the San Jacinto-Borrego fault. This is considered a potentially significant impact.	PS	MM 4.6.1 Structures <u>within</u> the Project area shall be designed and constructed in accordance with the 2016 California Building Code (CBC) and ASCE 7-10 Seismic Parameters.	LTS

Page ES-17, Table ES-1 Summary of Impacts, mitigation measure MM 4.6.4c has been revised to change the “periodically” to “as needed”:

**TABLE ES-1
SUMMARY OF IMPACTS**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
GEOLOGY AND SOILS			
		MM 4.6.4c Dressing (fine grading and compacting) of the slopes shall be implemented <u>periodically as needed</u> to fill small rivulets caused by direct rainfall onto the slopes. Surface soils coagulants shall also be considered for wind erosion control of the sandy ground surface.	LTS

Page ES-17, Table ES-1 Summary of Impacts, Impact 4.13.4 has been corrected to match the Impact Statement on page 4.13-11 in Section 4.13, Public Services and Utilities.

**TABLE ES-1
SUMMARY OF IMPACTS**

IMPACT	LEVEL OF IMPACT/ SIGNIFICANCE BEFORE MITIGATION	MITIGATION MEASURES	LEVEL OF IMPACT/ SIGNIFICANCE AFTER MITIGATION
<p>Cumulative Impacts to ICSO Services</p> <p>Impact 4.13.4 Development of the proposed Project, in combination other large-scale proposed, approved and reasonably foreseeable renewable energy projects in Imperial County would result in an increased cumulative demand for law enforcement. and strain current industry standard service levels. However, cumulative projects would not cause the ICSO the need to expand its facilities. Therefore, the proposed Project in combination with other cumulative projects would result in a impacts to law enforcement services are less than cumulatively considerable. impact to ICSO services.</p>	LCC	Implement mitigation measure MM 4.13.3.	LCC

4.0 ERRATA

CHAPTER 1.0, INTRODUCTION

The text in Table 1.0-1 on pages 1.0-13 thru 1.0-15 of the Draft DEIR has been revised as follows in response to identify the correct District.

Agency/Individual	Issue Noted or Area of Controversy
<p>Garratt Aitchison, District Superintendent State of California, Department of Parks and Recreation - Colorado Desert District <u>Ocotillo Wells District</u></p>	<p>Concerned that the proposed Project may result in significant and unavoidable impacts to the Ocotillo Wells State Vehicular Recreation Area (OWSVRA) with regard to the following:</p> <ul style="list-style-type: none"> • Aesthetics <p>The project site is within the view shed of OWSVRA. Water tanks, fencing and security lighting may affect views.</p> <ul style="list-style-type: none"> • Air Quality <p>Methods and treatment of soils in and around the project site both during and after construction (water, binders, etc.) should be identified. Long-term restoration of the bladed area should be discussed.</p> <ul style="list-style-type: none"> • Biological <p>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. Mitigation for these species should be identified in the immediate area and within or adjacent to the project.</p> <p>Fencing could provide predator perching opportunities which could impact flat-tailed horned lizards.</p> <p>Focused surveys should be completed to inform the EIR, as needed.</p> <p>Identify how much undisturbed desert habitat corridors and linkages would be affected.</p> <p>Concerned that loss of connectivity and foraging habitat will significantly impact the park.</p> <p>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.</p> <p>Project proponent should pre-plan for the early reintroduction of native vegetation to expedite in their growth, and increase the visual quality of operational structures.</p> <ul style="list-style-type: none"> • Geology and Soils <p>Provide specific information about the potential application of chemical stabilization agents to be discussed in the EIR.</p>

