

Appendix A

Initial Study and Notice of Preparation and Responses

Notice of Preparation and Initial Study

(Review Period: August 9, 2017 through
September 13, 2017)

Notice of Preparation

Notice of Preparation

To: State Clearinghouse

P.O. Box 3044

Sacramento, CA 95812-3044

From: Imperial County Planning and Development Services Department

801 Main Street

El Centro, CA 92243

Subject: Notice of Preparation of a Draft Environmental Impact Report

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

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

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

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

Project Title: VEGA SES SOLAR Project GPA 17-0001, ZC 17-0005, CUP 17-0001, IS 17-0001

Project Applicant, if any: Vega SES LLC

Date August 7, 2017

Signature



Title Imperial County Planning and Development Services Director

Telephone 442-265-1736

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

To: Office of Planning & Research
(Agency)

P.O. Box 3044, 1400 Tenth Street, Room 212
(Address)

Sacramento, CA 95812-3044

Subject: Notice of Preparation of a Draft Environmental Impact Report

Lead Agency:		Consulting Firm (If applicable):	
Agency Name	<u>Imperial County, Planning & Dev Svcs.</u>	Firm Name	<u>HDR Engineering, Inc.</u>
Street Address	<u>801 Main Street</u>	Street Address	<u>8690 Balboa Ave., Ste. 200</u>
City/State/Zip	<u>El Centro, CA 92243</u>	City/State/Zip	<u>San Diego, CA 92123</u>
Contact	<u>David Black</u>	Contact	<u>Tim Gnibus</u>

The County of Imperial will be the Lead Agency and will prepare an Environmental Impact Report (EIR) for the project identified below. We need to know the views of your agency as to the scope and content of the Environmental Information, which is germane to your agency’s statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study is attached.

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

Please send your response to Imperial County Planning & Development Services, Attn: David Black at the address shown above. We will need the name for a contact person in your agency.

Project Title: VEGA SES Solar Energy Project EIR-GPA17-0001, CUP17-0001 & ZC17-0005.

Project Location: The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 494 acres in southwestern Imperial County (Figure 1). The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road and north of Lyons Road. Assessor’s Parcel Number(s) 051-360-021-000, 051-360-031-000, 051-390-004-000, 051-390-013,000.

Project Description (brief): The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as “solar energy facility”); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as “gentie”) that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the “proposed project” or “project.”

The Vega SES Solar Energy Project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

Project Applicant: VEGA SES LLC.

Date

8-7-17

Signature



Title

Assistant Director of Planning
& Development Services, Dept.

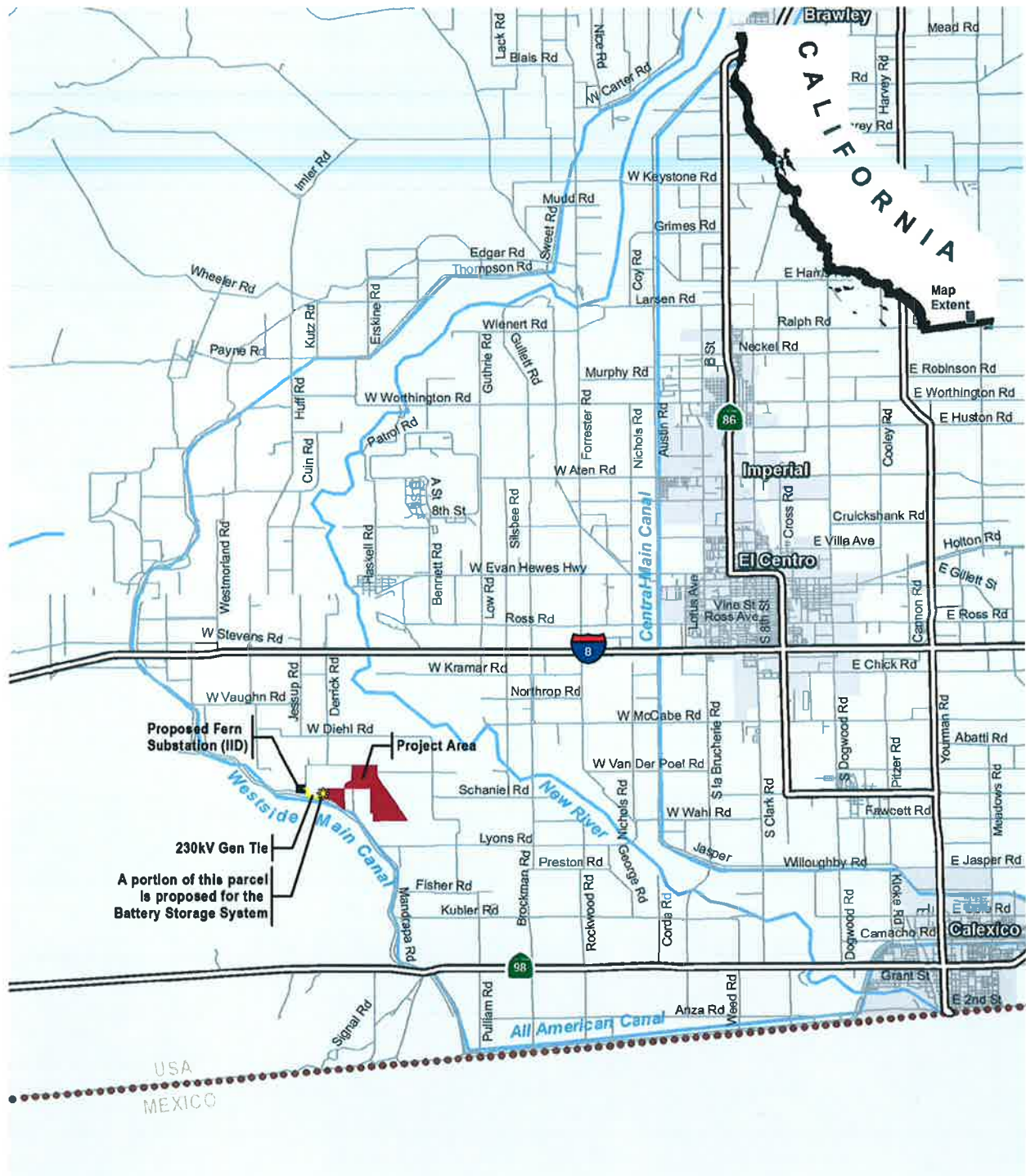
Telephone

442-265-1736

Reference: California Administrative Code, Title 14, (CEQA Guidelines) Section 15082(a), 15103, 15375.

Notice of Preparation

Figure 1. Project Location



LEGEND

- Project Area
- Proposed Fern Substation (Imperial Irrigation District)
- Proposed 230kV Gen Tie
- Battery Storage System (approximate location – See Figures 3-4 and 3-5)



0 Miles 2

Summary Form for Electronic Document Submittal

Form F

Lead agencies may include 15 hardcopies of this document when submitting electronic copies of Environmental Impact Reports, Negative Declarations, Mitigated Negative Declarations, or Notices of Preparation to the State Clearinghouse (SCH). The SCH also accepts other summaries, such as EIR Executive Summaries prepared pursuant to CEQA Guidelines Section 15123. Please include one copy of the Notice of Completion Form (NOC) with your submission and attach the summary to each electronic copy of the document.

SCH #: _____

Project Title: VEGA SES Solar Energy Project

Lead Agency: County of Imperial

Contact Name: David Black

Email: davidblack@co.imperial.ca.us Phone Number: (442) 265-1746

Project Location: _____ Imperial
City County

Project Description (Proposed actions, location, and/or consequences).

The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 494 acres in southwestern Imperial County. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road and north of Lyons Road.

The proposed project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project." The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

Identify the project's significant or potentially significant effects and briefly describe any proposed mitigation measures that would reduce or avoid that effect.

The EIR will analyze potential impacts associated with the following: Aesthetics; Agricultural Resources; Air Quality; Biological Resources; Cultural Resources; Cumulative Impacts; Geology/Soils; Greenhouse Gas Emissions/Climate Change; Growth-inducing Impacts; Hazards/Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Public Services; Transportation/Traffic; and Utilities and Service Systems including water supply and energy.

If applicable, describe any of the project's areas of controversy known to the Lead Agency, including issues raised by agencies and the public.

N/A

Provide a list of the responsible or trustee agencies for the project.

- California Regional Water Quality Control Board
- California Department of Fish and Wildlife Service
- Imperial Irrigation District
- Imperial County Public Works Department
- Imperial County Fire Department
- Imperial County Air Pollution Control District

Notice of Completion & Environmental Document Transmittal

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

SCH #

Project Title: VEGA SES SOLAR PROJECT

Lead Agency: Imperial County Planning & Development Services Department Contact Person: David Black
Mailing Address: 801 Main Street Phone: (442) 265-1736 ext. 1746
City: El Centro, CA Zip: 92243 County: Imperial

Project Location: County: Imperial City/Nearest Community: Seeley, California
Cross Streets: Drew Road and Wixom Road Zip Code: 92243

Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: 494
Assessor's Parcel No.: 051-360-021, 031, 051-390-004, 014 Section: 35, 36 Twp.: 16 South Range: 12 East Base: SBBM
Within 2 Miles: State Hwy #: _____ Waterways: _____
Airports: _____ Railways: _____ Schools: _____

Document Type:

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

Local Action Type:

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

Development Type:

Residential: Units _____ Acres _____
 Office: Sq.ft. _____ Acres _____ Employees _____ Transportation: Type _____
 Commercial: Sq.ft. _____ Acres _____ Employees _____ Mining: Mineral _____
 Industrial: Sq.ft. _____ Acres 494 Employees 5+ Power: Type Solar MW100
 Educational: _____ Waste Treatment: Type _____ MGD
 Recreational: _____ Hazardous Waste: Type _____
 Water Facilities: Type _____ MGD Other: _____

Project Issues Discussed in Document:

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

Present Land Use/Zoning/General Plan Designation:

General Agriculture (A-2) & Heavy Agriculture (A-3)

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

The Vega SES Solar Energy Project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation

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

Reviewing Agencies Checklist

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

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

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

Starting Date August 9, 2017 Ending Date September 13, 2017

Lead Agency (Complete if applicable):

Consulting Firm: <u>Imperial County Planning & Dev, Serv</u>	Applicant: <u>VEGA SES LLC</u>
Address: <u>801 Main Street</u>	Address: <u>604 Sutter Street,</u>
City/State/Zip: <u>El Centro, Ca. 92243</u>	City/State/Zip: <u>Folsom/California/95630</u>
Contact: <u>Jim Minnick</u>	Phone: <u>916-985-9461</u>
Phone: <u>(442) 265-1736</u>	

Signature of Lead Agency Representative:  Date: 8-7-17

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

***Initial Study and NOP
for:***

**VEGA SES Solar Energy Project
Conditional Use Permit: 17-0001
General Plan Amendment: 17-0001
Zone Change: 17-0005**



Prepared By:

HDR ENGINEERING, INC.
8690 Balboa Avenue, Suite 200
San Diego, CA 92123

Reviewed By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1735
www.icpds.com

August 2017

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SECTION I INTRODUCTION

A. PURPOSE

This document is a policy-level; project-level Initial Study for evaluation of potential environmental impacts resulting with the proposed VEGA SES Solar Energy Project.

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

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

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

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

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

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

This Initial Study has determined that the proposed applications will result in potentially significant environmental impacts and therefore, an Environmental Impact Report is deemed as the appropriate document to provide necessary environmental evaluations and clearance for the proposed project.

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

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

C. INTENDED USES OF INITIAL STUDY AND NOTICE OF PREPARATION

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

The Initial Study and Notice of Preparation, prepared for the project will be circulated for a period of no less than 30 days for public and agency review and comments.

D. CONTENTS OF INITIAL STUDY & NOTICE OF PREPARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

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

F. POLICY-LEVEL or PROJECT-LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study will be conducted under a policy-level, project-level analysis.

Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR is available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1735.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243, Ph. (442) 265-1735.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the 'County of Imperial General Plan EIR is SCH #93011023.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).

SECTION II ENVIRONMENTAL CHECKLIST

1. **Project Title:** VEGA SES Solar Energy Project
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** David Black, Planner IV, 442-265-1746
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** DavidBlack@co.imperial.ca.us
6. **Project location:** The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 494 acres in southwestern Imperial County. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road, and north of Lyons Road.
7. **Project sponsor's name and address:** VEGA SES LLC; 604 Sutter Street, Folsom, CA 95630
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2 (General Agriculture), A-2R (General Agriculture Rural), and A-3 (Heavy Agriculture)
10. **Description of project:** The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern substation.

11. **Surrounding land uses and setting:** Briefly describe the project's surroundings:

The project site is surrounded by the Campo Verde solar generating facility on the north and northwest, undeveloped agricultural lands on the east and south, and desert lands on the west. The project is generally located east of the Westside Main Canal. The existing Imperial Valley Substation is located approximately one mile southwest of the project site.
12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.):
 - Imperial Irrigation District – Encroachment Permit
 - Imperial County Public Works Department – Encroachment Permit
 - California Regional Water Quality Control Board – Notice of Intent for General Construction Permit

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

Jim Minnick, Interim Director

Date:

PROJECT SUMMARY

A. Project Location:

The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 494 acres in southwestern Imperial County (Figure 1). The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road, and north of Lyons Road (Figure 2).

