

**MINUTES OF THE
PLANNING COMMISSION MEETING
December 11, 2024**

The Imperial County Planning Commission convened a Meeting on Wednesday, December 11, 2024, at 9:00 a.m. in the Board of Supervisors Chambers, El Centro, California.

Staff present: Director, Jim Minnick; Assistant Director, Michael Abraham; Planner II, Rocio Yee; Planner I, Luis Bejarano; Planner II, Gerardo Quero; Clerks - Marsha Torres & Olivia Lopez

Chairman Rudy Schaffner called meeting to order at 9:00 a.m.

I. **Roll Call: Commissioners present:** Schaffner, Kalin, Cabanas, Bergh, Medina, Wright, Hinojosa

II. **Pledge of Allegiance:**

III. **Public Hearings**

1. **Approval of Minutes:** Chairman Schaffner entertained a motion to approve the Planning Commission Minutes for the **November 13, 2024**, meeting as submitted by staff; Commissioner Kalin made motion to approve minutes seconded by Commissioner Cabanas and carried on the affirmative vote by the Commissioners present Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Good morning Commissioners, Jim Minnick, Imperial County Planning Director. Before we start, I would like to make an announcement. I would like to congratulate Lewis Pacheco for becoming a new IID Board member, at the same time, I'd like to note that he has resigned from this Commission and therefore you will now have a 9 seated Commission until his replacement is filled. Your majority vote is 5.

2. **Consideration of Conditional Use Permit #24-0019** as submitted by Loren F & Rayleen Strahm, who proposes to construct a 1,500 square foot second dwelling single-family residence on a 160-acre parcel. This will include a new septic system, water cistern, and pump house to service the residence; Legally described as Tract 99, Township 15 South, Range 15 East, 160-acre parcel, S.B.M. in an unincorporated area of the County of Imperial. The property is also known as Assessor's Parcel number (APN) 045-040-015-000 (2605 Holt Rd. Holtville CA, 92250), (Supervisorial District #5) [Rocio Yee, Planner II at 442-265-1736, extension 1750 or by email at rocioyee@co.imperial.ca.us].

Jim Minnick, Director: Gave a brief description of the project, and introduced Rocio Yee, Planner II, to read the project into the record.

Rocio Yee, Planner II: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Cecilia Vogel, Representative for Applicant: Introduced herself.

Chairman Schaffner: Asked if she read and agreed with everything in the project, and if she had any questions or comments regarding the project.

Cecilia Vogel, Representative for Applicant: Stated that she read and did agree with everything on the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting. There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve **Agenda Item #2** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #2** stands approved by this Commission; in which the applicant or any member from the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

3. **Consideration of Lot Line Adjustment #00338** as submitted by Anthony R. Edmondson & Vincent H. Wavra, who are requesting to adjust the boundary line between Parcel A and Parcel B to achieve identical configuration in depth on both lots. Parcel A with Assessor's Parcel Number 046-280-004-000 (4524 Brandt Road, Brawley, CA 92227) is legally described as Parcel 1 of Parcel Map #586 of Tract #197 Township 13 South, Range 14 East, S.B.B.M.; Parcel B with Assessor's Parcel Number 046-280-028-000 (4550 Brandt Road, Brawley, CA 92227) is legally described as S 110FT OF N 770FT OF W 759.09FT TR 197 13-14 1.91AC, Township 13 South, Range 14 East, S.B.B.M.; [Luis Bejarano, Planner I at (442) 265-1736, extension 1745 or via email at luisbejarano@co.imperial.ca.us]

Jim Minnick, Director: Gave a brief description of the project, and introduced Luis Bejarano, Planner I, to read the project into the record.

Luis Bejarano, Planner I: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Vincent H. Wavra: Introduced himself.

Anthony Edmondson: Introduced himself.

Chairman Schaffner: Asked if they read and agreed with everything and if they had any questions or comments regarding the project.