**TABLE 1.0-1
SUMMARY OF NOP COMMENTS**

Agency/Individual	Issue Noted or Area of Controversy
<p>Garratt Aitchison, District Superintendent State of California, Department of Parks and Recreation - Colorado Desert District <u>Ocotillo Wells District</u></p>	<ul style="list-style-type: none"> • Hydrology and Water Quality The EIR should address the water use by the project and cumulative effects in the area. • Recreation Recreational impacts 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. Potential aesthetic impacts from glare as well as public safety impacts need to be analyzed in the EIR. 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 Inquires if identified truck trips to export or import material to the jobsite, as well as other associated construction traffic, will create the need for traffic control signs/devices for the park visitors as they ingress and egress on State Highway 78. Inquires if the Project restrict or eliminate, either temporarily or permanently, access between OWSVRA and the Superstition OHV area. Inquires how the construction schedule for numerous projects will affect traffic along the 78 corridor over time. Inquires how often will there be periodic maintenance events and the volume of traffic associated with those events. • Tribal Cultural Resources 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. • Noise Address why the noise impacts are potentially significant and why they would continue past the short-term construction periods in the EIR.

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**TABLE 1.0-1
SUMMARY OF NOP COMMENTS**

Agency/Individual	Issue Noted or Area of Controversy
Garratt Aitchison, District Superintendent State of California, Department of Parks and Recreation - Colorado Desert District <u>Ocotillo Wells District</u>	Address proximity effects from this project on the camping, visual, interpretive and public safety operations at the OWSVRA. <ul style="list-style-type: none"> • 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. <p>Requests 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.</p> <p><i>The above issues are addressed as appropriate throughout the document including Sections 4.1 Aesthetics, 4.3 Transportation and Circulation, 4.4 Air Quality, 4.5 Climate Change, 4.7 Cultural Resources, 4.8 Noise, 4.11 Hydrology and Water Quality, and Section 4.12 Biological Resources.</i></p>

Page 1.0-9 of the Draft EIR, the second sentence of the paragraph under the heading 1.8.1 Notice of Preparation has been revised to match the number of letters listed in Table 1.0-1 Summary of NOP Comment Letters:

“~~Seven~~ Eight letters were received in response to the NOP from various agencies and individuals.”

CHAPTER 2.0, PROJECT DESCRIPTION

Page 2.0-3 of the Draft EIR, the second bullet has been revised to correct the section number by adding a period between 91701 and 01.

- “One Zone Change (ZC 17-0001) to add the “RE” Renewable Energy Overlay Zone to the existing “A-2” General Agriculture zone. Pursuant to Section 91701.01 (“RE” RENEWABLE ENERGY OVERLAY ZONE) of Title 9 of the Imperial County Code (Land Use Ordinance), land classified in some other (non-overlay) zone may also be classified in the “RE” Renewable Energy Overlay Zone by the County Board of Supervisors if a future renewable energy project would be located adjacent to the existing “RE” Overlay Zone and the project was not located in a sensitive area and it would not result in any significant environmental impacts.”

Page 2.0-16 of the Draft EIR has been revised to add the following text to the first paragraph at the top of the page:

“Eight-foot high security fencing would be installed around the perimeter of the Project area at the commencement of construction and site access would be limited to authorized site workers. In addition, a motion detection system and closed-circuit camera system may also be installed. The site would be remotely monitored 24 hours per day 7 days per week. In addition, routine unscheduled rounds may be made by the security team monitoring the site.”

Page 2.0-22 of the Draft EIR has been revised to add the following text to the first sentence of the second paragraph under “H. Decommissioning and Reclamation Plans”:

“The sequence for decommissioning would include dismantling and demolition of above-ground structures; concrete removal; removal and dismantling of underground utilities; excavation and removal of soil and final site contour.”

CHAPTER 3.0, INTRODUCTION TO THE ANALYSIS AND ASSUMPTIONS USED

No revisions.

CHAPTER 4.0, ENVIRONMENTAL ANALYSIS

No revisions.

SECTION 4.1, AESTHETICS

No revisions.

SECTION 4.2, LAND USE

Page 4.2-2 of the Draft EIR has been revised as follows to provide clarification regarding access to the OWSVRA off of SR 78.

“The OWSVRA can be accessed from multiple locations along SR 78, including Road 183 (Tarantula Wash) and Road 191 near the Project site. The Ocotillo Wells District Office is approximately 20 miles west of SR 86 ~~(BLM n.d.)~~.”

SECTION 4.3, TRANSPORTATION AND CIRCULATION

No revisions.