B. Project Summary:

The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads and fencing. The energy produced by the project would be conducted through a proposed 230kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern substation.

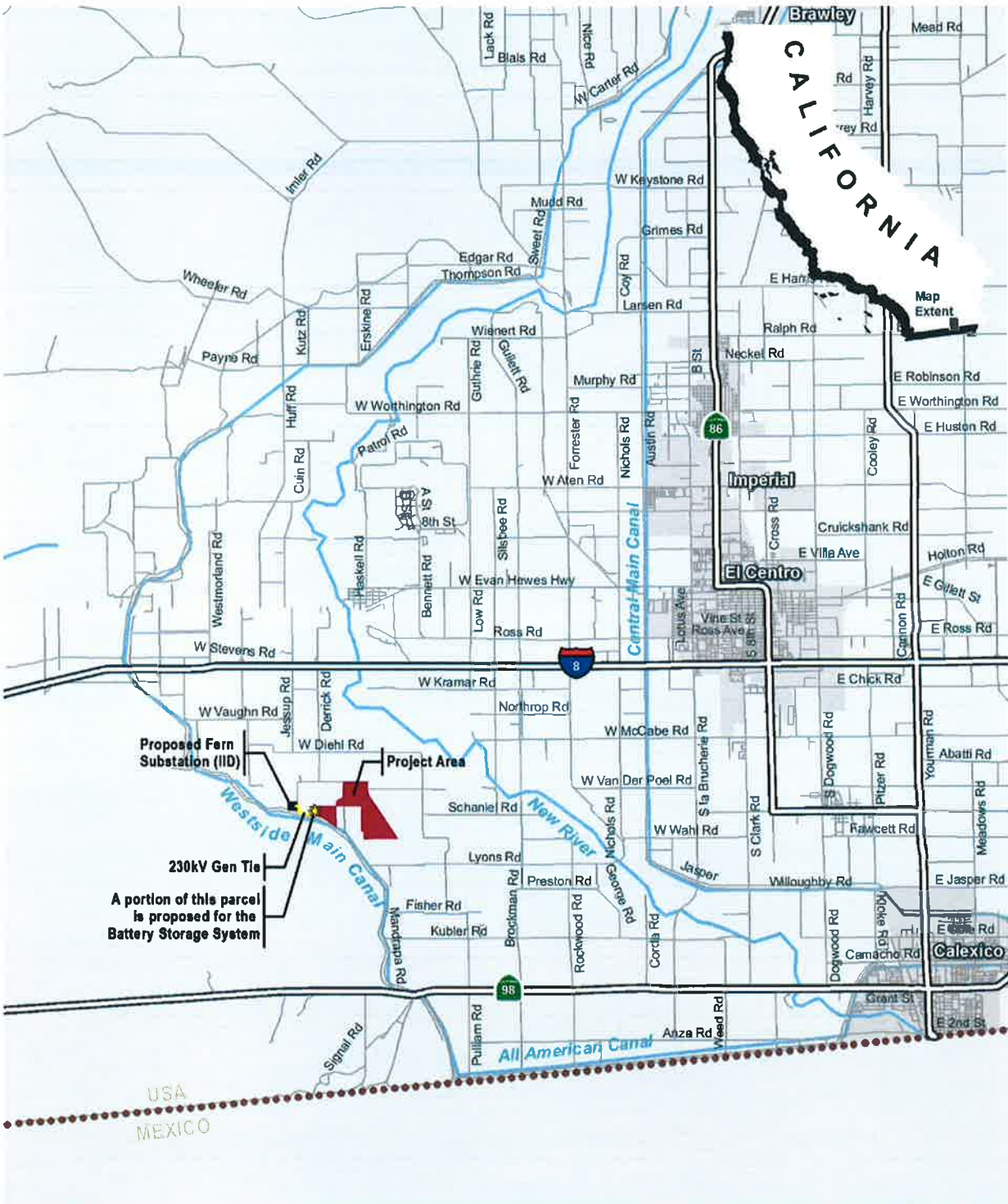
C. Environmental Setting:

The project is located in a rural part of southwestern Imperial County. The project site is surrounded by the Campo Verde solar generating facility on the north/northwest, undeveloped agricultural lands on the east and south, and desert lands on the west. The project is generally located east of the Westside Main Canal. The existing Imperial Valley Substation is located approximately one mile southwest of the project site.

D. General Plan Consistency:

The proposed project is located within an unincorporated area of the County. The existing General Plan land use designation is "Agriculture." The project site is currently zoned A-2, A-2R, and A-3. Construction of a solar facility would be allowed within the existing zoning under a Conditional Use Permit.

Figure 1. Regional Location

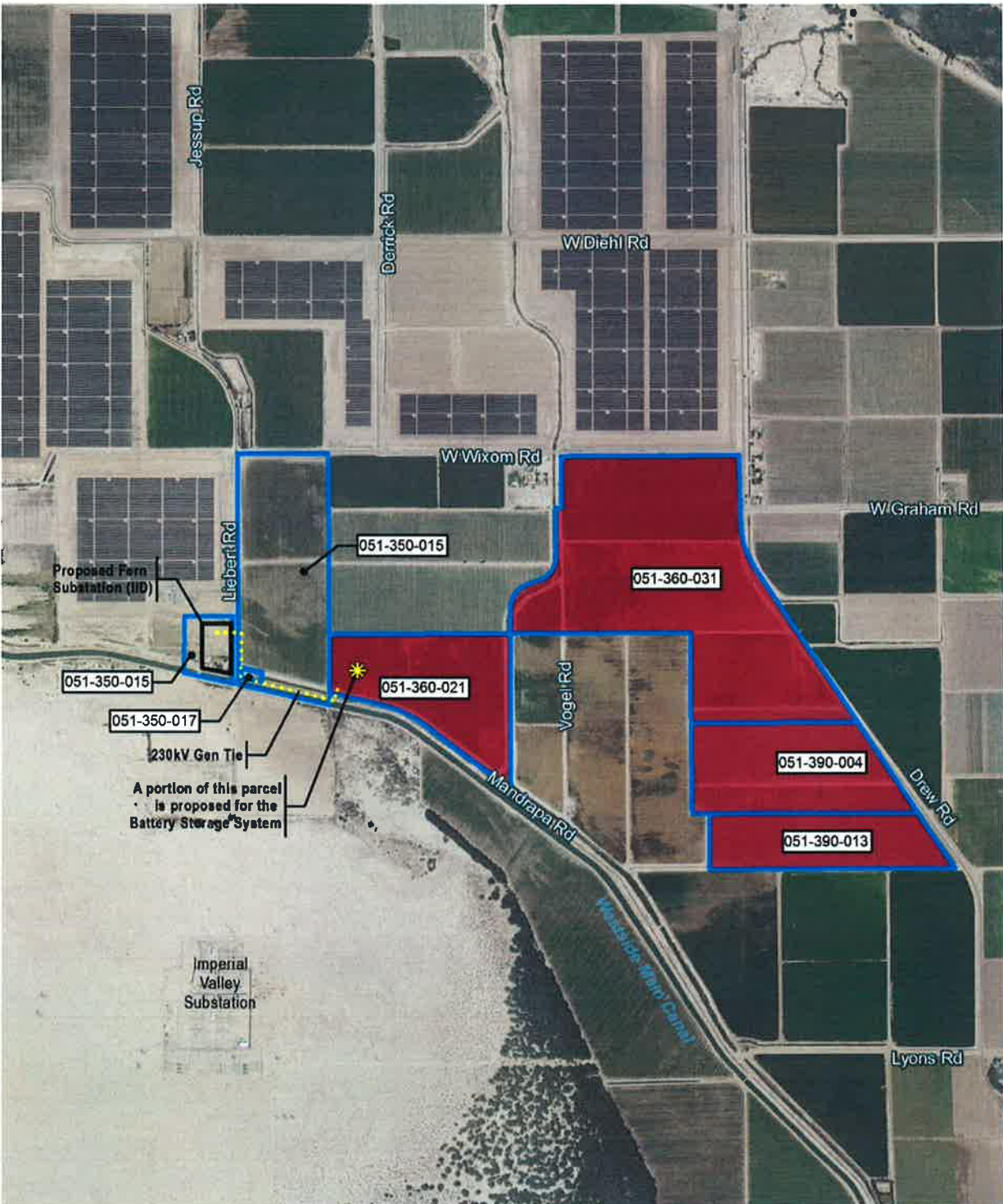


LEGEND

- Project Area
- Proposed Fern Substation (Imperial Irrigation District)
- Proposed 230kV Gen Tie
- Battery Storage System (approximate location)



Figure 2. Project Site



LEGEND

- Solar Energy Facility
- Assessor Parcels
- 230kV Gen Tie
- Proposed Substation (Imperial Irrigation District [IID])
- Battery Storage System (approximate location)



EVALUATION OF ENVIRONMENTAL IMPACTS

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. AESTHETICS

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a, b) The project involves the construction of a PV solar energy facility, which would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, battery storage system, retention basins, access roads and fencing. The project also includes a 230 kilovolt (kV) generator intertie line. The proposed project is not located near any scenic vista or officially designated scenic highway, nor would they damage or degrade any designate scenic resources. Therefore, no impact is identified for this issue area.

c) Although the project is not located near a scenic highway or designated scenic vista, the project may result in a change to the look and rural character of the area. A potentially significant impact is identified, and this issue will be addressed in the EIR.

d) Minimal lighting is required for project operation and is limited to safety and security functions. All lighting would be directed downward or at a narrow beam angle, in order to focus all light only on the desired areas. The solar panels will be constructed of low reflective materials; therefore, it is not anticipated that they would result in creating a glare. The project is located in a rural undeveloped area of Imperial County. There are no established residential neighborhoods immediately adjacent to the project site. Although the proposed project is not expected to create a new source of substantial light or glare affecting day or nighttime views, this issue will be analyzed further in the EIR. Therefore, a potentially significant impact is identified for this issue area.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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II. AGRICULTURE AND FOREST RESOURCES

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

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- a, e) According to the farmland maps prepared by the California Department of Conservation (2016), the project site contains Prime Farmland and Farmland of Statewide Importance. Therefore, implementation of the proposed project would result in a potentially significant impact associated with the conversion of Prime Farmland and Farmland of Statewide Importance to non-agricultural use. A Land Evaluation Site Assessment (LESA) will be prepared for the project and this issue will be addressed in the EIR.
- b) There is no Williamson Act contract lands located on or adjacent to the project site. The project site is currently zoned A-2, A-2R, and A-3 and designated by the General Plan as "Agriculture." Solar energy facilities are allowed within these zones subject to a Conditional Use Permit. Because the project site is located on land designated for agricultural uses, this issue will be analyzed in further detail. As mentioned above, a LESA will be prepared for the project and this issue will be addressed in the EIR.
- c) There are no existing forest lands, timberlands, or timberland zoned Timberland Production either on-site or in the immediate vicinity that would conflict with existing zoning or cause rezoning. Therefore, no impact is identified for this issue area.
- d) There are no existing forest lands either on-site or in the immediate vicinity of the site. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impact is identified for this issue area.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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III. AIR QUALITY

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

Would the Project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutants concentrations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) **The project site is located within the jurisdiction of Imperial County Air Pollution Control District (ICAPCD) in the Salton Sea Air Basin. Construction of the project would create temporary emissions of dust, fumes, equipment exhaust, and other air contaminants that may conflict with the ICAPCD Rules and Regulations. No station source emissions are proposed from the project; however, temporary construction emissions have the potential to result in a significant air quality impact.**
- b) **Currently, the Salton Sea Air Basin is either in attainment or unclassified for all federal and state air pollutant standards with the exception of O₃ (8-hour) and PM₁₀ (total suspended particulate matter less than 10 microns in diameter). Air pollutants transported into the Salton Sea Air Basin from the adjacent South Coast Air Basin (Los Angeles, San Bernardino County, Orange County, and Riverside County) and from Mexicali (Mexico) substantially contribute to the non-attainment conditions in the Salton Sea Air Basin. A potentially significant impact is identified for this issue area. An air quality impact study that will address the proposed project's potential air quality impacts will be prepared and included in the EIR analysis.**
- c) **The construction of the project may result in a cumulatively considerable net increase of one or more criteria pollutants as a result of point, and non-point source emissions, for which the project region is in non-attainment under applicable federal and state ambient air quality standards. Thus, a potentially significant impact is identified for this issue area. An air quality impact study that will address the proposed project's potential air quality impacts will be prepared and included in the EIR analysis.**
- d) **The project is located in a rural agricultural area of Imperial County. There are rural residences located adjacent to the boundary of the project site. There are no schools, hospitals or senior homes within or adjacent to the project site. Although the project would not expose a significant number of sensitive receptors to substantial pollutant concentrations, this issue will be addressed in the air quality impact study and EIR analysis.**
- e) **The proposed project is the construction and operation of a solar energy facility. It is not anticipated to generate objectionable odors as currently developed solar facilities in the area do not create odors. No impact is identified for this issue area.**