Vincent H. Wavra & Anthony Edmondson: Stated they read and did agree with everything on the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting. There were no public comments. He then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve **Agenda Item #3** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #3** stands approved by this Commission; in which the applicant or any member from the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

4. **Consideration of Conditional Use Permit #24-0015** as submitted by Zayo Group LLC., proposes a new unmanned fiber hut which will house servers and ancillary equipment. The addition will comprise of a prefabricated structure which will be located along Jessup Road, with a footprint of approximately 35' by 23' and a height of 11'11 and an emergency stand-by generator. The project site is located at 1941 Jessup Road, Imperial, CA 92251, on property identified as Assessor Parcel Number 051-120-074-000, and is further described as Parcel 3 PM 1812 of Lots 3 4 & 6 Section 10 16-12 46.08 AC. in the County of Imperial; State of California (Supervisorial District #3), [Luis Valenzuela, Planner II at 442-265-1736, or by email at luisvalenzuela@co.imperial.ca.us].

Jim Minnick, Director: Gave a brief description of the project, and introduced Luis Bejarano, Planner I, to read the project into the record on behalf of Luis Valenzuela, Planner II.

Luis Bejarano, Planner I: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Michael Long, Representative for Applicant: Introduced himself over Zoom.

Chairman Schaffner: Asked if he read and agreed with everything and if he had any questions or comments regarding the project.

Michael Long, Representative for Applicant: Stated that he read and did agree with everything on the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve **Agenda Item #4** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #4** stands approved by this Commission; in which the applicant or any member from the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

5. **Consideration of Conditional Use Permit #23-0025** as submitted by Apex Energy Solutions, LLC proposing the Alba Peaker BESS Project through Conditional Use Permit #23-0025 which consists of the development a 100-Megawatt (MW) Battery Energy Storage System (BESS) facility that would connect to the existing Imperial Irrigation District's 92-Kilovolt (kV) "LW" line. The BESS facility would include battery containers and storage sites, an on-site switching station, an on-site water storage pond/tank for fire suppression purposes, and associated facilities surrounded by fencing. The proposed project site is located at 1884 Drew Road, Seeley, CA 92273, on property identified as Assessor's Parcel Number 051-420-042-000, and further described as That Part of the East Half of Tract 65, Township 16 South, Range 12 East of the San Bernardino Base and Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #3), [Gerardo A. Quero, Planner II at 442-265-1736, or via email at gerardoquero@co.imperial.ca.us].

Jim Minnick, Director: Gave a brief description of the project, and introduced Gerardo Quero, Planner II, to read the project into the record.

Gerardo Quero, Planner II: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Ramon Gonzalez, Representative for Applicant: Introduced himself.

Chairman Schaffner: Asked if he read and agreed with everything and if he had any questions or comments regarding the project.

Ramon Gonzalez, Representative for Applicant: Stated that he read and did agree with everything in the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Bergh: Battery type?

Ramon Gonzalez, Representative for Applicant: Currently, Tesla megapack.

Commissioner Bergh: Fire protection?

Ramon Gonzalez, Representative for Applicant: Internal suppression system designed within the Tesla megapack building.

Commissioner Bergh: And if there were a fire that starts inside the building, it would confine it to the building itself?

Ramon Gonzalez, Representative for Applicant: Yes.

Commissioner Bergh: I noticed there is a lot of residential adjacent to it.

Ramon Gonzalez, Representative for Applicant: Yes, that's correct. We did study that.

Commissioner Cabanas: Is some of the mitigations being incorporated from this letter?

Ramon Gonzalez, Representative for Applicant: We reviewed the letter and most of the mitigations have been considered, yes.

Commissioner Cabanas: But have not been incorporated into the CUP?

Jim Minnick, Director: The applicable ones will be incorporated into the CUP. Not all comments in a comment letter result in actual changes. It should also be noted that the units are individual units and not a warehouse style like what the IID built over off Villa Rd., so they are able to be better fire suppressed by their individual units.