SECTION 4.4, AIR QUALITY

Page 4.4-17 of the Draft EIR, Impact 4.4.1 has been revised to remove “of” as follows:

“Conflict with or Obstruct Air Quality Plan/Violate Air Quality Standard

Impact 4.4.1 Implementation of the proposed Project would increase air pollutant emissions during Project construction and operation. The mitigated and unmitigated daily emissions (both winter and summer) of PM₁₀ were calculated to exceed ICAPCD thresholds during construction weeks 3-20 ~~of~~ for both the Fixed-Frame Configuration and HSAT Configuration. No criteria pollutant thresholds were calculated to be exceeded during Project operations. Therefore, the Project’s potential to conflict with or obstruct an air quality plan or violate an air quality standard is considered a **potentially significant impact** during Project construction.”

Page 4.4-40 of the Draft EIR, Impact 4.4.4 and the subsequent construction impact discussion has been revised as follows:

“Violate air Quality Standard/Cause Air Quality Violation

Impact 4.4.4 The proposed Project would generate criteria pollutant emissions during construction. However, the short-term construction emissions exceedances of ICAPCD thresholds would be mitigated with implementation of mitigation measures, including those in the ICAPCD’s Policy 5. Operational emissions would not exceed ICAPCD thresholds but would still incorporate Applicant-proposed

4.0 ERRATA

measures, including the requirement for the adoption of an Operational Dust Control Plan (ODCP) detailing how dust emissions will be controlled and maintained during the operational phase of the project, to reduce dust. Therefore, the proposed Project would result in a **less than cumulatively considerable impact** with regard to violating an air quality standard.”

Construction

The projects listed in Table 3.0-1 are large scale renewable energy projects. As such, the majority of air emissions from these projects would be generated during construction with drastically reduced emissions occurring during operations and maintenance.

The construction phase of the proposed Project may contribute to a net increase in criteria pollutants PM10. As noted above, the Imperial Valley is classified as non-attainment for federal and state PM10 standards. Thus, the Project’s contribution to existing criteria pollutants could be cumulatively considerable without mitigation. However, as described under Impact 4.4.1 above, implementation of mitigation measures MM 4.4.1a, MM 4.4.1b and MM 4.4.1c, and ICAPCD’s Policy 5, would reduce construction-phase PM10 and NOx emissions to less than significant levels, resulting in a **less than cumulatively considerable contribution** to existing criteria pollutants. In addition, all other cumulative projects are required to comply with Regulation VIII and would also be assumed to implement mitigation measures to reduce their individual construction air quality emissions. In this way, each individual cumulative project would reduce construction emissions on a project-by-project basis resulting in less than cumulatively considerable contributions to existing criteria pollutants. Because the proposed Project would mitigate air quality emissions associated with construction, and other cumulative projects would also mitigate construction emissions on a project-by-project basis, emissions resulting in a violation of an air quality standard would be reduced to **less than cumulatively considerable.”**

Page 4.4-41 of the Draft EIR has been revised to include language regarding application of Best Available Control Measures (BACM) and the requirement of an Operational Dust Control Plan (ODCP) has been added to the operational discussion in response to the comment.

“Operation

Emissions resulting from operations of the Project for all criteria pollutants would be limited and very low in number (limit operational maintenance, periodic panel washing). Such levels of emissions should not cause localized exceedances or contribute cumulatively to existing exceedances of the State or federal ozone and PM10 standards. Further, the Project would implement Applicant-proposed mitigation measures to periodically apply chemical stabilization agents (soil binders) to exposed soil surfaces during operations. Finally, to assure the continued application of Best Available Control Measures (BACM), the ICAPCD requires the submittal and compliance with an Operational Dust Control Plan (ODCP) detailing how dust emissions will be controlled and maintained during the operational phase of the project. Therefore, the proposed Project would result in a **less than cumulatively considerable contribution** to air quality standard violations during operations. Moreover, operation of the proposed Project, in combination with other cumulative projects identified in Table 3.0-1, would result in **less than cumulatively considerable** impacts to air quality standards and air quality violations.”

SECTION 4.5, CLIMATE CHANGE AND GREENHOUSE GASES

No revisions.