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IV. BIOLOGICAL RESOURCES

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a,b,d,e) The project site is located on undeveloped agricultural land and, although previously-disturbed, has the potential to support native habitats and/or sensitive species. Potential species that may occur on the project site include the flat-tailed horned lizard and the western burrowing owl. The project site has the potential to be used as burrowing owl foraging habitat. Burrowing owls and burrows are commonly found along canals and drains. Although there are no IID canals or drainage structures located within the project site, IID Right-of-Way, access roads, canal and other drainages are located immediately adjacent to the project site. Thus, a potentially significant impact is identified for this issue area. A biological resources technical study that will address the proposed project's potential impacts on biological resources will be prepared and included in the EIR analysis.

c) The project is in an agricultural vegetative community. No IID canal or drain structures will be removed or relocated, no washes are found within the project site, and impacts to the adjacent Westside Main Canal are not proposed. Therefore, U.S. Army Corps of Engineers (USACE), CDFW, or Regional Water Quality Control Board resources are not anticipated to be affected.

f) The project site is not located in a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. No impact is identified for this issue area.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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V. CULTURAL RESOURCES

Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a, b) All of the parcels comprising the project site have been disturbed by past farming and/or other activities. Thus, the presence of significant or undamaged cultural resources on the site is unlikely. Although the proposed project is not expected to cause a substantial adverse change in the significance of a historical resource or archaeological resource, this issue will be analyzed further in the EIR. Therefore, a potentially significant impact is identified for this issue area. A cultural resources report that will address the proposed project's impacts on paleontological, historic and prehistoric resources will be prepared and included in the EIR analysis.

c) Although unlikely, there is a potential for unknown human remains to be unearthed during earthwork activities. This issue is potentially significant and will be discussed in the EIR.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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VI. PALEONTOLOGICAL RESOURCES

Would the project:

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

a) **Many paleontological fossil sites are recorded in Imperial County and have been discovered during construction activities. Paleontological resources are typically impacted when earthwork activities such as mass excavation cut into geological deposits (formations) with buried fossils. It is not known if any paleontological resources are located on the project site. A cultural resources report that will address the proposed project's impacts on paleontological, historic and prehistoric resources will be prepared and included in the EIR analysis.**

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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VII. TRIBAL CULTURAL RESOURCES

Would the project:

- a) Cause a substantial adverse change in the significance of a tribal cultural resources as defined in §21074?

- a) **Assembly Bill (AB) 52 was passed in 2014 and took effect on July 1, 2015. It establishes a new category of environmental resources that must be considered under CEQA called tribal cultural resources (Public Resources Code [PRC] 21074) and establishes a process for consulting with Native American tribes and groups regarding those resources. AB 52 requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. Until formal consultation is requested from a tribe(s), it is unknown whether tribal resources are located on the project site. A potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.**

VIII. GEOLOGY AND SOILS

Would the project:

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

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

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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2) Strong Seismic ground shaking?

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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3) Seismic-related ground failure, including liquefaction and seiche/tsunami?

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

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

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

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

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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a1) The project is not located within a State of California, Alquist-Priolo Earthquake Fault Zone. Therefore, no impact is identified for this issue area.

a2) The project site is located in the seismically active Imperial Valley in Southern California and is considered likely to be subjected to moderate to strong ground motion from earthquakes in the region. The project site could be affected by the occurrence of seismic activity to some degree, but no more than the surrounding properties. A potentially significant impact has been identified for this issue, and it will be evaluated in the EIR.

a3) Liquefaction occurs when granular soil below the water table is subjected to vibratory motions, such as produced by earthquakes. With strong ground shaking, an increase in pore water pressure develops as the soil tends to reduce in volume. If the increase in pore water pressure is sufficient to reduce the vertical effective stress (suspending the soil particles in water), the soil strength decreases and the soil behaves as a liquid (similar to quicksand). Liquefaction can produce excessive settlement, ground rupture, lateral spreading, or failure of shallow bearing foundations.

Four conditions are generally required for liquefaction to occur:

- (1) The soil must be saturated (relatively shallow groundwater);**
- (2) The soil must be loosely packed (low to medium relative density);**
- (3) The soil must be relatively cohesionless (not clayey); and**
- (4) Groundshaking of sufficient intensity must occur to function as a trigger mechanism.**

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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All of these conditions may exist to some degree at the site. Thus, the impact is identified as potentially significant. This issue will be evaluated in the EIR.

The sites do not lie near any large bodies of water, so the threat of tsunamis, seiches, or other seismically-induced flooding is considered unlikely. No impact is identified for these issue areas.

- a4) The hazard of landsliding is unlikely due to the relatively planar topography of the project site. Therefore, no impact is identified for this issue area.
- b) Soil erosion can result during construction as grading and construction can loosen surface soils and make soils susceptible to wind and water movement across the surface. Impacts are not considered significant since erosion would be controlled on-site in accordance with County standards including preparation, review and approval of a grading plan by the County Engineer. Implementation of County standards would reduce the potential impacts to below a level of significance.
- c) Near surface soils within the project site will need to be identified to determine whether the soils are unstable. This is a potentially significant impact. This issue will be analyzed in the EIR.
- d) Near surface soils within the project site will need to be identified to determine whether they consist of soils having expansion potential. This is a potentially significant impact. This issue will be analyzed in the EIR.
- e) Near surface soils within the project site will need to be identified to determine whether the soils have a moderate infiltration rate. Therefore, a potentially significant impact has been identified for this issue area, and this issue will be addressed in the EIR.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IX. GREENHOUSE GAS EMISSIONS

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a, b) The project has the potential to generate greenhouse gas emissions during construction, in addition to construction worker trips to and from the project site. A potentially significant impact is identified and will be evaluated in the EIR. In the long-term, the project is expected to provide a benefit with respect to reduction of greenhouse gas emissions. A Greenhouse Gas Emissions/Climate Change technical report will be prepared for the proposed project and this issue will be addressed in the EIR.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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X. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a, b) No Operations and Maintenance facilities, or habitable structures are proposed on-site. Operation of the project will be conducted remotely. Regular, routine maintenance of the project may result in the potential to handle hazardous materials; however, no hazardous materials are proposed to be stored on the project site. The hazardous materials handled on-site would be limited to small amounts of everyday use cleaners and common chemicals used for maintenance. The applicant will be required to comply with State laws and County Ordinance restrictions, which regulate and control hazardous materials handled on-site. Such hazardous waste be transported off-site for disposal according to applicable State and County restrictions and laws governing the disposal of hazardous waste during construction and operation of the project. Disposal of hazardous wastes on the project site is not proposed. However, these issues will be addressed in the EIR.**
- c) The project is not located within one-quarter mile of an existing or proposed school. No impact is identified for this issue area.**
- d) The project site is not listed as a hazardous materials site pursuant to Government Code, Section 65962.5. No impact is identified for this issue area.**

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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- e, f) The project site is not located within two miles of a public airport or a private airstrip. Thus, no impact is identified for these issue areas.
- g) The project is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The applicant will be required to prepare a street improvement plan for the project site that will include provisions for emergency access points and vehicular travel. In addition, local building codes will be followed to minimize flood, seismic, and fire hazards. Therefore, no impact is identified for this issue area.
- h) According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000) the project site may be located in a Moderate Severity Fire Hazard area for wildland fire. Also, the construction and operation activities may result in an increased need for fire-fighting personnel and facilities in the area. This impact will be evaluated in the EIR under Public Services for Fire.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XI. HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, f) The project has the potential to create urban non-point source discharge (e.g., synthetic/organic chemicals). No waste discharge requirements have been issued for the proposed site. Potentially significant water quality impacts have been identified and will be addressed in the EIR.

b) During construction, potable water would be brought to the site for drinking and domestic needs, while construction water would be brought to the site for soil conditioning and dust suppression. Depending on whether municipal water is available for use, water for operational use may also be trucked to the site. Because the solar panels will be pole-mounted above ground, they are not considered "hardscape", such as roads, building foundations, or parking areas, as they do not require a substantial amount of impervious material. The panels and

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their mounting foundation would not impede groundwater recharge. Impacts would be less than significant.

- c, d, e) The proposed project is not anticipated to generate a significant increase in the amount of runoff water from water use involving solar panel washing. Water will continue to percolate through the ground, as a majority of the surfaces on the project site will remain pervious. The proposed project would not substantially alter the existing drainage pattern of the site, substantially increase the rate of runoff, or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. No IID drains or canals will be removed or relocated and no washes were found within the project site. A less than significant impact is identified for these issue areas.
- g, h) According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel 06025C2050C), the project site is located in Zone X, which is an area determined to be outside of the 0.2% annual chance of a flood. The project does not propose the placement of housing or structures within a 100-year flood hazard area. Therefore, no impact is identified for these issue areas.
- i) No dams or levees are in the vicinity of the project site. Therefore, no impact is identified for this issue area.
- j) The project site is not located near any large bodies of water. Furthermore, the project site is over 100 miles inland from the Pacific Ocean. In addition, the project site is relatively flat. Therefore, there is no potential for the project site to be inundated by seiches, tsunamis, or mudflows. Thus, no impact is identified for these issues.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XII. LAND USE AND PLANNING

Would the project:

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|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (include, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a) The project is located in a rural agricultural area of Imperial County. Although there are rural residences located adjacent to the boundary of the project site, the project site is surrounded by undeveloped agricultural lands and existing and/or proposed solar generating facilities similar to the proposed project. Therefore, no impact is anticipated.

b) The project site is currently designated by the General Plan as "Agriculture." The County identifies agricultural land as a form of open space that could be used as passive recreation. The project site is currently zoned A-2, A-2R, and A-3. Construction of a solar facility would be allowed within the existing zoning under a CUP.

The County Land Use Ordinance, Division 17, includes the Renewable Energy Overlay Zone, which authorizes the development and operation of renewable energy projects, with an approved CUP. CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. The project site is located outside of the Renewable Energy Overlay Zone. Therefore, the project requires a General Plan Amendment and Zone Change to include/classify the project site into the RE Overlay Zone. The proposed General Plan Amendment and Zone Change may result in a conflict with an applicable land plan, policy, or regulation. A potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.

c) The project site is not located in a Habitat Conservation Plan or Natural Community Conservation Plan. No impact is identified for this issue area.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XIII. MINERAL RESOURCES

Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) The project site is not used for mineral resource production. According to the Conservation and Open Space Element of the County of Imperial General Plan, no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. As such, the proposed project would not adversely affect the availability of any known mineral resources within the project site. No impact is identified.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XIV. NOISE

Would the project result in:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, c, d) **The Imperial County Code of Ordinances, Chapter 2, Section 90702.00 - Sound level limits, establishes one-hour average sound level limits for the County's land use zones. Agricultural/industrial operations are required to comply with the noise levels prescribed under the general industrial zones. Therefore, the project is required to maintain noise levels below 75 decibels (dB) (averaged over one hour) during any time of day. The project would be expected to comply with the Noise Element of the General Plan which states that construction noise, from a single piece of equipment or a combination of equipment, shall not exceed 75 dB, when averaged over an eight hour period, and measured at the nearest sensitive receptor. Construction equipment operation is also limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 9 a.m. to 5 p.m. Nevertheless, the project will result in the increase in ambient noise levels during construction. This issue will be addressed in the EIR.**

b) **Groundborne vibration and groundborne noise could originate from earth movement during the construction phase of the proposed project. However, significant vibration is typically associated with activities such as blasting or the use of pile drivers, neither of which would be required during project construction. The project would be expected to comply with all applicable requirements for long-term operation, as well as with measures to reduce excessive groundborne vibration and noise to ensure that the project would not expose persons or structures to excessive groundborne vibration. No further analysis is warranted.**

e, f) **The project site is not located within two miles of a public airport or a private airstrip. No further analysis is warranted.**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XV. POPULATION AND HOUSING

Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-c) The project site is currently used for agricultural production. Development of housing is not proposed as part of the project. No full-time employees are required to operate the project. The project would be operated remotely. The proposed project would not result in substantial population growth. Therefore, no impact is identified for population and housing.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XVI. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1) Fire protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a1) Fire protection and emergency medical services in the area are provided by the Imperial County Fire Department. The proposed project would be required to comply with all existing regulations and requirements of the Imperial County Fire Department and would be reviewed for adherence to prevention measures for wildland fires. According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000), the project site may be located within, and/or adjacent to an area identified as a Moderate Fire Hazard Area. Construction and operation activities may result in an increased need for fire-fighting personnel and facilities in the area. Therefore, the potential impact on fire services from construction and operation of the proposed project will be further evaluated in the EIR.

a2) Police protection services in the proposed project area are provided by the Imperial County Sheriff's Department. Although the potential is low, the proposed project may attract vandals or other security risks. The increase in construction related traffic could increase demand on law enforcement services. On-site security would be provided and access would be limited to the areas surrounding the project site during construction and operation, thereby minimizing the need for police surveillance. However, the project's impacts on sheriff services will be further evaluated in the EIR.

a3) The proposed project does not include the development of residential land uses that would result in an increase in population or student generation. Construction of the proposed project would not result in an increase in student population within the Imperial County's School District since it is anticipated that construction workers would commute in during construction operations. The proposed project would have no impact on Imperial County schools. No further analysis is warranted.