Commissioner Kalin: Made a motion to approve **Agenda Item #5** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #5** stands approved by this Commission; in which the applicant or any member from the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

6. **Consideration of Parcel Map #02512** as submitted by Grewal Holdings, LLC seeking approval for a minor subdivision within the Gateway of the Americas Specific Plan Area which consists of dividing an existing parcel into two distinct lots. One lot would be designated for the development of a Truck Stop & Travel Center, while the other is intended for a Starbucks Coffee location or a Drive-Thru Business. The proposed project site is located at 1761 Maggio Road, Calexico, CA 92231, on property identified as Assessor's Parcel Number 059-435-012-000, and further described as This Lot Merger Consists of the Merging of Lots 4, 5, 6, 7, 8, 9, 10, 17 and 18 of the Maggio Commercial Park Subdivision Tract No. 941 Unit 4 Together with That Segment of Stefani Street and the Public Utility Easement (PUE) Adjacent to Said Segment of Stefani Street within the Said Maggio Commercial Park Subdivision Tract No. 941 Unit 4; Township 17 South, Range 15 East of the San Bernardino Base and Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #5), [Gerardo A. Quero, Planner II at 442-265-1736, or via email at gerardoquero@co.imperial.ca.us].

Jim Minnick, Director: Gave a brief description of the project, and introduced Gerardo Quero, Planner II, to read the project into the record.

Gerardo Quero, Planner II: Read the PowerPoint presentation of the project into the record.

Chairman Schaffner: Asked if there was a representative for the project to approach the podium.

Harinder Singh, Representative for Applicant: Introduced himself.

Chairman Schaffner: Asked if he read and agreed with everything and if he had any questions or comments regarding the project.

Harinder Singh, Representative for Applicant: Stated that he read and did agree with everything in the project and had no questions or comments.

Chairman Schaffner: Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve **Agenda Item #6** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follow Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

Jim Minnick, Director: Stated **Agenda Item #6** stands approved by this Commission; in which the applicant or any member from the public want to appeal must be done by filing the appropriate appeal in the next ten (10) days.

7. **7a. Consideration of Water Supply Assessment (WSA)** as submitted by Apex Energy Solutions, LLC, proposing a water well for the construction and operations for the proposed NorthStar 3 Solar Energy Generation and Battery Storage project. This Water Supply Assessment has determined that adequate supply is currently available during normal water years. The foreseeable planned demands for the sources of water for the Project have been noted in this Water Supply Assessment. The proposed project would be located on three privately owned parcels encompassing approximately 585 acres in the northwest portion of the County. The proposed project site is located at 4580 West Highway 86, Westmorland, CA, on properties identified as Assessor's Parcel Numbers 017-350-031-000, 017-350-030-000, and 017-350-027-000; and further described as That Portion of West Half of Section 25; West Portion of West Half of the East Half of Section 25; and Southeast Quarter of the Northeast Quarter & the East Half of the Southeast Quarter of Section 25, respectively; Township 11 South, Range 10 East of the San Bernardino Base and Meridian (S.B.B.M.), County

of Imperial; State of California (Supervisory District #4).

7b. Consideration of the Mitigated Negative Declaration for the NorthStar 3 Solar Energy Generation and Battery Storage project. The Mitigated Negative Declaration includes reviews of WSA, General Plan Amendment #23-0002, Zone Change #23-0002, CUP #23-0007 & CUP#23-0008. The proposed project would be located on three privately owned parcels encompassing approximately 585 acres in the northwest portion of the County. The proposed project site is located at 4580 West Highway 86, Westmorland, CA, on properties identified as Assessor's Parcel Numbers 017-350-031-000, 017-350-030-000, and 017-350-027-000; and further described as That Portion of West Half of Section 25; West Portion of West Half of the East Half of Section 25; and Southeast Quarter of the Northeast Quarter & the East Half of the Southeast Quarter of Section 25, respectively; Township 11 South, Range 10 East of the San Bernardino Base and Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #4).

7c. Consideration of General Plan Amendment #23-0002 for the NorthStar 3 Solar Energy and Battery Storage project. This action would add a renewable energy overlay designation (RE) to the project site area. The General Plan Amendment (map and text revision) for the NorthStar 3 Solar Energy Generation and Battery Storage project is consistent with the Imperial County General Plan's Renewable Energy & Transmission Element and allows for inclusion into the Renewable Energy Overlay Zone.