SECTION 4.6, GEOLOGY AND SOILS

No revisions.

SECTION 4.7, CULTURAL RESOURCES, TRIBAL CULTURAL RESOURCES AND PALEONTOLOGICAL RESOURCES

Page 4.7-18 of the Draft EIR has been revised to clarify the roads parallel to Road 191:

“P-13-001266 / IMP-1266 (Including subsumed P-13-008587 / IMP-8010)

Only a small portion of P-13-001266/IMP-1266 intersects the survey area, including the previously subsumed resource P-13-008587/IMP-8010. Approximately 60 buffware body sherds were identified within the portion of the site that lies with the survey area. A small percentage of the buffware body sherds show evidence of burning. P-13-001266/IMP-1266 also includes one grayware body sherd; five wonderstone interior flakes; 10+ volcanic interior flakes; six quartzite interior flakes; three obsidian interior flakes; one petrified wood interior flake; one jasper primary flake; and five fire-affected rocks (FAR). The site has been impacted by vehicular traffic along Road 191 (an ~~OWSVRA~~ road, refer to Figure 4.2-1 in Section 4.2, Land Use), which cuts through the western boundary of the site. Two roads parallel Road 191: one is maintained by the Imperial Irrigation District and the other is maintained by State Parks.”

SECTION 4.8, NOISE

No revisions.

SECTION 4.9, AGRICULTURAL RESOURCES

No revisions.

SECTION 4.10, HAZARDS AND HAZARDOUS MATERIALS

No revisions.

SECTION 4.11, HYDROLOGY AND WATER QUALITY

No revisions.

SECTION 4.12, BIOLOGICAL RESOURCES

Due to a printing error, pages 4.12-15 thru 4.12-48 of Section 4.12 Biological Resources, were inadvertently omitted from the Draft EIR. These pages included the discussion of Impacts and Mitigation Measures. The information provided in pages 4.12-15 thru 4.12-48 of Section 4.12 Biological Resources while informative, did not deprive the public of meaningful opportunity to comment on the impacts and mitigation measures as these were included in the Executive Summary Table of the Draft EIR.

Page 4.12-12 of the Draft EIR, the last sentence of the paragraph under “Survey Area Characteristics” has been revised to correct the references to the site photographs:

“Representative site photographs are presented below in ~~Figures~~ Photos 4.12-1 through 4.12-5 ~~6.~~”

SECTION 4.13, PUBLIC SERVICES AND UTILITIES

No revisions.

CHAPTER 5.0, CUMULATIVE IMPACTS SUMMARY

No revisions.

4.0 ERRATA

CHAPTER 6.0, ALTERNATIVES

No revisions.

CHAPTER 7.0, OTHER CEQA REQUIRED CONSIDERATIONS

No revisions.

CHAPTER 8.0, LIST OF PREPARERS

Page 8.0-1, the following correction has been made.

“COUNTY OF IMPERIAL

Jim Minnick, ~~Interim~~ Director of Planning and Development Services”

CHAPTER 9.0, REFERENCES

No revisions.

CHAPTER 5.0

MITIGATION MONITORING AND REPORTING PROGRAM

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

5.1 INTRODUCTION

This document is the Final Mitigation Monitoring and Reporting Program (FMMRP) for the Seville 4 Solar Project. This FMMRP has been prepared pursuant to Section 21081.6 of the California Public Resources Code, which requires public agencies to “adopt a reporting and monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment.” A Final MMRP is required for the proposed Project because the EIR identified significant adverse impacts and mitigation measures have been identified to address these impacts. The numbering of the individual mitigation measures follows the numbering sequence as found in the Final EIR. All revisions to mitigation measures that were necessary, as a result of responding to public comments and incorporating staff-initiated revisions have been incorporated into this FMMRP.

5.2 MITIGATION MONITORING AND REPORTING PROGRAM

The FMMRP, as outlined in the table beginning on page 5.0-3, describes mitigation timing, monitoring responsibilities, and compliance verification responsibility for all mitigation measures identified in this Final EIR. The County of Imperial will be the primary agency, but not the only agency responsible for implementing the mitigation measures. In some cases, other public agencies will implement measures. In other cases, the project applicant will be responsible for implementation of measures and the County’s role is exclusively to monitor the implementation of the measures. In such cases, the project applicant may choose to require the construction contractor to implement specific mitigation measures prior to and/or during construction. The County will continue to monitor mitigation measures that are required to be implemented during the operation of the project.