a4, 5) Parks/Libraries/Other Public Facilities: The proposed project would be remotely operated, controlled and monitored, with no requirement for daily on-site employees. Therefore, substantial permanent increases in population that would adversely affect local parks, libraries and other public facilities (such as post offices) are not expected. The project is not expected to have an impact on parks and other public facilities such as post offices, and libraries. Therefore, no further analysis of these issue areas is warranted.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XVII. RECREATION

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- a, b) The proposed project would not generate new employment on a long-term basis. As such, the project would not significantly increase the use or accelerate the deterioration of regional parks or other recreational facilities. The temporary increase of population during construction that might be caused by an influx of workers would be minimal and not cause a detectable increase in the use of parks. Additionally, the project does not include or require the expansion of recreational facilities. No impact will occur and no further analysis is warranted.**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XVIII. TRANSPORTATION / TRAFFIC

Would the project:

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|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) The construction of the proposed project would result in a small increase of traffic to the area, which may result in a potentially significant impact. A traffic impact study will be prepared and this issue will be addressed in the EIR.

c, d) The proposed solar panels would not be at a height that would interfere with air traffic patterns. Project access roads will be implemented into the project design. The access roads would provide emergency units vehicle access and allow access to the inverter modules. These access roads would not increase hazards due to design features or incompatible uses. No impact is identified.

e) The proposed street improvement plan for the project will be required to provide provisions for emergency access points and safe vehicular travel. Thus, no impact is identified for this issue area.

f) There are currently no pedestrian or bicycle right-of-ways within the project site that the project would interfere with. There are currently no bus stops located within the project's boundaries or surrounding area and the proposed project does not include changes to the existing county roadway network. The proposed project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Thus, no impact is identified for this issue area.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?
- b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?
- e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- g) Comply with federal, state, and local statutes and regulations related to solid waste?

a, e) The project would generate a minimal volume of wastewater during construction. During construction activities, wastewater would be contained within portable toilet facilities and disposed of at an approved site. No habitable structures are proposed on the project site (such as O&M buildings); therefore, there would be no wastewater generation from the proposed project. The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board. A less than significant impact is identified for this issue area.

b, d) The project is not anticipated to result in a significant increase in water demand/use; however, water will be needed for solar panel washing and fire protection (on site storage) once the project is fully operational. The project would potentially draw water from the IID controlled Westside Main Canal. This issue will be addressed in the EIR.

c) The project does not include the construction of a storm drainage system or the alteration of the existing system. No impact is identified for this issue area. However, site drainage will be discussed in the Hydrology and Water Quality section of the EIR.

f, g) During construction and operation of the project, waste generation will be minor. Solid waste will be disposed of using a locally-licensed waste hauling service, most likely Allied Waste. There are over 40 solid waste facilities listed in Imperial County in the CalRecycle database. Trash would likely be hauled to the Callexico Solid Waste Site located in Calexico or the CR&R Material Recovery Transfer Station located in El Centro. The Callexico Solid Waste site has approximately 1.8 million cubic yards of remaining capacity and is estimated to remain in operation through 2077. The CR&R Material Recovery and Transfer station has a maximum permitted throughput of 99 tons/day. No closure date has been reported for this facility (<http://www.calrecycle.ca.gov/SWFacilities/Directory/13-AA-0109/Detail/>). Therefore, there is ample landfill capacity throughout the County to receive the minor amount of solid waste generated by project construction and operation.

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Additionally, because the proposed project would generate solid waste during construction and operation, they will be required to comply with State and local requirements for waste reduction and recycling; including the 1989 California Integrated Waste Management Act and the 1991 California Solid Waste Reuse and Recycling Access Act of 1991. Also, conditions of the CUP will contain provisions for recycling and diversion of construction waste per policies of the County. A less than significant impact is identified for this issue.

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

Revised 2009- CEQA

Revised 2011- ICPDS

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SECTION III MANDATORY FINDINGS OF SIGNIFICANCE

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

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
- a-c) The project has the potential to result in significant environmental effects, which could directly or indirectly cause adverse effects on human beings and or the environment. Implementation of the proposed project has the potential to result in impacts related to: aesthetics, agricultural resources, air quality, sensitive biological resources, cultural resources, paleontological resources, tribal cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, public services, transportation/circulation impacts, and water supply. These issues will be further evaluated in the EIR. In addition, the proposed project has the potential to result in cumulative impacts with regards to the identified issue areas. Cumulative impacts will be discussed and further analyzed in the EIR.**

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Imperial County
Planning & Development Services Department

**NOTICE OF PREPARATION OF DRAFT EIR FOR VEGA SES SOLAR ENERGY PROJECT AND
NOTICE OF PUBLIC EIR SCOPING MEETING**

The Imperial County Planning & Development Services Department intends to prepare an Environmental Impact Report (EIR) for the proposed VEGA SES Solar Energy Project as described below. A public scoping meeting for the proposed EIR will be held by the Imperial County Planning & Development Services Department on August 24, 2017 at 6:00PM. The scoping meeting will be held at the Board of Supervisors Chambers, 2nd Floor, County Administration Center located at 940 Main Street, El Centro, CA 92243. Comments regarding the scope of the EIR will be accepted at this meeting.

SUBJECT: VEGA SES Solar Energy Project EIR-GPA17-0001, CUP17-0001 & ZC17-0005.

BOARD OF SUPERVISORS CONSIDERATION: To Be Determined.

PROJECT LOCATION: The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 494 acres in southwestern Imperial County. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road and north of Lyons Road. Assessor's Parcel Number(s) 051-360-021-000, 051-360-031-000, 051-390-004-000, & 051-390-013,000.

PROJECT DESCRIPTION: The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gen-tie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gen-tie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

Project Applicant: VEGA SES LLC

URBAN AREA PLAN: None, located in unincorporated area of County of Imperial

BOARD OF SUPERVISORS DISTRICT: District 2, Supervisor Luis A. Plancarte

ANTICIPATED SIGNIFICANT EFFECTS: The EIR will analyze potential impacts associated with the following: Aesthetics; Agricultural Resources; Air Quality; Biological Resources; Cultural Resources; Cumulative Impacts; Geology/Soils; Greenhouse Gas Emissions/Climate Change; Growth-inducing Impacts; Hazards/Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Public Services; Transportation/Traffic; and Utilities and Service Systems including water supply and energy.

COMMENTS REQUESTED: The Imperial County Planning & Development Services Department would like to know your ideas about the effects this project might have on the environment and your suggestions as to mitigation or ways the project may be revised to reduce or avoid any significant environmental impacts. Your comments will guide the scope and content of environmental issues to be examined in the EIR. Your comments may be submitted in writing to David Black, Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA 92243. Available project information may be reviewed at this location.

NOTICE OF PREPARATION REVIEW PERIOD: August 9, 2017 through September 13, 2017

11084655

Comment Letters Received on Notice of Preparation

(Review Period: August 9, 2017 through
September 13, 2017)



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

August 16, 2017

Jim Minnick

Director

Imperial County Planning & Services

Planning/Building/Parks & Recreation

Mr. Minnick,

On August 8, 2017, the U.S. Border Patrol, El Centro Sector received a *request for review and comments* regarding the VEGA SES Solar Energy Project. The proposal is for a 494 acre solar panel field located approximately 2 miles north of the US/Mexico International boundary adjacent to the Westside Main Canal (WMC). More specifically, between the "FERN Check and 22 November" which are vehicle and pedestrian bridges across the WMC from east to west.

The location of the proposed project does not impact El Centro sector operations. Albeit, during the construction phase of the solar panel field, given the existing border security enforcement infrastructure in the area, there could be a requirement to dispatch agents to investigate.

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

Dirk J. Saar

Logistics Director

U.S. Border Patrol

El Centro Sector

RECEIVED

AUG 15 2017

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

NATIVE AMERICAN HERITAGE COMMISSION

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



August 25, 2017

David Black
Imperial County
801 Main Street
El Centro, CA 92243

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

RE: SCH# 2017081019; Vega SES Solar Project, Community of Seeley; Imperial County, California

Dear Mr. Black:

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

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

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

AB 52

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

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

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

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

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

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



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August 28, 2017

Mr. David Black
Planner IV
Planning & Development Services Department
County of Imperial
801 Main Street
El Centro, CA 92243

SUBJECT: NOP of a Draft EIR for VEGA SES Solar Energy Project

Dear Mr. Black:

On August 10, 2017, the Imperial Irrigation District received from the Imperial County Planning & Development Services Department, a Notice of Preparation of a Draft Environmental Impact Report for the VEGA SES Solar Energy Project. The project consists of three components: (1) a solar energy generation facility, (2) a battery storage system and (3) a 230 kV gen-tie line to interconnect with the proposed 230 kV IID Fern Substation. The site is located east of the Westside Main Canal, south of Wixom Road, west of Drew Road and north of Lyons Road, 9 miles southwest of El Centro, CA

The IID has reviewed the initial Study and has the following comment:

1. For temporary construction electrical service and permanent electrical service to the on-site substation and the battery storage facility, the applicant should contact the IID Customer Project Development Office at (760) 482-3300 and speak with the area's project manager. In addition to submitting a formal application for electrical service (available at the IID website <http://www.iid.com/home/showdocument?id=12923>), the applicant will be required to submit electrical loads, plan & profile drawings (hard copy and CAD files), project schedule, estimated in-service date and project's Conditional Use Permit. All associated fees, rights of way and environmental documentation is the responsibility of the applicant.
2. Please note that a circuit study may be required prior to IID committing to serve the project.
3. The IID water facilities that may be impacted include the Westside Main Canal, Wormwood Lateral 5, Wormwood Lateral 7, Wormwood 7 Drain, Fig Drain, and the Fig Drain No. 1.
4. Taking into account that the project may impact IID drains with site runoff flows and discharge from proposed storm water detention facilities, a comprehensive IID hydraulic drain system analysis will be required to determine impacts and mitigation if the project discharges into IID's drain system. IID's hydraulic drainage system analysis includes an associated drain impact fee.

5. To ensure there are no impacts to IID water facilities, County of Imperial approved grading, drainage and fencing plans should be submitted to the IID Water Engineering Section prior to final project design as well as the projects' Storm Water Pollution Prevention Plan. IID Water Engineering can be contacted at (760) 339-9265 for further information.
6. To obtain water for the construction phase of the projects, the applicant should be advised to contact IID South End Division at (760) 482-9800.
7. The IID Water Department will require that the applicant secure with the district the necessary Water Supply Agreements for industrial use.
8. All new non-agricultural water supply requests are processed in accordance with the IID's Interim Water Supply Policy and Temporary Land Conversion Following Policy. Policy documents are posted at <http://www.iid.com/water/municipal-industrial-and-commercial-customers>. For additional information regarding these water supply policies, applicant should contact the IID Water Supply Planning section at (760) 339-9755.
9. IID's canal or drain banks may not be used to access the project sites. Any abandonment of easements or facilities shall be approved by IID based on systems (Irrigation, Drainage, Power, etc.) needs.
10. 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; requires an encroachment permit, or encroachment agreement (depending on the circumstances). The permit application and its instructions are available at <http://www.iid.com/home/showdocument?id=271>. Additional information regarding encroachment permits or agreements can be provided by the IID Real Estate Section, which can be contacted at (760) 339-9239.
11. In addition to IID's recorded easements, IID claims, at a minimum, a prescriptive right of way to the toe of slope of all existing canals and drains. Where space is limited and depending upon the specifics of adjacent modifications, the IID may claim additional secondary easements/prescriptive rights of ways to ensure operation and maintenance of IID's facilities can be maintained and are not impacted and if impacted mitigated. Thus, IID should be consulted prior to the installation of any facilities adjacent to IID's facilities. Certain conditions may be placed on adjacent facilities to mitigate or avoid impacts to IID's facilities.
12. 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.**

13. Electrical service is a public utility of utmost importance in the implementation and success of a project and not assessing a project's potential impact on this environmental factor could adversely affect the project as well as the capability of the Imperial Irrigation District to provide electrical service in an efficient and timely manner. Hence, the IID suggests that electrical service be included under the Environmental Factor titled "Utilities/Service Systems" of the checklist. It is important to note that per CEQA Statute and Guidelines the Environmental Checklist under Appendix G is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances and substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in the checklist are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance, thus the inclusion of the items we suggest would lead to a more thorough evaluation of a project.

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

Respectfully,



Donald Vargas
Compliance Administrator II

Kevin Kelley – General Manager
Mike Pacheco – Manager, Water Dept.
Vicken Kasarjian – Manager, Energy Dept.
Charles Allegranza – Manager, Energy Dept., Operations
Jamie Asbury – Deputy Manager, Energy Dept., Operations
Vance Taylor – Asst. General Counsel
Robert Laurie – Asst. General Counsel
Carlos Vasquez - Planning and Engineering Manager, Energy Dept.
Jesse Montaño – Transmission, Planning and Engineering Oversight
Enrique De Leon – Asst. Mgr., Energy Dept., Distr., Planning, Eng. & Customer Service
Michael P. Kemp – Superintendent, Real Estate & Environmental Compliance
Harold Walk Jr. – Supervisor, Real Estate
Randy Gray – ROW Agent, Real Estate
Jessica Lovecchio – Environmental Project Mgr. Sr., Water Dept.