7d. Consideration of Zone Change #23-0002. The Zone Change is consistent with the General Plan's underlying land use overlay designation of Renewable Energy (RE). The Zone Change would allow development of the proposed NorthStar 3 Solar Energy Generation and Battery Storage project which consists of the construction and operation of a 100-megawatt (MW) solar photovoltaic (PV) energy generation facility with a 200-megawatt (MW) battery storage (BESS) component and an on-site transmission line to connect to the Imperial Irrigation District's existing 161kV "L" Line. The proposed project would be located on three privately owned parcels encompassing approximately 585 acres in the northwest portion of the County. The proposed project site is located at 4580 West Highway 86, Westmorland, CA, on properties identified as Assessor's Parcel Numbers 017-350-031-000, 017-350-030-000, and 017-350-027-000; and further described as That Portion of West Half of Section 25; West Portion of West Half of the East Half of Section 25; and Southeast Quarter of the Northeast Quarter & the East Half of the Southeast Quarter of Section 25, respectively; Township 11 South, Range 10 East of the San Bernardino Base and Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #4).

7e. Consideration of Conditional Use Permit #23-0007 which would permit the development of a nominal 100-megawatt (MW) solar photovoltaic (PV) energy generation project with an integrated battery storage system not to exceed 200-megawatt (MW). The project includes a solar energy generation facility, battery storage system, and an on-site transmission line to connect to the Imperial Irrigation District's existing 161kV "L" Line. The proposed project would be located on three privately owned parcels encompassing approximately 585 acres in the northwest portion of the County. The proposed project site is located at 4580 West Highway 86, Westmorland, CA, on properties identified as Assessor's Parcel Numbers 017-350-031-000, 017-350-030-000, and 017-350-027-000; and further described as That Portion of West Half of Section 25; West Portion of West Half of the East Half of Section 25; and Southeast Quarter of the Northeast Quarter & the East Half of the Southeast Quarter of Section 25, respectively; Township 11 South, Range 10 East of the San Bernardino Base and Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #4).

7f. Consideration of Conditional Use Permit # 23-0008 which consists of the construction and operation of a groundwater well for the NorthStar 3 Solar Energy Generation and Battery Storage project. This water well will be permitted for up to 10-acre-feet per year of water usage for the solar and battery storage operations and 295-acre-feet during the construction phase of solar and battery storage. The proposed project would be located on three privately owned parcels encompassing approximately 585 acres in the northwest portion of the County. The proposed project site is located at 4580 West Highway 86, Westmorland, CA, on properties

identified as Assessor's Parcel Numbers 017-350-031-000, 017-350-030-000, and 017-350-027-000; and further described as That Portion of West Half of Section 25; West Portion of West Half of the East Half of Section 25; and Southeast Quarter of the Northeast Quarter & the East Half of the Southeast Quarter of Section 25, respectively; Township 11 South, Range 10 East of the San Bernardino Base and Meridian (S.B.B.M.), County of Imperial; State of California (Supervisory District #4).

Jim Minnick, Director: Gave a brief description of the project, and introduced Tim Gnibus, County Consultant, to read the project into the record.

Tim Gnibus, Consultant: Read PowerPoint presentation of the project into the record.

Commissioner Bergh: The water well, what aquifer? Your paperwork does not identify precisely which aquifer you're talking about.

Tim Gnibus, Consultant: A groundwater study was prepared as part of the environmental documentation. I could look into that.

Commissioner Bergh: It's kind of vague.

Tim Gnibus, Consultant: Let me take a look at that and see if I can get to that answer for you.

Tim Gnibus, Consultant: So, the Water Supply Assessment, identifies the west Salton Sea ground water basin as the ground water basin that would be serving the site or the well.

Commissioner Bergh: So that's not being replenished at any time, soon? I'm assuming it's coming out of the mountains.

Tim Gnibus, Consultant: It does. There is historical data in the water supply assessment with the hydrographs over time, rises in certain years, lowers in certain years. I think the demand for this project was something like .02% of that aquifer.

Commissioner Bergh: Were you able to identify anyone else that's on that same aquifer?