The FMMRP is presented in tabular form on the following pages. The components of the FMMRP are described briefly below:

Mitigation Measures: The mitigation measures are taken from the Draft EIR, in the same order that they appear in the Draft EIR. The Final MMRP incorporates revisions to mitigation measures as well as any new mitigation measures that were necessitated as part of response to comments or the Errata.

Mitigation Timing: Identifies at which stage of the Project mitigation must be completed.

Monitoring Responsibility: Identifies the department within the County, project applicant, or consultant responsible for mitigation monitoring.

Compliance Verification Responsibility: Identifies the department of the County or other State agency responsible for verifying compliance with the mitigation. In some cases, verification will include contact with responsible state and federal agencies.

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

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5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
AIR QUALITY				
MM 4.4.1a	<p>Compliance with ICAPCD Regulation VIII</p> <p>The Project Applicant shall prepare a Dust Control Plan for control of fugitive dust during construction as required by ICAPCD Regulation VIII. The Dust Control Plan shall also include dust control measures to be implemented during the operation and maintenance phase of the Project. The Dust Control Plan shall address construction and earthmoving activities, track-out, open areas and unpaved roads. The Dust Control Plan shall also include information on the dust suppressants to be applied and the specific surface treatment(s) and/or control measures to be utilized to control track-out where unpaved and/or access points join paved public access roads. The Dust Control Plan shall be submitted for ICAPCD review prior to any earthmoving activities.</p> <p>As noted in the Methodology discussion, all construction activity CalEEMod modeling was done incorporating on-site watering three times daily during the grading activities. Accordingly, the following mitigation measures shall be employed:</p>	<i>Imperial County Planning and Development Services Department and ICAPCD.</i>	<i>Submittal of Dust Control Plan to ICAPCD for review prior to any earthmoving activities; Implementation of Dust Control Plan during construction and operation/maintenance phases as specified in the Dust Control Plan.</i>	
MM 4.4.1b	To reduce fugitive dust, water shall be applied to the all-weather private road at least three times per day and speeds shall be limited to 25 mph during construction.	<i>Imperial County Planning and Development Services Department and ICAPCD.</i>	<i>During construction of the all-weather private road.</i>	
MM 4.4.1c	<p>CalEEMod Construction-Phase Mitigation</p> <ul style="list-style-type: none"> Actively disturbed areas on the Project site would also be watered at least three times a day as necessary to reduce fugitive dust emissions during grading, racking installation, panel installation, system wiring and trenching and inverter installation. 	<i>Imperial County Planning and Development Services Department and ICAPCD.</i>	<i>During grading, racking installation, panel installation, system wiring and trenching and inverter installation.</i>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
GEOLOGY AND SOILS				
MM 4.6.1	Structures within the Project area shall be designed and constructed in accordance with the 2016 California Building Code (CBC) and ASCE 7-10 Seismic Parameters.	<i>Imperial County Planning and Development Services Department and Imperial County Department of Public Works.</i>	<i>Prior to approval of final building plans/As part of Project design.</i>	
MM 4.6.4a	All permanent slopes shall not be steeper than 3:1 to reduce wind and rain erosion. Protected slopes with ground cover may be as steep as 2:1. Note: Maintenance with motorized equipment may not be possible at this inclination.	<i>Imperial County Planning and Development Services Department and Imperial County Department of Public Works</i>	<i>Prior to approval of grading plans/During grading</i>	
MM 4.6.4b	Low slope angles (less than 3H:1V) shall be used for unprotected slopes. Where significant exposure is expected, addition of cement to the soil or concrete filled rock facing shall be employed to create a cemented mass that is resistant to water movement.	<i>Imperial County Planning and Development Services Department and Imperial County Department of Public Works</i>	<i>Prior to approval of grading plans/During grading</i>	
MM 4.6.4c	Dressing (fine grading and compacting) of the slopes shall be implemented as needed to fill small rivulets caused by direct rainfall onto the slopes. Surface soils coagulants shall also be considered for wind erosion control of the sandy ground surface	<i>Imperial County Planning and Development Services Department</i>	<i>As needed following rain events/During Project operation</i>	
MM 4.6.6	The Project shall implement the recommendations of the Geotechnical Report regarding structural concrete, non-structural concrete, concrete mixes and corrosivity, driven pile design criteria, settlement, excavations, stormwater detention basin berms, lateral earth pressures, seismic design, soil erosion factors for SWPPP, and all-weather access roadways.	<i>Imperial County Planning and Development Services Department, Division of Building & Safety</i>	<i>Prior to issuance of building permit/during construction</i>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
CULTURAL RESOURCES				