September 5, 2017

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

SUBJECT: Notice of Preparation of a Draft EIR for the VEGA SES Solar Project

Dear Mr. Minnick,

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report (EIR) for the VEGA SES Solar Project to the Air District for review and comments.

Based on the submitted information, Imperial County Planning & Development Services will be preparing a Draft EIR in order to assess potential environmental impacts for the proposed VEGA SES Solar Project. The proposed VEGA SES Solar Project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 494 acres of land. The project includes a ground mounted PV solar generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

Upon review, the Air District recommends using the CEQA Air Quality Handbook in order to assess whether the implementation of the VEGA SES Solar Project will have significant air quality impacts. If you have any questions, please feel free to contact me at (442) 265-1800.

Sincerely,


Axel Salas
APC Environmental Coordinator

RECEIVED

SEP 05 2017

**IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES**

Revised Notice of Preparation and Initial Study

(Review Period: November 6, 2017
through December 7, 2017)

Imperial County
Planning & Development Services Department

REVISED NOTICE OF PREPARATION OF DRAFT EIR FOR VEGA SES SOLAR ENERGY PROJECT AND
NOTICE OF PUBLIC EIR SCOPING MEETING

Revised Notice of Preparation: The County of Imperial initially released a Notice of Preparation (NOP) for the project on August 9, 2017. Since the release of the original NOP, the project has been slightly modified to increase the overall project size. The Applicant is now proposing to add Assessor Parcel No. (APN) 051-390-012, which comprises approximately 80 acres, to the project site. The original project site comprised approximately 494 acres of land. With the addition of APN 051-390-012, the revised total site acreage is approximately 574 acres of land. A revised NOP and Initial Study have been prepared to address the changes to the project, since the original NOP was released on August 9, 2017 and to scope the issues which will be further addressed in the EIR.

The Imperial County Planning & Development Services Department intends to prepare an Environmental Impact Report (EIR) for the proposed VEGA SES Solar Energy Project as described below.

SUBJECT: VEGA SES Solar Energy Project EIR

BOARD OF SUPERVISORS CONSIDERATION: To Be Determined.

PROJECT LOCATION: The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 574 acres in southwestern Imperial County. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road and north of Lyons Road.

PROJECT DESCRIPTION: The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 574 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

Project Applicant: VEGA SES LLC

URBAN AREA PLAN: None, located in unincorporated area of County of Imperial

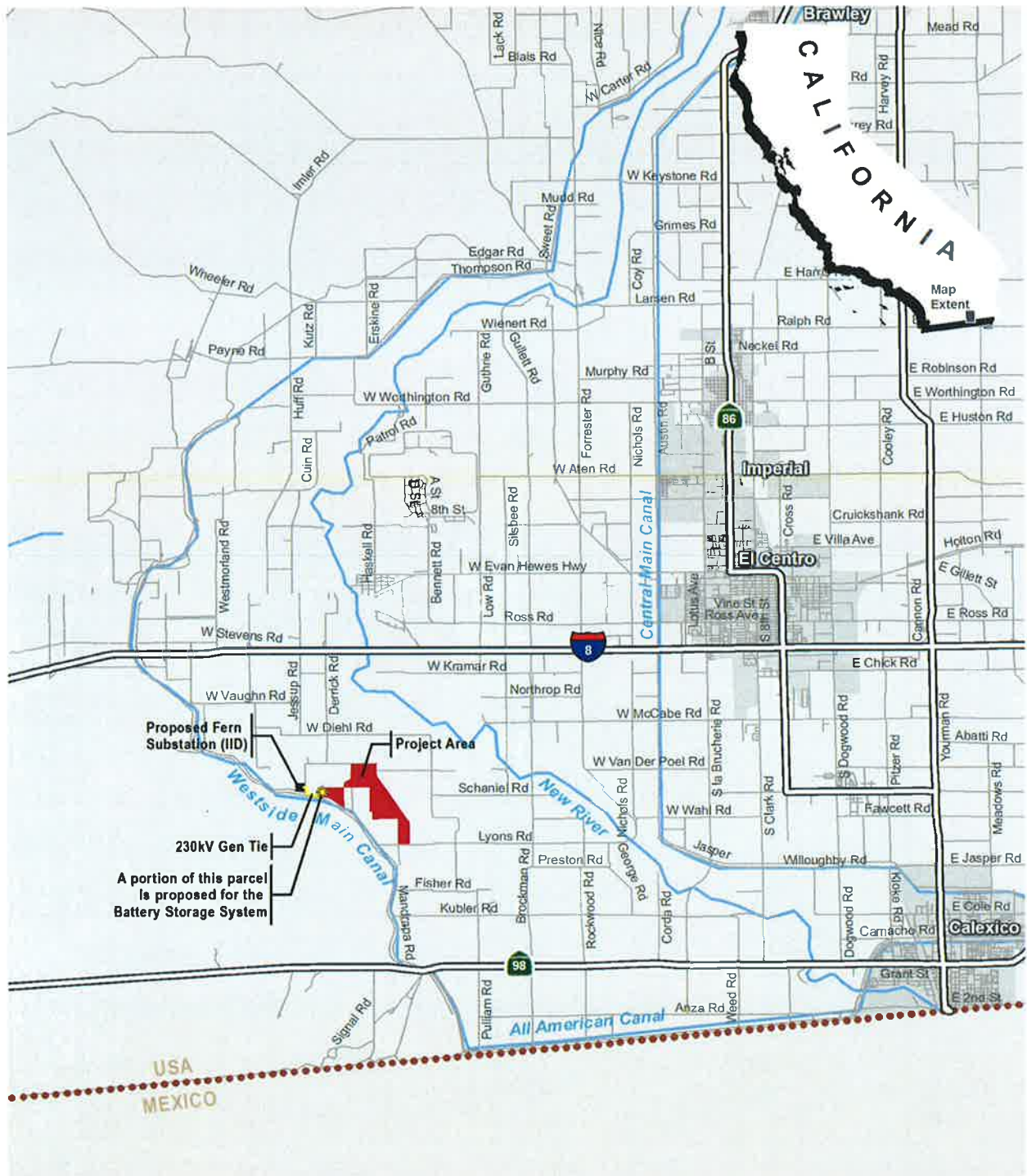
BOARD OF SUPERVISORS DISTRICT: District 2, Supervisor Luis A. Plancarte

ANTICIPATED SIGNIFICANT EFFECTS: The EIR will analyze potential impacts associated with the following: Aesthetics; Agricultural Resources; Air Quality; Biological Resources; Cultural Resources; Cumulative Impacts; Geology/Soils; Greenhouse Gas Emissions/Climate Change; Growth-inducing Impacts; Hazards/Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Public Services; Transportation/Traffic; and Utilities and Service Systems including water supply and energy.

COMMENTS REQUESTED: The Imperial County Planning & Development Services Department would like to know your ideas about the effects this project might have on the environment and your suggestions as to mitigation or ways the project may be revised to reduce or avoid any significant environmental impacts. Your comments will guide the scope and content of environmental issues to be examined in the EIR. Your comments may be submitted in writing to David Black, Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA 92243. Available project information may be reviewed at this location.

NOTICE OF PREPARATION REVIEW PERIOD: November 6, 2017 through December 7., 2017

Figure 1. Project Location



LEGEND

- Project Area
- Proposed Fern Substation (Imperial Irrigation District)
- Proposed 230kV Gen Tie
- Battery Storage System (approximate location)



***Revised Initial Study and NOP
for:***

**VEGA SES Solar Energy Project
Conditional Use Permit: 17-0001
General Plan Amendment: 17-0001
Zone Change: 17-0005**



Prepared By:

HDR ENGINEERING, INC.
8690 Balboa Avenue, Suite 200
San Diego, CA 92123

Reviewed By:

COUNTY OF IMPERIAL
Planning & Development Services Department
801 Main Street
El Centro, CA 92243
(442) 265-1735
www.icpds.com

October 2017

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SECTION I INTRODUCTION

A. PURPOSE

This document is a policy-level; project-level Initial Study for evaluation of potential environmental impacts resulting with the proposed VEGA SES Solar Energy Project.

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

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

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

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

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

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

This Initial Study has determined that the proposed applications will result in potentially significant environmental impacts and therefore, an Environmental Impact Report is deemed as the appropriate document to provide necessary environmental evaluations and clearance for the proposed project.

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

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

C. INTENDED USES OF INITIAL STUDY AND NOTICE OF PREPARATION

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

The Initial Study and Notice of Preparation, prepared for the project will be circulated for a period of no less than 30 days for public and agency review and comments.

D. CONTENTS OF INITIAL STUDY & NOTICE OF PREPARATION

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

SECTION 1

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

SECTION 2

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

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

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

SECTION 3

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

E. SCOPE OF ENVIRONMENTAL ANALYSIS

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

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

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

F. POLICY-LEVEL or PROJECT-LEVEL ENVIRONMENTAL ANALYSIS

This Initial Study will be conducted under a policy-level, project-level analysis.

Regarding mitigation measures, it is not the intent of this document to "overlap" or restate conditions of approval that are commonly established for future known projects or the proposed applications. Additionally, those other standard requirements and regulations that any development must comply with, that are outside the County's jurisdiction, are also not considered mitigation measures and therefore, will not be identified in this document.

G. TIERED DOCUMENTS AND INCORPORATION BY REFERENCE

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

1. Tiered Documents

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

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

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

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

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

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

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

2. Incorporation By Reference

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

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

- The incorporated document must be available to the public or be a matter of public record (CEQA Guidelines Section 15150[a]). The General Plan EIR is available, along with this document, at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243 Ph. (442) 265-1735.
- This document must be available for inspection by the public at an office of the lead agency (CEQA Guidelines Section 15150[b]). These documents are available at the County of Imperial Planning & Development Services Department, 801 Main Street, El Centro, CA 92243, Ph. (442) 265-1735.
- These documents must summarize the portion of the document being incorporated by reference or briefly describe information that cannot be summarized. Furthermore, these documents must describe the relationship between the incorporated information and the analysis in the tiered documents (CEQA Guidelines Section 15150[c]). As discussed above, the tiered EIRs address the entire project site and provide background and inventory information and data which apply to the project site. Incorporated information and/or data will be cited in the appropriate sections.
- These documents must include the State identification number of the incorporated documents (CEQA Guidelines Section 15150[d]). The State Clearinghouse Number for the 'County of Imperial General Plan EIR is SCH #93011023.
- The material to be incorporated in this document will include general background information (CEQA Guidelines Section 15150[f]).

SECTION II ENVIRONMENTAL CHECKLIST

1. **Project Title:** VEGA SES Solar Energy Project
2. **Lead Agency:** Imperial County Planning & Development Services Department
3. **Contact person and phone number:** David Black, Planner IV, 442-265-1746
4. **Address:** 801 Main Street, El Centro CA, 92243
5. **E-mail:** DavidBlack@co.imperial.ca.us
6. **Project location:** The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 574 acres in southwestern Imperial County. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road, and north of Lyons Road.
7. **Project sponsor's name and address:** VEGA SES LLC; 604 Sutter Street, Folsom, CA 95630
8. **General Plan designation:** Agriculture
9. **Zoning:** A-2 (General Agriculture), A-2R (General Agriculture Rural), and A-3 (Heavy Agriculture)
10. **Description of project:** The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 574 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern substation.

11. **Surrounding land uses and setting:** Briefly describe the project's surroundings:

The project site is surrounded by the Campo Verde solar generating facility on the north and northwest, undeveloped agricultural lands on the east and south, and desert lands on the west. The project is generally located east of the Westside Main Canal. The existing Imperial Valley Substation is located approximately one mile southwest of the project site.

12. **Other public agencies whose approval is required** (e.g., permits, financing approval, or participation agreement.):
 - Imperial Irrigation District – Encroachment Permit
 - Imperial County Public Works Department – Encroachment Permit
 - California Regional Water Quality Control Board – Notice of Intent for General Construction Permit

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

ENVIRONMENTAL EVALUATION COMMITTEE (EEC) DETERMINATION

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

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

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

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

Jim Minnick, Interim Director

Date:

PROJECT SUMMARY

A. Project Location:

The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 574 acres in southwestern Imperial County (Figure 1). The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road, and north of Lyons Road (Figure 2).

B. Project Summary:

The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 574 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads and fencing. The energy produced by the project would be conducted through a proposed 230kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern substation.