Tim Gnibus, Consultant: Yeah, I think that is something we need to start looking at from a cumulative standpoint. What's happening is, the policies that are directing moving off the farmlands more which have been served by IID water sources so now they're moving into the desert lands where the available water sources are limited. IID does not serve these areas so that's why you're starting to see more conditional use permits for the ground water use. It's just starting to happen; we've had a couple of projects with the ground water amounts. So just to give you some perspective and again, its emerging, its something we need to start looking at within the basin itself because there are a lot of other projects that are being contemplated.

Commissioner Bergh: You have the casino out there; you have homes out there also. So, if they are all occupied or not, or whether they are drawing on that well, it's the same source.

Jim Minnick, Director: Salton Sea and the Salton City, Desert Shores, Salton Sea Beach, the Casino, they're all running off Coachella Valley Water. We do not have many water wells in the area.

Commissioner Berg: It wasn't necessary to put that in that form then?

Jim Minnick, Director: It should have. It wouldn't hurt to have that in there just for information. So, this is also a solar project which doesn't have a continuous use of water; its construction and then eventual dust suppression so as opposed to a geothermal plant or a factory.

Tim Gnibus, Consultant: Just to get to the numbers, for construction we are looking at .011% of the available water and then for operations, as Mr. Minnick mentioned, very little water use, its .00036% so it's pretty limited. Again, we would always look at this as part of the analysis in terms of down the basin and we've done so as part of the water supply assessment.

Commissioner Medina: Where is this energy being directed to? Is it staying local or is it going out of the area? Where's it going to?

Tim Gnibus, Consultant: I think I need the applicant to respond to where that energy source ultimately goes.

Ramon Gonzalez, Representative for Applicant: Introduced himself. Most of the energy is being exported out of the Imperial Valley.

Commissioner Medina: Is any of it staying in the Imperial Valley?

Ramon Gonzalez, Representative for Applicant: It all depends on how the final PPA is finalized, if any of that energy is going to be staying here for use here in the Imperial Valley.

Commissioner Medina: So how is the County of Imperial benefiting?

Jim Minnick, Director: Well Number 1, it generates jobs during the construction phase, Number 2 there is a per acre requirement impact fee annually that the county charges upon the project.

Commissioner Medina: The jobs, how much of those jobs are local or are being imported from other areas?

Jim Minnick, Director: It depends on the nature of the business and the opportunity of labor so I can't tell you that answer. I can tell you that when we do solar projects, they generally do have a percentage of locals that do it. Ramon, you may have any information on that.

Ramon Gonzalez, Representative for Applicant: Yes, most of the unions, we meet prior. Most I believe last project we had, last couple of projects we had here, 85 to 90% of the staff that was hired labor were electricians, operators were from here, from the Imperial Valley.

Jim Minnick, Director: It's encouraged but it's not a condition.

Commissioner Medina: And the current land, it's just?

Jim Minnick, Director: Desert, it's not being farmed. We're not taking any active business out of production to do this project.

Chairman Schaffner: Opened the public portion of the meeting. There were no public comments; he then closed the public portion of the meeting and turned it over to the Commission for any questions and/or comments.

Commissioner Kalin: Made a motion to approve and recommend project to be forwarded to Board of Supervisors **Agenda Item #7a-7f** seconded by **Commissioner Cabanas** and the affirmative vote by the Commissioners present as follows; Schaffner (yes), Kalin (yes), Cabanas (yes), Bergh (yes), Medina (yes), Wright (yes), Hinojosa (yes)

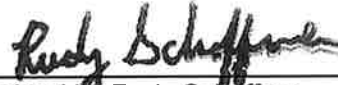
Jim Minnick, Director: Stated **Agenda Item #7a-7f** stands to be forwarded to the Board of Supervisors by this Commission; there is no appeal on this decision.

IV. **Public Comments:** NONE

V. **Planning Commissioner Comments:** NONE

VI. **Director Comments:** Wished everyone a Merry Christmas and a Happy New Year.

VII. **Adjournment: Chairman Schaffner:** Adjourned meeting. Meeting adjourned at 9:42 a.m.



Submitted by Rudy Schaffner
Chairman of the Planning Commission

Attest:



Jim Minnick, Director of
Imperial County Planning Commission

Marsha Torres & Olivia Lopez- PC Recording Clerks
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