MM 4.7.3a	If avoidance of archaeological sites P-13-008029 (subsumed 08587)/CA-IMP-1266 (subsumed 8010), P-13-008586/CA-IMP-8009, P-13-008606/CA-IMP-8089, P-13-009941/CA-IMP-10004, P-13-009942/CA-IMP-10005, P-13-014438, JL_S_1, JL_S_2, JL_S_3, JL_S_4, JL_S_5, JL_S_6, JL_S_7, JL_S_8, JL_I_3, JL_I_4, JL_I_6A and JL_I_6B is not possible, a formal evaluation for eligibility for the CRHR under CEQA Guidelines and the Imperial County General Plan Renewable Energy and Transmission Element MMRP CUL-1d (Site Characterization, Sitting and Design and Construction) shall be undertaken. Evaluation shall include a combination of surface mapping and collection, excavation, and special analyses designed to understand site formation and human habitation of the resource in a regional context.	<i>Imperial County Department of Planning and Development Services</i>	<i>Avoidance, during construction/ Evaluation by Qualified Archaeologist prior to construction</i>	
MM 4.7.3b	In keeping with mitigation measures CUL-1d and CUL-3 of the MMRP for the Final Programmatic Environmental Impact Report for the Imperial County Renewable Energy and Transmission Element Update, Imperial County, California, construction monitoring by a qualified archaeologist and a local Native American monitor of all ground disturbance is recommended due to the presence of numerous prehistoric cultural resources within the survey area and 1-mile record search radius.	<i>Imperial County Department of Planning and Development Services</i>	<i>During all ground disturbing activities/ Native American Monitor</i>	
MM 4.7.4	If subsurface deposits are discovered during construction, all work shall halt within a 200-foot radius of the discovery. A qualified professional archaeologist shall be retained to evaluate the significance of the find. A local Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the NAHC, may also be required. Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR. If a potentially-eligible resource is	<i>Applicant; NAHC; Imperial County Department of Planning and Development Services; and Imperial County Coroner</i>	<i>During construction</i>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	encountered, then the archaeologist, lead agency, and project proponent shall arrange for either 1) total avoidance of the resource, if possible; or 2) test excavations to evaluate eligibility for the CRHR and, if eligible, data recovery as mitigation.			
MM 4.7.5	In the event that evidence of human remains is discovered, construction activities within 200 feet of the discovery shall be halted or diverted and the Imperial County Coroner shall be notified (Section 7050.5 of the Health and Safety Code). If the Coroner determines that the remains are Native American, the Coroner will notify the NAHC which will designate a Most Likely Descendant (MLD) for the Project (Section 5097.98 of the Public Resources Code). The designated MLD then has 48 hours from the time access to the property is granted to make recommendations concerning treatment of the remains (AB 2641). If the landowner does not agree with the recommendations of the MLD, the NAHC can mediate (Section 5097.94 of the Public Resources Code). If no agreement is reached, the landowner must rebury the remains where they will not be further disturbed (Section 5097.98 of the Public Resources Code). This will also include either recording the site with the NAHC or the appropriate Information Center; using an open space or conservation zoning designation or easement; or recording a document with the county in which the property is located (AB 2641).	<i>Imperial County Department of Planning and Development Services; Paleontological Monitor; and Construction Contractor</i>	<i>During construction</i>	
MM 4.7.6a	Prior to the start of construction, a paleontological resource monitoring plan shall be prepared. The plan shall include specific locations and construction activities requiring monitoring, procedures to follow for monitoring and fossil discovery, and a curation agreement with the SDNHM or other approved repository.	<i>Imperial County Department of Planning and Development Services; Paleontological Monitor; Project Applicant</i>	<i>Prior to construction</i>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
MM 4.7.6b	<p>A qualified paleontological monitor shall be present during ground-breaking activities associated with Project construction. The depth of excavation that requires paleontological monitoring shall be determined by the paleontological monitor and the construction contractor based on initial observations during construction earth moving.</p> <p>The paleontological monitor will be equipped to salvage fossils as they are unearthed (to help avoid construction delays) and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.</p> <p>Monitors are empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens. Recovered specimens shall be prepared to a point of identification and permanent preservation, including washing of sediments to recover small invertebrates and vertebrates. Fossil specimens shall be curated by accessioning them into an established, accredited museum repository with permanent retrievable paleontological storage. A report of findings with an appended itemized inventory of specimens will be prepared. The report and inventory, when submitted to the Imperial County Department of Planning and Development Services, along with confirmation of the curation of recovered specimens into an established, accredited museum repository, will signify completion of the program to mitigate impacts to paleontological resources.</p> <p>In general, a paleontological monitor will not be required after possible fossil bearing sediments have been fully explored.</p>	<p><i>Imperial County Department of Planning and Development Services; Paleontological Monitor; and Construction Contractor</i></p>	<p><i>During construction</i></p>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
HYDROLOGY AND WATER QUALITY				