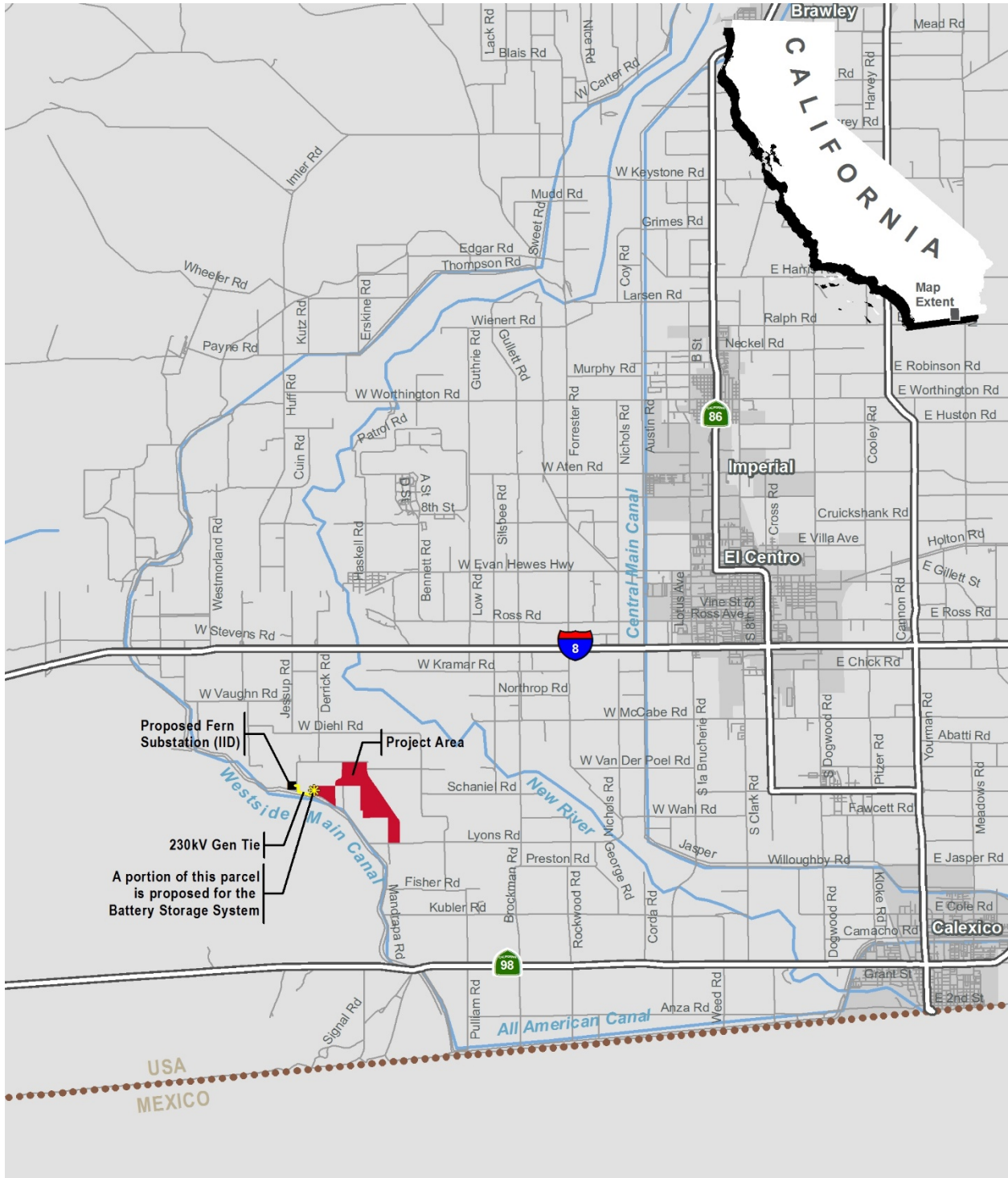
C. Environmental Setting:

The project is located in a rural part of southwestern Imperial County. The project site is surrounded by the Campo Verde solar generating facility on the north/northwest, undeveloped agricultural lands on the east and south, and desert lands on the west. The project is generally located east of the Westside Main Canal. The existing Imperial Valley Substation is located approximately one mile southwest of the project site.

D. General Plan Consistency:

The proposed project is located within an unincorporated area of the County. The existing General Plan land use designation is "Agriculture." The project site is currently zoned A-2, A-2R, and A-3. Construction of a solar facility would be allowed within the existing zoning under a Conditional Use Permit.

Figure 1. Regional Location

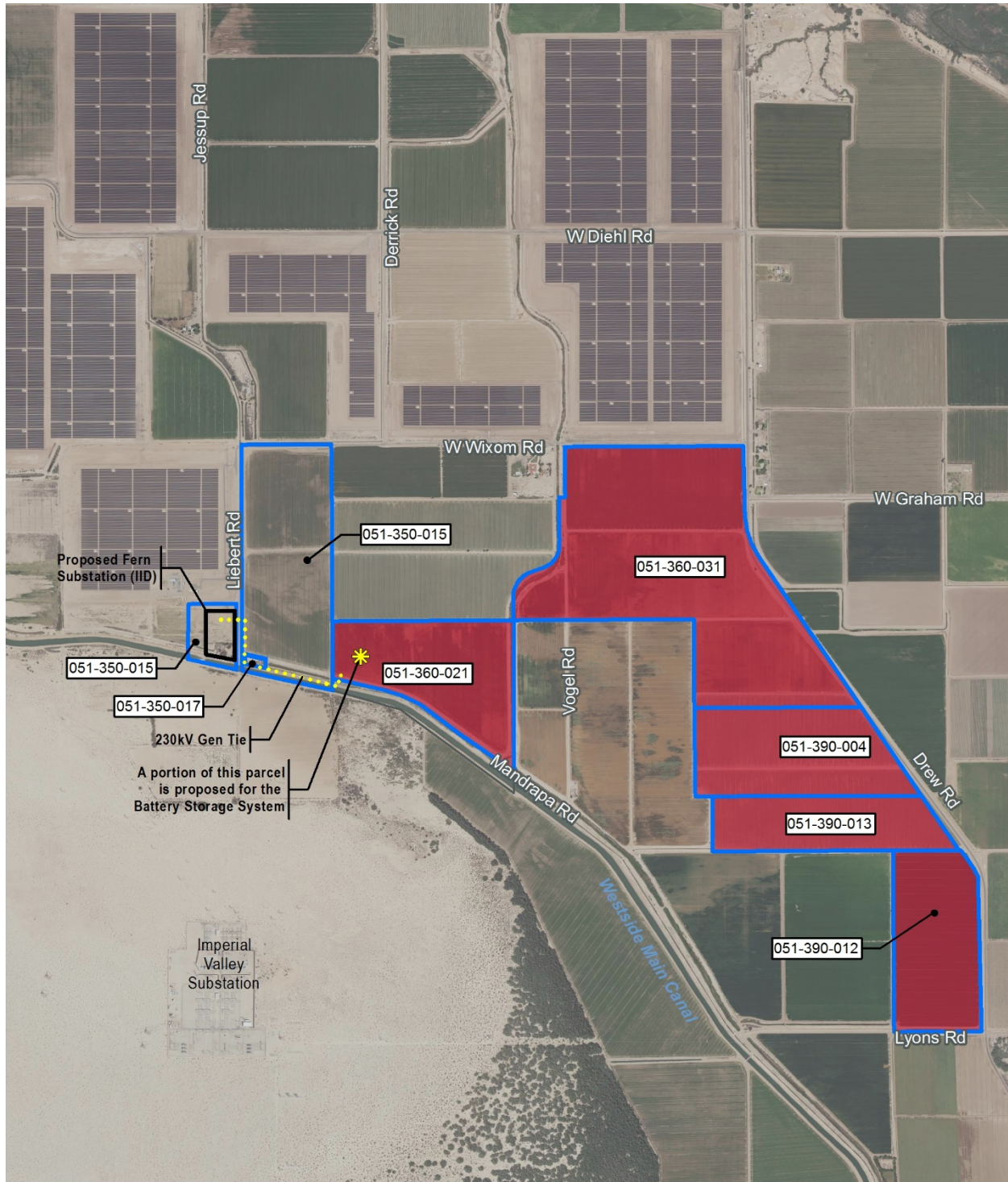


LEGEND

- Project Area
- Proposed Fern Substation (Imperial Irrigation District)
- Proposed 230kV Gen Tie
- Battery Storage System (approximate location)

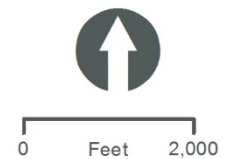


Figure 2. Project Site



LEGEND

- Solar Energy Facility
- Assessor Parcels
- 230kV Gen Tie
- Proposed Substation (Imperial Irrigation District [IID])
- Battery Storage System (approximate location)



EVALUATION OF ENVIRONMENTAL IMPACTS

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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I. AESTHETICS

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista or scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a, b) The project involves the construction of a PV solar energy facility, which would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, battery storage system, retention basins, access roads and fencing. The project also includes a 230 kilovolt (kV) generator intertie line. The proposed project is not located near any scenic vista or officially designated scenic highway, nor would they damage or degrade any designate scenic resources. Therefore, no impact is identified for this issue area.

c) Although the project is not located near a scenic highway or designated scenic vista, the project may result in a change to the look and rural character of the area. A potentially significant impact is identified, and this issue will be addressed in the EIR.

d) Minimal lighting is required for project operation and is limited to safety and security functions. All lighting would be directed downward or at a narrow beam angle, in order to focus all light only on the desired areas. The solar panels will be constructed of low reflective materials; therefore, it is not anticipated that they would result in creating a glare. The project is located in a rural undeveloped area of Imperial County. There are no established residential neighborhoods immediately adjacent to the project site. Although the proposed project is not expected to create a new source of substantial light or glare affecting day or nighttime views, this issue will be analyzed further in the EIR. Therefore, a potentially significant impact is identified for this issue area.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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II. AGRICULTURE AND FOREST RESOURCES

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

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a, e) According to the farmland maps prepared by the California Department of Conservation (2016), the project site contains Prime Farmland and Farmland of Statewide Importance. Therefore, implementation of the proposed project would result in a potentially significant impact associated with the conversion of Prime Farmland and Farmland of Statewide Importance to non-agricultural use. A Land Evaluation Site Assessment (LESA) will be prepared for the project and this issue will be addressed in the EIR.

b) There is no Williamson Act contract lands located on or adjacent to the project site. The project site is currently zoned A-2, A-2R, and A-3 and designated by the General Plan as "Agriculture." Solar energy facilities are allowed within these zones subject to a Conditional Use Permit. Because the project site is located on land designated for agricultural uses, this issue will be analyzed in further detail. As mentioned above, a LESA will be prepared for the project and this issue will be addressed in the EIR.

c) There are no existing forest lands, timberlands, or timberland zoned Timberland Production either on-site or in the immediate vicinity that would conflict with existing zoning or cause rezoning. Therefore, no impact is identified for this issue area.

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

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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III. AIR QUALITY

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

Would the Project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutants concentrations? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a) **The project site is located within the jurisdiction of Imperial County Air Pollution Control District (ICAPCD) in the Salton Sea Air Basin. Construction of the project would create temporary emissions of dust, fumes, equipment exhaust, and other air contaminants that may conflict with the ICAPCD Rules and Regulations. No station source emissions are proposed from the project; however, temporary construction emissions have the potential to result in a significant air quality impact.**
- b) **Currently, the Salton Sea Air Basin is either in attainment or unclassified for all federal and state air pollutant standards with the exception of O₃ (8-hour) and PM₁₀ (total suspended particulate matter less than 10 microns in diameter). Air pollutants transported into the Salton Sea Air Basin from the adjacent South Coast Air Basin (Los Angeles, San Bernardino County, Orange County, and Riverside County) and from Mexicali (Mexico) substantially contribute to the non-attainment conditions in the Salton Sea Air Basin. A potentially significant impact is identified for this issue area. An air quality impact study that will address the proposed project's potential air quality impacts will be prepared and included in the EIR analysis.**
- c) **The construction of the project may result in a cumulatively considerable net increase of one or more criteria pollutants as a result of point, and non-point source emissions, for which the project region is in non-attainment under applicable federal and state ambient air quality standards. Thus, a potentially significant impact is identified for this issue area. An air quality impact study that will address the proposed project's potential air quality impacts will be prepared and included in the EIR analysis.**
- d) **The project is located in a rural agricultural area of Imperial County. There are rural residences located adjacent to the boundary of the project site. There are no schools, hospitals or senior homes within or adjacent to the project site. Although the project would not expose a significant number of sensitive receptors to substantial pollutant concentrations, this issue will be addressed in the air quality impact study and EIR analysis.**
- e) **The proposed project is the construction and operation of a solar energy facility. It is not anticipated to generate objectionable odors as currently developed solar facilities in the area do not create odors. No impact is identified for this issue area.**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IV. BIOLOGICAL RESOURCES

Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?
- c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?
- d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

a,b,d,e) The project site is located on undeveloped agricultural land and, although previously-disturbed, has the potential to support native habitats and/or sensitive species. Potential species that may occur on the project site include the flat-tailed horned lizard and the western burrowing owl. The project site has the potential to be used as burrowing owl foraging habitat. Burrowing owls and burrows are commonly found along canals and drains. Although there are no IID canals or drainage structures located within the project site, IID Right-of-Way, access roads, canal and other drainages are located immediately adjacent to the project site. Thus, a potentially significant impact is identified for this issue area. A biological resources technical study that will address the proposed project's potential impacts on biological resources will be prepared and included in the EIR analysis.