MM 4.11.5	Construction and operation activities within Flood Zone A shall be halted during flash flood warnings and events or any other flooding events as predicted by local weather forecasts or the National Weather Service to which the Project site is subject. Upon notification of potential flood events in the Project vicinity, any non-stationary equipment and personnel located within Flood Zone A shall be relocated outside of the flood zone until such time as the threat of flooding has passed.	<i>Imperial County Department of Planning and Development Services</i>	<i>During potential flood events throughout Project construction and operation/Based on local weather forecasts and the National Weather Service</i>	
BIOLOGICAL RESOURCES				
MM 4.12.4a	If construction or other Project activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for most other birds), a pre-construction nesting bird survey shall be conducted by a qualified biologist. The focus of the survey will be detecting nesting activities of bird and raptor species on the Project site, including presence of loggerhead shrike. The survey should be completed no more than 3 days prior to initial ground disturbance. The nesting bird survey should include the Project site and adjacent areas where Project activities have the potential to cause nest failure. If an active nest is identified, a qualified biologist should establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities will need to be avoided within any disturbance limit buffer zones until the nest is deemed no longer active by the biologist.	<i>Imperial County Department of Planning and Development Services</i>	<i>Prior to construction/by a qualified biologist</i>	
MM 4.12.4b	The Applicant shall develop and implement a Worker Environmental Awareness Program (WEAP) prior to the start of construction. The WEAP shall be submitted to the Imperial County Planning and Development Services Department for review and approval prior to the issuance of building permits. The WEAP training shall cover the following:	<i>Project contractor/ Imperial County Planning and Development Services Department/CDFW, USFWS as appropriate</i>	<i>WEAP prepared prior to construction/ Implemented during Project construction</i>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<ul style="list-style-type: none"> • The potential presence and ecology of sensitive biological resources found on-site, such as loggerhead shrike, flat-tailed horned lizard, burrowing owl, potential jurisdictional waters, and nesting avian species; • Flagging/fencing of exclusion areas; • Proper implementation of protective measures to avoid impacts to special-status species and sensitive vegetation communities (i.e. mesquite series east of the Project site boundary); • The reasons, need, and method by which employees should report on wildlife mortality, follow nest management protocols, disposal of carcasses, comply with applicable regulations (including the consequences of noncompliance), and the appropriate agencies (CDFW, USFWS) and personnel (ICPDSD) that should be contacted after incidents; and • Other permit requirements and environmental issues. <p>All construction site personnel shall be required to attend the WEAP training in conjunction with hazard and safety training prior to working on-site.</p>			
MM 4.12.5	<p>Pre-construction surveys for burrowing owl are recommended. The surveys should follow the methods described in the CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012). Two surveys should be conducted, with the first survey being scheduled between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and second survey being conducted no more than 24-hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows are identified on the Project site during the surveys, the Project should consult with CDFW and follow the methods listed in the CDFW’s Staff Report on Burrowing Owl Mitigation (CDFW 2012) for avoidance and/or passive relocation.</p>	<i>Project Applicant in collaboration with CDFW</i>	<i>Prior to commencing construction</i>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
<p>MM 4.12.6</p>	<p>MM 4.12.6 A Bird and Bat Conservation Strategy (BBCS) shall be developed by the Project Applicant in coordination with the County of Imperial, USFWS, and CDFW.</p> <p>The BBCS will include the following components:</p> <ul style="list-style-type: none"> • A description and assessment of the existing habitat and avian and bat species; • An avian and bat risk assessment and specific measures to avoid, minimize, reduce, or eliminate avian and bat injury or mortality during all phases of the project. • A post-construction monitoring plan that will be implemented to assess impacts on avian and bat species resulting from the Project. The post-construction monitoring plan will include a description of standardized carcass searches, scavenger rate (i.e., carcass removal) trials, searcher efficiency trials, and reporting. Statistical methods will be used to estimate Project avian and bat fatalities if sufficient data is collected to support statistical analysis. • An injured bird response plan that delineates care and curation of any and all injured birds. • A nesting bird management strategy to outline actions to be taken for avian nests detected within the impact footprint during operation of the Project. • A conceptual adaptive management and decision-making framework for reviewing, characterizing, and responding to monitoring results. • Monitoring studies following commencement of commercial operation of each CUP area. Monitoring results will be reviewed annually by the Applicant and the County of Imperial, in consultation with CDFW and USFWS, to inform adaptive management responses. <p>During Project construction, incidental avian carcasses or injured birds found during construction shall be documented. Should a carcass be found by Project personnel, the carcass shall be photographed, the location shall be marked, the carcass shall not be moved, and a qualified</p>	<p><i>Imperial County Planning and Development Services Department/ CDFW and USFWS.</i></p>	<p><i>Prior to the start of construction/ Throughout Project construction and operation.</i></p>	

5.0 MITIGATION MONITORING AND REPORTING PROGRAM

MM #	Mitigation Measure	Monitoring Responsibility	Timing	Verification (Date and Initials)
	<p>biologist shall be contacted to examine the carcass. When a carcass is detected, the following data shall be recorded (to the extent possible): observer, date/time, species or most precise species group possible, sex, age, estimated time since death, potential cause of death or other pertinent information, distance and bearing to nearest structure (if any) that may have been associated with the mortality, location (recorded with a Global Positioning System [GPS]), and condition of carcass. Utility lines constructed above-ground shall conform to Avian Power Line Interaction Committee (APLIC) standards.</p> <ul style="list-style-type: none"> • Post-construction monitoring studies shall be conducted by a third-party independent contractor for at least 2 years following commencement of commercial operation of the Project. Monitoring results shall be reviewed annually by the Applicant and the County of Imperial, in consultation with CDFW and USFWS, to determine if and to what extent post-construction monitoring studies shall be continued in future years. 			
PUBLIC SERVICES AND UTILITIES				
MM 4.13.1	The Project Applicant shall pay a fair share contribution towards capital purchases (e.g. specialized equipment) which may be required to assist in servicing the Project; costs for services during construction and the life of the Project; and/or training as negotiated with the ICFD.	<i>Imperial County Planning and Development Services Department/Imperial County Fire Department</i>	<i>As a Condition of Approval/Prior to issuance of a Building Permit</i>	
MM 4.13.3	The Project Applicant shall pay a fair share contribution towards the purchase of a marked and equipped four-wheel drive patrol vehicle for the ISCO.	<i>Imperial County Planning and Development Services Department/Imperial County Sheriff's Department</i>	<i>As a Condition of Approval/Prior to issuance of a Building Permit</i>	

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