- c) **The project is in an agricultural vegetative community. No IID canal or drain structures will be removed or relocated, no washes are found within the project site, and impacts to the adjacent Westside Main Canal are not proposed. Therefore, U.S. Army Corps of Engineers (USACE), CDFW, or Regional Water Quality Control Board resources are not anticipated to be affected.**
- f) **The project site is not located in a Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. No impact is identified for this issue area.**

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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V. CULTURAL RESOURCES

Would the project:

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|---|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Disturb any human remains, including those interred outside of formal cemeteries? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- a, b) All of the parcels comprising the project site have been disturbed by past farming and/or other activities. Thus, the presence of significant or undamaged cultural resources on the site is unlikely. Although the proposed project is not expected to cause a substantial adverse change in the significance of a historical resource or archaeological resource, this issue will be analyzed further in the EIR. Therefore, a potentially significant impact is identified for this issue area. A cultural resources report that will address the proposed project's impacts on paleontological, historic and prehistoric resources will be prepared and included in the EIR analysis.**
- c) Although unlikely, there is a potential for unknown human remains to be unearthed during earthwork activities. This issue is potentially significant and will be discussed in the EIR.**

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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VI. PALEONTOLOGICAL RESOURCES

Would the project:

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

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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- a) **Many paleontological fossil sites are recorded in Imperial County and have been discovered during construction activities. Paleontological resources are typically impacted when earthwork activities such as mass excavation cut into geological deposits (formations) with buried fossils. It is not known if any paleontological resources are located on the project site. A cultural resources report that will address the proposed project's impacts on paleontological, historic and prehistoric resources will be prepared and included in the EIR analysis.**

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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VII. TRIBAL CULTURAL RESOURCES

Would the project:

- a) Cause a substantial adverse change in the significance of a tribal cultural resources as defined in §21074?

a) Assembly Bill (AB) 52 was passed in 2014 and took effect on July 1, 2015. It establishes a new category of environmental resources that must be considered under CEQA called tribal cultural resources (Public Resources Code [PRC] 21074) and establishes a process for consulting with Native American tribes and groups regarding those resources. AB 52 requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. Until formal consultation is requested from a tribe(s), it is unknown whether tribal resources are located on the project site. A potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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VIII. GEOLOGY AND SOILS

Would the project:

- a) Expose people or structures to potential substantial adverse effects, including risk of loss, injury, or death involving:
 - 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?
 - 2) Strong Seismic ground shaking?
 - 3) Seismic-related ground failure, including liquefaction and seiche/tsunami?
 - 4) Landslides
 - b) Result in substantial soil erosion or the loss of topsoil?
 - c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in on- or off-site landslides, lateral spreading, subsidence, liquefaction or collapse?
 - d) Be located on expansive soil, as defined in the latest Uniform Building Code, creating substantial risk to life or property?
 - e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?
- a1) **The project is not located within a State of California, Alquist-Priolo Earthquake Fault Zone. Therefore, no impact is identified for this issue area.**
- a2) **The project site is located in the seismically active Imperial Valley in Southern California and is considered likely to be subjected to moderate to strong ground motion from earthquakes in the region. The project site could be affected by the occurrence of seismic activity to some degree, but no more than the surrounding properties. A potentially significant impact has been identified for this issue, and it will be evaluated in the EIR.**
- a3) **Liquefaction occurs when granular soil below the water table is subjected to vibratory motions, such as produced by earthquakes. With strong ground shaking, an increase in pore water pressure develops as the soil tends to reduce in volume. If the increase in pore water pressure is sufficient to reduce the vertical effective stress (suspending the soil particles in water), the soil strength decreases and the soil behaves as a liquid (similar to quicksand). Liquefaction can produce excessive settlement, ground rupture, lateral spreading, or failure of shallow bearing foundations.**

Four conditions are generally required for liquefaction to occur:

- (1) The soil must be saturated (relatively shallow groundwater);
- (2) The soil must be loosely packed (low to medium relative density);
- (3) The soil must be relatively cohesionless (not clayey); and
- (4) Groundshaking of sufficient intensity must occur to function as a trigger mechanism.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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All of these conditions may exist to some degree at the site. Thus, the impact is identified as potentially significant. This issue will be evaluated in the EIR.

The sites do not lie near any large bodies of water, so the threat of tsunami, seiches, or other seismically-induced flooding is considered unlikely. No impact is identified for these issue areas.

- a4) The hazard of landsliding is unlikely due to the relatively planar topography of the project site. Therefore, no impact is identified for this issue area.
- b) Soil erosion can result during construction as grading and construction can loosen surface soils and make soils susceptible to wind and water movement across the surface. Impacts are not considered significant since erosion would be controlled on-site in accordance with County standards including preparation, review and approval of a grading plan by the County Engineer. Implementation of County standards would reduce the potential impacts to below a level of significance.
- c) Near surface soils within the project site will need to be identified to determine whether the soils are unstable. This is a potentially significant impact. This issue will be analyzed in the EIR.
- d) Near surface soils within the project site will need to be identified to determine whether they consist of soils having expansion potential. This is a potentially significant impact. This issue will be analyzed in the EIR.
- e) Near surface soils within the project site will need to be identified to determine whether the soils have a moderate infiltration rate. Therefore, a potentially significant impact has been identified for this issue area, and this issue will be addressed in the EIR.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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IX. GREENHOUSE GAS EMISSIONS

Would the project:

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan or policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a, b) The project has the potential to generate greenhouse gas emissions during construction, in addition to construction worker trips to and from the project site. A potentially significant impact is identified and will be evaluated in the EIR. In the long-term, the project is expected to provide a benefit with respect to reduction of greenhouse gas emissions. A Greenhouse Gas Emissions/Climate Change technical report will be prepared for the proposed project and this issue will be addressed in the EIR.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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X. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

- a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?
- b) Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?
- d) Be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?
- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?
- f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?
- g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

a, b) No Operations and Maintenance facilities, or habitable structures are proposed on-site. Operation of the project will be conducted remotely. Regular, routine maintenance of the project may result in the potential to handle hazardous materials; however, no hazardous materials are proposed to be stored on the project site. The hazardous materials handled on-site would be limited to small amounts of everyday use cleaners and common chemicals used for maintenance. The applicant will be required to comply with State laws and County Ordinance restrictions, which regulate and control hazardous materials handled on-site. Such hazardous waste to be transported off-site for disposal according to applicable State and County restrictions and laws governing the disposal of hazardous waste during construction and operation of the project. Disposal of hazardous wastes on the project site is not proposed. However, these issues will be addressed in the EIR.

c) The project is not located within one-quarter mile of an existing or proposed school. No impact is identified for this issue area.

d) The project site is not listed as a hazardous materials site pursuant to Government Code, Section 65962.5. No impact is identified for this issue area.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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- e, f) **The project site is not located within two miles of a public airport or a private airstrip. Thus, no impact is identified for these issue areas.**
- g) **The project is not expected to impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The applicant will be required to prepare a street improvement plan for the project site that will include provisions for emergency access points and vehicular travel. In addition, local building codes will be followed to minimize flood, seismic, and fire hazards. Therefore, no impact is identified for this issue area.**
- h) **According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000) the project site may be located in a Moderate Severity Fire Hazard area for wildland fire. Also, the construction and operation activities may result in an increased need for fire-fighting personnel and facilities in the area. This impact will be evaluated in the EIR under Public Services for Fire.**

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XI. HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage patterns of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect the flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, f) The project has the potential to create urban non-point source discharge (e.g., synthetic/organic chemicals). No waste discharge requirements have been issued for the proposed site. Potentially significant water quality impacts have been identified and will be addressed in the EIR.

b) During construction, potable water would be brought to the site for drinking and domestic needs, while construction water would be brought to the site for soil conditioning and dust suppression. Depending on whether municipal water is available for use, water for operational use may also be trucked to the site. Because the solar panels will be pole-mounted above ground, they are not considered “hardscape”, such as roads, building foundations, or parking areas, as they do not require a substantial amount of impervious material. The panels and

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their mounting foundation would not impede groundwater recharge. Impacts would be less than significant.

- c, d, e) The proposed project is not anticipated to generate a significant increase in the amount of runoff water from water use involving solar panel washing. Water will continue to percolate through the ground, as a majority of the surfaces on the project site will remain pervious. The proposed project would not substantially alter the existing drainage pattern of the site, substantially increase the rate of runoff, or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems. No IID drains or canals will be removed or relocated and no washes were found within the project site. A less than significant impact is identified for these issue areas.
- g, h) According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel 06025C2050C), the project site is located in Zone X, which is an area determined to be outside of the 0.2% annual chance of a flood. The project does not propose the placement of housing or structures within a 100-year flood hazard area. Therefore, no impact is identified for these issue areas.
- i) No dams or levees are in the vicinity of the project site. Therefore, no impact is identified for this issue area.
- j) The project site is not located near any large bodies of water. Furthermore, the project site is over 100 miles inland from the Pacific Ocean. In addition, the project site is relatively flat. Therefore, there is no potential for the project site to be inundated by seiches, tsunamis, or mudflows. Thus, no impact is identified for these issues.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XII. LAND USE AND PLANNING

Would the project:

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

a) **The project is located in a rural agricultural area of Imperial County. Although there are rural residences located adjacent to the boundary of the project site, the project site is surrounded by undeveloped agricultural lands and existing and/or proposed solar generating facilities similar to the proposed project. Therefore, no impact is anticipated.**

b) **The project site is currently designated by the General Plan as "Agriculture." The County identifies agricultural land as a form of open space that could be used as passive recreation. The project site is currently zoned A-2, A-2R, and A-3. Construction of a solar facility would be allowed within the existing zoning under a CUP.**

The County Land Use Ordinance, Division 17, includes the Renewable Energy Overlay Zone, which authorizes the development and operation of renewable energy projects, with an approved CUP. CUP applications proposed for specific renewable energy projects not located in the RE Overlay Zone would not be allowed without an amendment to the RE Overlay Zone. The project site is located outside of the Renewable Energy Overlay Zone. Therefore, the project requires a General Plan Amendment and Zone Change to include/classify the project site into the RE Overlay Zone. The proposed General Plan Amendment and Zone Change may result in a conflict with an applicable land plan, policy, or regulation. A potentially significant impact has been identified for this issue, and this issue will be addressed in the EIR.

c) **The project site is not located in a Habitat Conservation Plan or Natural Community Conservation Plan. No impact is identified for this issue area.**

	<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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XIII. MINERAL RESOURCES

Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) The project site is not used for mineral resource production. According to the Conservation and Open Space Element of the County of Imperial General Plan, no known mineral resources occur within the project site nor does the project site contain mapped mineral resources. As such, the proposed project would not adversely affect the availability of any known mineral resources within the project site. No impact is identified.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XIV. NOISE

Would the project result in:

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|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, c, d) The Imperial County Code of Ordinances, Chapter 2, Section 90702.00 - Sound level limits, establishes one-hour average sound level limits for the County's land use zones. Agricultural/industrial operations are required to comply with the noise levels prescribed under the general industrial zones. Therefore, the project is required to maintain noise levels below 75 decibels (dB) (averaged over one hour) during any time of day. The project would be expected to comply with the Noise Element of the General Plan which states that construction noise, from a single piece of equipment or a combination of equipment, shall not exceed 75 dB, when averaged over an eight hour period, and measured at the nearest sensitive receptor. Construction equipment operation is also limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 9 a.m. to 5 p.m. Nevertheless, the project will result in the increase in ambient noise levels during construction. This issue will be addressed in the EIR.

b) Groundborne vibration and groundborne noise could originate from earth movement during the construction phase of the proposed project. However, significant vibration is typically associated with activities such as blasting or the use of pile drivers, neither of which would be required during project construction. The project would be expected to comply with all applicable requirements for long-term operation, as well as with measures to reduce excessive groundborne vibration and noise to ensure that the project would not expose persons or structures to excessive groundborne vibration. No further analysis is warranted.

e, f) The project site is not located within two miles of a public airport or a private airstrip. No further analysis is warranted.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUM)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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XV. POPULATION AND HOUSING

Would the project:

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a-c) The project site is currently used for agricultural production. Development of housing is not proposed as part of the project. No full-time employees are required to operate the project. The project would be operated remotely. The proposed project would not result in substantial population growth. Therefore, no impact is identified for population and housing.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XVI. PUBLIC SERVICES

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1) Fire protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Police protection?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a1) Fire protection and emergency medical services in the area are provided by the Imperial County Fire Department. The proposed project would be required to comply with all existing regulations and requirements of the Imperial County Fire Department and would be reviewed for adherence to prevention measures for wildland fires. According to the Imperial County Natural Hazard Disclosure (Fire) Map prepared by the California Department of Forestry and Fire Protection (2000), the project site may be located within, and/or adjacent to an area identified as a Moderate Fire Hazard Area. Construction and operation activities may result in an increased need for fire-fighting personnel and facilities in the area. Therefore, the potential impact on fire services from construction and operation of the proposed project will be further evaluated in the EIR.

a2) Police protection services in the proposed project area are provided by the Imperial County Sheriff's Department. Although the potential is low, the proposed project may attract vandals or other security risks. The increase in construction related traffic could increase demand on law enforcement services. On-site security would be provided and access would be limited to the areas surrounding the project site during construction and operation, thereby minimizing the need for police surveillance. However, the project's impacts on sheriff services will be further evaluated in the EIR.

a3) The proposed project does not include the development of residential land uses that would result in an increase in population or student generation. Construction of the proposed project would not result in an increase in student population within the Imperial County's School District since it is anticipated that construction workers would commute in during construction operations. The proposed project would have no impact on Imperial County schools. No further analysis is warranted.

a4, 5) Parks/Libraries/Other Public Facilities: The proposed project would be remotely operated, controlled and monitored, with no requirement for daily on-site employees. Therefore, substantial permanent increases in population that would adversely affect local parks, libraries and other public facilities (such as post offices) are not expected. The project is not expected to have an impact on parks and other public facilities such as post offices, and libraries. Therefore, no further analysis of these issue areas is warranted.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XVII. RECREATION

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of the existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) The proposed project would not generate new employment on a long-term basis. As such, the project would not significantly increase the use or accelerate the deterioration of regional parks or other recreational facilities. The temporary increase of population during construction that might be caused by an influx of workers would be minimal and not cause a detectable increase in the use of parks. Additionally, the project does not include or require the expansion of recreational facilities. No impact will occur and no further analysis is warranted.

Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XVIII. TRANSPORTATION / TRAFFIC

Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable congestion management program, including but not limited to level of service standard and travel demand measures, or other standards established by the county congestion/management agency for designated roads or highways? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, programs, regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

a, b) The construction of the proposed project would result in a small increase of traffic to the area, which may result in a potentially significant impact. A traffic impact study will be prepared and this issue will be addressed in the EIR.

c, d) The proposed solar panels would not be at a height that would interfere with air traffic patterns. Project access roads will be implemented into the project design. The access roads would provide emergency units vehicle access and allow access to the inverter modules. These access roads would not increase hazards due to design features or incompatible uses. No impact is identified.

e) The proposed street improvement plan for the project will be required to provide provisions for emergency access points and safe vehicular travel. Thus, no impact is identified for this issue area.

f) There are currently no pedestrian or bicycle right-of-ways within the project site that the project would interfere with. There are currently no bus stops located within the project's boundaries or surrounding area and the proposed project does not include changes to the existing county roadway network. The proposed project would not conflict with any adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. Thus, no impact is identified for this issue area.

	Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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XIX. UTILITIES AND SERVICE SYSTEMS

Would the project:

- | | | | | |
|---|-------------------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, state, and local statutes and regulations related to solid waste? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

a, e) The project would generate a minimal volume of wastewater during construction. During construction activities, wastewater would be contained within portable toilet facilities and disposed of at an approved site. No habitable structures are proposed on the project site (such as O&M buildings); therefore, there would be no wastewater generation from the proposed project. The proposed project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board. A less than significant impact is identified for this issue area.

b, d) The project is not anticipated to result in a significant increase in water demand/use; however, water will be needed for solar panel washing and fire protection (on site storage) once the project is fully operational. The project would potentially draw water from the IID controlled Westside Main Canal. This issue will be addressed in the EIR.

c) The project does not include the construction of a storm drainage system or the alteration of the existing system. No impact is identified for this issue area. However, site drainage will be discussed in the Hydrology and Water Quality section of the EIR.

f, g) During construction and operation of the project, waste generation will be minor. Solid waste will be disposed of using a locally-licensed waste hauling service, most likely Allied Waste. There are over 40 solid waste facilities listed in Imperial County in the CalRecycle database. Trash would likely be hauled to the Calexico Solid Waste Site located in Calexico or the CR&R Material Recovery Transfer Station located in El Centro. The Calexico Solid Waste site has approximately 1.8 million cubic yards of remaining capacity and is estimated to remain in operation through 2077. The CR&R Material Recovery and Transfer station has a maximum permitted throughput of 99 tons/day. No closure date has been reported for this facility (<http://www.calrecycle.ca.gov/SWFacilities/Directory/13-AA-0109/Detail/>). Therefore, there is ample landfill capacity throughout the County to receive the minor amount of solid waste generated by project construction and operation.

<i>Potentially Significant Impact (PSI)</i>	<i>Potentially Significant Unless Mitigation Incorporated (PSUMI)</i>	<i>Less Than Significant Impact (LTSI)</i>	<i>No Impact (NI)</i>
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Additionally, because the proposed project would generate solid waste during construction and operation, they will be required to comply with State and local requirements for waste reduction and recycling; including the 1989 California Integrated Waste Management Act and the 1991 California Solid Waste Reuse and Recycling Access Act of 1991. Also, conditions of the CUP will contain provisions for recycling and diversion of construction waste per policies of the County. A less than significant impact is identified for this issue.

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

Revised 2009- CEQA

Revised 2011- ICPDS

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Potentially Significant Impact (PSI)	Potentially Significant Unless Mitigation Incorporated (PSUMI)	Less Than Significant Impact (LTSI)	No Impact (NI)
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SECTION III MANDATORY FINDINGS OF SIGNIFICANCE

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

- | | | | | |
|--|-------------------------------------|--------------------------|--------------------------|--------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

a-c) The project has the potential to result in significant environmental effects, which could directly or indirectly cause adverse effects on human beings and or the environment. Implementation of the proposed project has the potential to result in impacts related to: aesthetics, agricultural resources, air quality, sensitive biological resources, cultural resources, paleontological resources, tribal cultural resources, geology/soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, public services, transportation/circulation impacts, and water supply. These issues will be further evaluated in the EIR. In addition, the proposed project has the potential to result in cumulative impacts with regards to the identified issue areas. Cumulative impacts will be discussed and further analyzed in the EIR.

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Imperial County
Planning & Development Services Department

REVISED NOTICE OF PREPARATION OF DRAFT EIR FOR VEGA SES SOLAR ENERGY PROJECT AND
NOTICE OF PUBLIC EIR SCOPING MEETING

Revised Notice of Preparation: The County of Imperial initially released a Notice of Preparation (NOP) for the project on August 9, 2017. Since the release of the original NOP, the project has been slightly modified to increase the overall project size. The Applicant is now proposing to add Assessor Parcel No. (APN) 051-390-012, which comprises approximately 80 acres, to the project site. The original project site comprised approximately 494 acres of land. With the addition of APN 051-390-012, the revised total site acreage is approximately 574 acres of land. A revised NOP and Initial Study have been prepared to address the changes to the project, since the original NOP was released on August 9, 2017 and to scope the issues which will be further addressed in the EIR.

The Imperial County Planning & Development Services Department intends to prepare an Environmental Impact Report (EIR) for the proposed VEGA SES Solar Energy Project as described below.

SUBJECT: VEGA SES Solar Energy Project EIR

BOARD OF SUPERVISORS CONSIDERATION: To Be Determined.

PROJECT LOCATION: The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on privately owned, undeveloped agricultural land encompassing approximately 574 acres in southwestern Imperial County. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road and north of Lyons Road.

PROJECT DESCRIPTION: The VEGA SES Solar Energy Project consists of three primary components: 1) solar generation equipment and associated facilities (herein referred to as "solar energy facility"); 2) battery storage system; and, 3) 230 kilovolt (kV) generator intertie (herein referred to as "gentie") that will deliver the electrical energy produced by the project to the proposed Imperial Irrigation District (IID) 230 kilovolt (kV) Fern Substation. The solar energy facility, battery storage system, and gentie are collectively referred to as the "proposed project" or "project."

The proposed project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 574 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, on-site substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

Project Applicant: VEGA SES LLC

URBAN AREA PLAN: None, located in unincorporated area of County of Imperial

BOARD OF SUPERVISORS DISTRICT: District 2, Supervisor Luis A. Plancarte

ANTICIPATED SIGNIFICANT EFFECTS: The EIR will analyze potential impacts associated with the following: Aesthetics; Agricultural Resources; Air Quality; Biological Resources; Cultural Resources; Cumulative Impacts; Geology/Soils; Greenhouse Gas Emissions/Climate Change; Growth-inducing Impacts; Hazards/Hazardous Materials; Hydrology and Water Quality; Land Use and Planning; Noise; Public Services; Transportation/Traffic; and Utilities and Service Systems including water supply and energy.

COMMENTS REQUESTED: The Imperial County Planning & Development Services Department would like to know your ideas about the effects this project might have on the environment and your suggestions as to mitigation or ways the project may be revised to reduce or avoid any significant environmental impacts. Your comments will guide the scope and content of environmental issues to be examined in the EIR. Your comments may be submitted in writing to David Black, Imperial County Planning & Development Services Department, 801 Main Street, El Centro, CA 92243. Available project information may be reviewed at this location.

NOTICE OF PREPARATION REVIEW PERIOD: November 6, 2017 through December 7, 2017

Comment Letters Received on Revised Notice of Preparation

(Review Period: November 6, 2017
through December 7, 2017)

NATIVE AMERICAN HERITAGE COMMISSION

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



November 13, 2017

David Black
Imperial County
801 Main Street
El Centro, CA 92243

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

RE: SCH# 2017081019; Vega SES Solar Project; Imperial County, California

Dear Mr. Black:

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

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

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

AB 52

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

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

7. **Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. **Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. **Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. **Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. **Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

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

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

SB 18

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

Some of SB 18's provisions include:

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

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

NAHC Recommendations for Cultural Resources Assessments

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

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



State of California • Natural Resources Agency
Department of Conservation
Division of Land Resource Protection
801 K Street • MS 14-15
Sacramento, CA 95814
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Edmund G. Brown Jr., Governor
Kathryn M. Lyddan, Division Director

November 16, 2017

VIA EMAIL: DAVIDBLACK@CO.IMPERIAL.CA.US

Mr. David Black
County of Imperial
801 Main Street
El Centro, CA 92243

Dear Mr. Black:

**VEGA SES SOLAR ENERGY PROJECT, REVISED NOTICE OF PREPARATION OF
AN ENVIRONMENTAL IMPACT REPORT, SCH# 2017081019**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation (NOP) submitted by Imperial County for the Vega SES Solar Project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

PROJECT DESCRIPTION

The Vega SES Solar Energy Project involves the construction of a 100-megawatt (MW) photovoltaic (PV) solar energy facility with an integrated 100 MW battery storage system on approximately 574 acres of land. The project would include a ground mounted PV solar power generating system, supporting structures, electronic/electrical equipment, onsite substation, retention basins, access roads, and fencing. The energy produced by the project would be conducted through a proposed 230 kV generator intertie line and delivered to the IID through a short interconnection with the proposed IID 230 kV Fern Substation.

The proposed VEGA SES Solar Energy Project is located approximately 9 miles southwest of the City of El Centro, California on approximately 574 acres of Prime Farmland and Farmland of Statewide Importance as classified by the Department of Conservation's Farmland Mapping and Monitoring Program. The project is generally located east of the Westside Main Canal, south of West Wixom Road, west of Drew Road and north of Lyons Road in southwestern Imperial County. Assessor's Parcel Number(s) 051-360-021-000, 051-360-031-000, 051-390-004-000, 051-390-013-000, and 051-390-012.

Department Comments

The conversion of agricultural land represents a permanent reduction and significant impact to the State's agricultural land resources. Under CEQA, a lead agency should not approve a project if there are feasible alternatives or feasible mitigation measures available that would lessen the

significant effects of the project.¹ In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. Therefore, all mitigation measures that are potentially feasible should be included in the DEIR. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements.

As such, the Department recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation. Agricultural conservation easements are an available mitigation tool and should always be considered. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

One source that has proven helpful for regional and statewide agricultural mitigation is the California Council of Land Trusts, which can be found at:

<http://www.calandtrusts.org>

Thank you for giving us the opportunity to comment on the Revised Notice of Preparation of an Environmental Impact Report for the Vega SES Solar Energy Project. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Farl Grundy, Environmental Planner at (916) 324-7347 or via email at Farl.Grundy@conservation.ca.gov.

Sincerely,



Kathryn Lyddan
Division Director

¹ California Environmental Quality Act Statute and Guidelines, Association of Environmental Professionals, 2017, Section 21002, page 2.

DEPARTMENT OF TRANSPORTATION

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a California Way of Life.*

December 1, 2017

11- IMP-8, PM 29.92
11- IMP-98, PM 22.192
Vega SES Solar Project
NOP / SCH#2017081019Mr. David Black
Imperial County Planning & Development Services
801 Main Street
El Centro, CA 92243

Dear Mr. Black:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation for the Vega SES Solar Project located in proximity to Interstation 8 (I-8) and State Route 98 (SR-98). 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.

Caltrans has the following comments:

Hauling

Caltrans may, upon 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. 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.

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*.

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Further information is available for download at the following web address:
<http://www.dot.ca.gov/hq/traffops/signtech/mutcdsupp/pdf/camuted2012/Part6.pdf>

Glint Glare Analysis

Visual aspects of the project including glint and glare should be documented not to have any potential impacts to motorists driving on I-8 and SR-98.

Utilities

It is also understood by our agency 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.

If you have any questions, please contact Mark McCumsey, of the Caltrans Development Review Branch, at (619) 688-6802 or by e-mail sent to Mark.McCumsey@dot.ca.gov.

Sincerely,



KERI ROBINSON, Acting Branch Chief
Local Development and Intergovernmental Review Branch